



**TOWN OF AYDEN
GOVERNING BOARD MEETING
MINUTES**

December 11, 2017 – 7:00 pm
Ayden Old Town Hall – Second Floor

I. CALL TO ORDER

A. Call to Order

Mayor Tripp called the meeting to order at 7:00 p.m.

B. Roll Call

Present:

Mayor Tripp
Commissioners Davenport, Harris, Mewborn and Ross

Absent:

Mayor Pro-Tem Skinner

Also Present:

Steven Harrell - Town Manager
Sarah Radcliff– Town Clerk
Scott Dixon- Associate Attorney

C. Welcome Visitors

Mayor Tripp welcomed everyone to the meeting.

D. Invocation

Commissioner Davenport gave the invocation.

E. Pledge of Allegiance

Mayor Tripp led the Pledge of Allegiance.

F. Approval of the Agenda

Mayor Tripp stated they would add approval of the minutes from the November 14th meeting to the agenda of the current board.

Commissioner Ross stated at the last meeting when the Board came out of closed session, she was so upset and was not thinking straight. She said it was her intention to vote against the nominations for the Planning Board because she felt the new Board members should have been present before that was voted on. She stated she just wanted the record to show that it was her intention to vote “no”, although she knew she could not change her vote at this time.

Commissioner Mewborn said he concurred with Commissioner Ross’s statement and he felt the same way.

Motion to approve the agenda as amended.

Motion: Commissioner Harris

Second: Commissioner Davenport

Discussion: None

Approved: 5-0

Motion passed unanimously.

Motion to approve the minutes from the November 14, 2017 Board Meeting.

Motion: Commissioner Ross

Second: Commissioner Davenport

Discussion: None

Approved: 5-0

Motion passed unanimously.

II. PRESENTATIONS

A. Board Swearing-In Ceremony, Board Comments and Reception

Mayor Tripp presented a plaque of appreciation to Commissioner Harris for his service to the Town of Ayden.

Judge Hazelton swore in newly elected Commissioner Phyllis Ross, Commissioner Johnny Davis and Commissioner Raymond Langley.

Mayor Tripp welcomed the new members to the Board.

Commissioners thanked everyone for coming and for their support.

At this time, the board recessed for a reception honoring the newly elected Commissioners.

When the Board reconvened, Mayor Tripp stated the next item for business was to appoint a Mayor Pro-tem.

Motion to appoint Commissioner Mewborn as Mayor Pro-tem.

Motion: Commissioner Langley

Second: Commissioner Davis

Discussion: None

Approved: 5-0

Motion passed unanimously.

Mayor Tripp said they would now appoint Commissioners to the various Advisory Boards. Mayor Tripp made the following appointments:

Planning Board – Commissioner Langley

Arts & Recreation – Commissioner Davis

Library Trust Fund Board – Mayor Pro-tem Mewborn

Fire Dept. Relief Board – Commissioner Ross

Fire Dept. Advisory Board – Mayor Tripp

III. PUBLIC COMMENTS

There were no public comments.

IV. PUBLIC HEARING

A. Zoning Map Amendment – DAILZ, LLC Parcel #26789

Planning Director, Stephen Smith, presented to the Board.

Item Explanation

Amendment: The applicant is requesting a zoning map amendment to change the zoning from B-1 Central Business District) to R-8 (Residential) for .20 acres of the property at the 4149 East Avenue. This request consists of parcel # 26789. (See Attached Map).

Zoning District: B-1 (Central Business District) - The primary purpose of this district is to serve as the central commercial area of the Town of Ayden and to provide for the full range of retail, office, service and accessory uses customarily located in central business districts.

Zoning District: R-8 (Residential District) - The primary purpose of this district is to provide for single-family development on lots with a minimum size of 8,000 square feet in neighborhoods which receive all of the customary urban services.

Future Land Use Map Designation: Downtown – This designation is listed under Commercial in the Land Use Plan. Emphasis should be placed on preservation and development of the Central Business District; the control of strip development; infill development in existing commercial locations and the prohibition of commercial encroachment on existing residential neighborhoods.

The property is surrounded by R-8 zoning to the north and east and B1 zoning to the south and west. (See Attached Map)

Staff Comments

Staff recommends approval of the Rezoning from B1 (Central Business District) to R-8 (Residential). The future land use map designates this property as Downtown. The property is currently being used as a residential property and is located on the fringe of the central business district. The rezoning request is not consistent with the future land use designation of Downtown but is reasonable and in the public interest.

At its November 20, 2017 meeting, the Planning Board voted unanimously to recommend approval of the rezoning from B-1 Central Business District) to R-8 (Residential).

Action Requested

Conduct a Public Hearing

By motion, approve or deny the enclosed Zoning Map Amendment Ordinance No. 17-18-17. As a part of the motion, one of the following consistency statements must be read per state statute:

Based on the information provided at the public hearing and in the staff report, and the policies of the Town Comprehensive Plan, the Board finds that the request is not consistent with the aforementioned plan but the request is reasonable and in the public interest and I move to approve Zoning Map Amendment Ordinance No. 17-18-17.

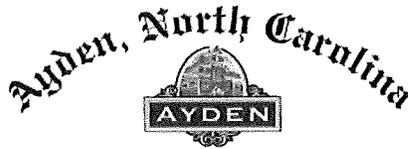
- OR -

Based on the information provided at the public hearing and in the staff report, and the policies of the Town Comprehensive Plan, the Board finds that the request is not consistent with the aforementioned

plan and is not reasonable and in the public interest and I move to deny Zoning Map Amendment Ordinance No. 17-18-17.

Mayor Tripp opened the public hearing. With no one speaking for or against the request, Mayor Tripp closed the public hearing.

Based on the information provided at the public hearing and in the staff report, and the policies of the Town Comprehensive Plan, the Board finds that the request is not consistent with the aforementioned plan but the request is reasonable and in the public interest and I move to approve Zoning Map Amendment Ordinance No. 17-18-17.



ORDINANCE NO. 17-18-17

AN ORDINANCE ADOPTED BY
THE TOWN OF AYDEN GOVERNING BOARD
AMENDING THE TOWN OF AYDEN
OFFICIAL ZONING MAP

WHEREAS, following due advertisement announcing a public hearing as provided by law, the Town of Ayden Governing Board held a public hearing December 11th, 2017, to receive public comments regarding an application filed by DAILZ, LLC. requesting that the zoning designation on the Official Zoning Map be amended a parcel of land located at 4149 East Avenue. (Pitt County Parcel No. 26789) totaling .20 acres from B-1 Central Business District) to R-8 (Residential); and

WHEREAS, the Town of Ayden Planning Board at its November 20, 2017 meeting voted unanimously to recommend approval of the Zoning Map Amendment; and

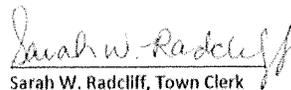
WHEREAS, the Town of Ayden Governing Board heard all evidence and arguments presented and all reports from Town Staff pertaining to said application and hereby approves the Zoning Map Amendment as requested.

NOW, THEREFORE, BE IT ORDAINED, by the Town of Ayden Governing Board that the Official Zoning Map is hereby amended by changing the zoning designation for Pitt County Parcel Pitt County Parcel No. 26789 (.20 acres) from B-1 Central Business District) to R-8 (Residential); and

BE IT FURTHER ORDAINED, by the Town of Ayden Governing Board, that this ordinance shall take effect immediately upon its adoption.

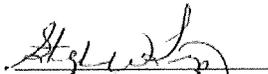
Adopted this the 11th day of December 2017 in Ayden, North Carolina.

ATTEST:


Sarah W. Radcliff, Town Clerk



AYDEN, NORTH CAROLINA


Stephen W. Tripp, Mayor

Motion: Mayor Pro-tem Mewborn

Second: Commissioner Langley

Discussion: None

Approved: 5-0

Motion passed unanimously.

V. CONSENT AGENDA

Item Explanation

The Town has one additional vehicle that needs disposal, a Case 580 Super L backhoe. NCGS 160A-270 sets out the ways in which a Town can conduct a Public Auction to dispose of real property and personal property. The statute does allow a town to dispose of real and personal property via electronic means. In July, the Town Board by resolution authorize the Town Manager to dispose of surplus vehicles via electronic means.

Staff Comments

The Town recommended to the Board a list of surplus vehicles in July 2017 to be sold by auction. Staff had recommended one backhoe at that time but had overlooked and second backhoe that was also no longer used and inoperable. Staff recommends this machine – a Case 580 Super L (serial number JG0276108) also be sold at auction to the highest bidder. This will leave the Town with three backhoes in good working order.

Action Requested

By motion, declare this Case 580 Super L backhoe surplus property.

Motion to approve consent agenda.

Motion: Commissioner Davenport

Second: Mayor Pro-tem Mewborn

Discussion: None

Approved: 5-0

Motion passed unanimously.

VI. ACTION ITEMS

A. Ordinance 17-18-18 for Demolition of Dwelling at 4185 Martin Luther King Street

Planning Director, Stephen Smith, presented to the board.

Item Explanation

As evidenced in the attached material, 4185 Martin Luther King Street (PN 20432) has been declared a public nuisance pursuant to Chapter 96.21(b) of the Town of Ayden Code of Ordinances, by which it has been determined that the property presents a threat to the public's health, safety, and welfare. Additionally, the property has been declared unsafe pursuant to Chapter 150.30 of the Town of Ayden Code of Ordinances. As such, the Town Manager or his designee has declared the property unfit for human habitation as authorized by NCGS 160A-443 and the Town of Ayden Code of Ordinances.

Staff Comments

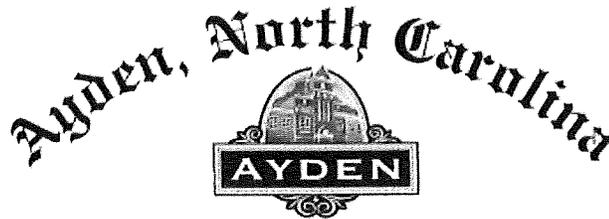
The property has been abandoned and damaged for a considerable period of time. Code Enforcement Officer Wayne Hardee inspected the site on July 24, 2017 and found continued deterioration of the structure. As required, Mr. Hardee sent notice to the property owner, Ella Battle, and scheduled a hearing for September 18, 2017 to discuss a course of action with the owner. This hearing notice was also published in the newspaper. The property owner did not attend the hearing and has not contacted our office after several attempts by staff to make contact. No corrective actions have been taken on said property.

As authorized by the North Carolina General Statutes and Town Code, staff is recommending that the Board of Commissioners take action to cause the structure to be demolished at the Town's doing and a lien be placed upon the property.

Action Requested

Adopt Ordinance 17-18-18 Demolition of Dwelling at 4185 Martin Luther King Street.

Motion to adopt Ordinance 17-18-18 Demolition of Dwelling at 4185 Martin Luther King Street.



ORDINANCE NO. 17-18-18
AN ORDINANCE ADOPTED BY THE AYDEN GOVERING BOARD
REQUIRING THE OWNER TO DEMOLISH AND REMOVE
THE DWELLING LOCATED AT 4185 MARTIN LUTHER KING STREET.
(Pitt Co. Parcel #20432)IN AYDEN, NC

WHEREAS, pursuant to the enforcement of the Unsafe Building Code contained in Section 150.30-150.36 and the Model Housing Code contained in Section 152.01-152.05 of Chapter 150, Title XV of the Town of Ayden Code of Ordinances as authorized by the provisions of Part 6 of Article 19 of Chapter 160A of the NC General Statutes, the dwelling described herein has been vacated for at least one year and has been declared by the Town Manager or his designee to be unfit for human habitation; and

WHEREAS, the Board of Commissioners of the Town of Ayden hereby finds that letters were sent to the property owner by both certified mail and regular mail notifying such owners of a hearing in the Code Enforcement Officer's office concerning the condition of the dwelling in question, that such hearing occurred on **September 18th, 2017**, at which time the Code Enforcement Officer found that the property in question constitutes a fire or safety hazard or is dangerous to life, health, or other property to the community and should as a result be demolished, and that it is likely that repair, alteration, or improvement of the dwelling cannot be made at a reasonable cost in relation to its value such that removal or demolition of the dwelling is warranted under the provisions of NCGS 160A-443 ; and

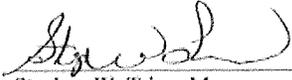
WHEREAS, NCGS 160A-443 (5) states that before demolition can be required, the property owner must first be given a reasonable opportunity to bring the structure into conformity with the Model Housing Code; and

WHEREAS, the Board of Commissioners of the Town of Ayden hereby acknowledges that the property owners were given this reasonable opportunity to bring such dwelling into conformity with the Model Housing Code or to remove and demolish such dwelling before the Town seeks to effect a demolition of such dwelling itself.

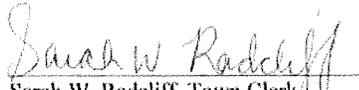
NOW, THEREFORE BE IT ORDAINED by the Board of Commissioners of the Town of Ayden that:

1. The Town Manager or his designee is hereby authorized and directed to proceed to demolish and remove the dwelling owned by **Ella Battle, PO BOX 4762, Rocky Mount, NC 27803**, said property located at 4185 Martin Luther King Street, Ayden; and
2. The cost of demolition and removal shall constitute a lien against the real property upon which the cost was incurred. The lien shall be filed, have the same priority, and be collected in the same manner as the lien for special assessment established by Article 10 of Chapter 160A of the NC General Statutes. The material of the dwelling and any personal property, fixtures, or appurtenances found in or attached to the dwelling shall be sold and the proceeds shall be credited against the cost of removal and demolition and any balance remaining shall be deposited in Superior Court where it shall be secured and disbursed in the manner provided by NCGS 160A-443 (6); and
3. This ordinance shall be recorded in the Office of the Register of Deeds of Pitt County and shall be indexed in the name of the property owner in the Grantor Index; and
4. This ordinance shall become effective upon its adoption.

Adopted this the 11th day of December 2017.


Stephen W. Tripp, Mayor

Attest:


Sarah W. Radcliff, Town Clerk



Motion: Commissioner Davenport

Second: Commissioner Langley

Discussion: None

Approved: 5-0

Motion passed unanimously.

B. Ordinance 17-18-19 to Amend the Town of Ayden FY 17/18 Budget Ordinance – FEMA Proceeds

Finance Director, Rob Taylor, presented to the board.

Item Explanation

Last year the Town made a budget amendment to record the proceeds anticipated from FEMA, Resolution 16-17-21. It was anticipated these funds would be received by the FY16/17 year-end. FEMA did reimburse the Town on November 1, 2017 as was provided to the Board on last month's Finance Department report. As these funds were received more than 90 days after the FY16/17 year-end, they are reported in the current year instead. A budget amendment is required to account for these funds in the current budget. Total funds received were, \$7,234.63 for the Electric Department, \$34,532.60 for the Water and Sewer Fund and \$178,941.20 for the General Fund for a total of \$220,855.87.

Staff Comments

The AHA also received \$50,750.00 from FEMA for stormwater drainage repairs.

Action Requested

By motion, adopt Budget Amendment # 6 recording proceeds from FEMA.

Motion to adopt Budget Amendment # 6 recording proceeds from FEMA.



ORDINANCE No. 17-18-19

ORDINANCE TO AMEND THE TOWN OF AYDEN
FY 17/18 BUDGET ORDINANCE

Budget Amendment 6

WHEREAS, the Town of Ayden incurred expenditures related to storm damage cleanup and applied for reimbursement of these costs from FEMA; and

WHEREAS, the Town received reimbursement on November 1, 2017 and the Town desires to properly budget for these storm related revenues

NOW, THEREFORE BE IT ORDAINED by the Board of Commissioners of the Town of Ayden that the FY 17/18 budget ordinance be amended as follows:

Section 1: General Fund

	Current	Revision	Revised
Revenue/Other Financing Sources			
Federal, State & Local Grants	\$ -	\$ 178,941.00	\$ 178,941.00
Fund Balance Appropriated	\$ 206,772.00	\$ (178,941.00)	\$ 27,831.00
All Other General Fund Revenue and OFS	\$ 4,280,003.00		\$ 4,280,003.00
Total Estimated Revenues and OFS	\$ 4,486,775.00	\$ -	\$ 4,486,775.00

Section 2: Electric Fund

	Current	Revision	Revised
Revenue/Other Financing Sources			
Federal, State & Local Grants	\$ -	\$ 7,235.00	\$ 7,235.00
Fund Balance Appropriated	\$ 229,469.00	\$ (7,235.00)	\$ 222,234.00
All Other General Fund Revenue and OFS	\$ 11,693,970.00		\$ 11,693,970.00
Total Estimated Revenues and OFS	\$ 11,923,439.00	\$ -	\$ 11,923,439.00

Section 2: Water & Sewer Fund

	Current	Revision	Revised
Revenue/Other Financing Sources			
Federal, State & Local Grants	\$ -	\$ 34,533.00	\$ 34,533.00
Fund Balance Appropriated	\$ 330,260.00	\$ (34,533.00)	\$ 295,727.00
All Other General Fund Revenue and OFS	\$ 3,076,330.00		\$ 3,076,330.00
Total Estimated Revenues and OFS	\$ 3,406,590.00	\$ -	\$ 3,406,590.00

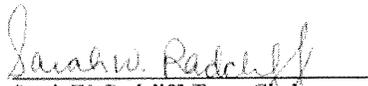
BE IT FURTHER ORDAINED by the Board of Commissioners of the Town of Ayden that this ordinance shall become in full force and effect upon adoption.

Adopted this the 11th day of December 2017.




Stephen W. Tripp, Mayor

Attest:


Sarah W. Radcliff, Town Clerk

Motion: Mayor Pro-tem Mewborn

Second: Commissioner Ross

Discussion: None

Approved: 5-0

Motion passed unanimously.

- C. Ordinance 17-18-20 to Amend the Town of Ayden FY 17/18 Budget Ordinance – Purchase/Finance Garbage Truck

Finance Director, Rob Taylor, presented to the board.

Item Explanation

The Town has agreed to purchase a new garbage truck for the Sanitation Department and have the vehicle financed. The finance department issued a Request for Proposals for financing from the three local banks and vendor's financing company. Proposals were to be received by 5:00pm, December 8, 2017.

Staff Comments

Town received three bids, one from BB&T, Southern Bank and TCF Equipment Finance. Southern Bank was the low bid.

Action Requested

Approve lowest bid.

Item Explanation

The Town's two existing garbage trucks, 2008 and 2013 Internationals, have had extensive downtime and repair work done over the past few years. Staff anticipated requesting a capital outlay to purchase a new truck in the FY17/18 budget year, however, due to budgetary constraints, it was decided to delay the request until the FY18/19 budget year. Both trucks have been in and out of the shop for repairs during the current year and the annual budget for maintenance has almost depleted in the first five (5) months of the year. On November 22, 2017, the Town's 2013 truck had a catastrophic engine failure. Both trucks are equipped with International's Maaxforce diesel engines. These engines have a history of the same catastrophic engine failure experienced by the Town. There is a class action lawsuit against International related to this engine. Staff will seek legal options against International to recoup losses suffered. Due to the unreliability of the remaining 2008 trash truck, it is imperative the Town repair or replace the 2013

truck to continue providing Ayden citizens reliable trash and recyclable collection. Staff has considered two options:

Repair Truck:

Staff estimates to replace the engine would cost \$30,000 (Quote attached). The truck would also be out of service for 30 days requiring Town to rent a truck. Rental from the City of Kinston is \$50 an hour, plus the Town would be responsible for all repairs. Engine replacement would be the same Maaxforce engine that is considered unreliable. The repair cost would require a budget amendment and a fund balance appropriation.

Purchase New Truck and Finance:

Due to the urgency, the Town utilized NJPA to solicit pricing on a new truck. NJPA – National Joint Purchasing Alliance is a national purchasing cooperative of which the Town is a member. North Carolina General Statute 143-129(e)(3) (see attached highlighted statute) allows the Town an exception to the formal bidding process for purchases through a competitive bidding group purchasing program like NJPA. A NJPA quote for a 2018 Freightliner with 20YD HEIL rear loader has been received from Carolina Environmental Services for \$148,216. Truck is available and can be delivered within 7 days of signed contract. Quotes for financing have been requested and are due on December 8th. The Finance Director will present these quotes at the December 11th Board meeting for review and selection. To purchase truck and finance, a budget amendment would be required, but the capital outlay expenditure would be offset by proceeds from loan. Request for loan structure would put first payment in the 18/19 fiscal year and would avoid the need for a fund balance appropriation in 17/18.

Staff Comments

Staff does not believe it is in the Town's best interest to repair truck. Staff recommends seeking legal action against International, if possible, selling 2013 truck as surplus, purchasing new trash truck and financing to preserve fund balance.

Action Requested

By motion, authorize purchase of recommended new garbage truck, approve lowest responsible bid on financing and authorize sale of 2013 Garbage truck as surplus equipment.

Motion to approve Budget Ordinance Amendment 17-18-20.



ORDINANCE No. 17-18-20

ORDINANCE TO AMEND THE TOWN OF AYDEN
FY 17/18 BUDGET ORDINANCE

Budget Amendment 8

WHEREAS, the Town of Ayden's primary trash truck had a catastrophic engine failure and needs to be replaced and

WHEREAS, the Town has received bids on three new trucks to replace it and bids on financing the new equipment,

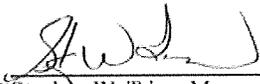
NOW, THEREFORE BE IT ORDAINED by the Board of Commissioners of the Town of Ayden authorize the financing and purchase of the new truck in the amount of \$148,216 and that the FY 17/18 budget ordinance be amended as follows:

Section 1: General Fund

	Current	Revision	Revised
Revenue/Other Financing Sources			
Loan Proceeds		\$ 148,216.00	\$ 148,216.00
All Other General Fund Revenue and OFS	\$4,486,775.00		\$4,486,775.00
Total Estimated Revenues and OFS	<u>\$4,486,775.00</u>	<u>\$ 148,216.00</u>	<u>\$4,634,991.00</u>
Revenue/Other Financing Sources			
Capital Outlay	\$ -	\$ 148,216.00	\$ 148,216.00
All Other General Fund Revenue and OFS	\$4,486,775.00		\$4,486,775.00
Total Estimated Revenues and OFS	<u>\$4,486,775.00</u>	<u>\$ 148,216.00</u>	<u>\$4,634,991.00</u>

BE IT FURTHER ORDAINED by the Board of Commissioners of the Town of Ayden that this ordinance shall become in full force and effect upon adoption.

Adopted this the 11th day of December 2017.


Stephen W. Tripp, Mayor

Attest:


Sarah W. Radcliff, Town Clerk



Motion: Commissioner Davenport

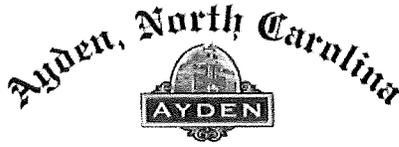
Second: Commissioner Davis

Discussion: None

Approved: 5-0

Motion passed unanimously.

Motion to approve Resolution 17-18-25 approving financing terms with Southern Bank.



RESOLUTION NO. 17-18-25
RESOLUTION APPROVING FINANCING TERMS

WHEREAS: The Town of Ayden ("Town") has previously determined to undertake a project for the financing of a garbage truck, (the "Project"), and the Finance Officer has now presented a proposal for the financing of such Project.

BE IT THEREFORE RESOLVED, as follows:

1. The Town hereby determines to finance the Project through Southern Bank ("Southern Bank"), in accordance with the proposal dated June 9, 2017. The amount financed shall not exceed \$150,000, the annual interest rate (in the absence of default or change in tax status) shall not exceed 1.94%, and the financing term shall not exceed three (3) years from closing.
2. All financing contracts and all related documents for the closing of the financing (the "Financing Documents") shall be consistent with the foregoing terms. All officers and employees of the Town are hereby authorized and directed to execute and deliver any Financing Documents, and to take all such further action as they may consider necessary or desirable, to carry out the financing of the Project as contemplated by the proposal and this resolution.
3. The Finance Officer is hereby authorized and directed to hold executed copies of the Financing Documents until the conditions for the delivery of the Financing Documents have been completed to such officer's satisfaction. The Finance Officer is authorized to approve changes to any Financing Documents previously signed by Town officers or employees, provided that such changes shall not substantially alter the intent of such documents or certificates from the intent expressed in the forms executed by such officers. The Financing Documents shall be in such final forms as the Finance Officer shall approve, with the Finance Officer's release of any Financing Document for delivery constituting conclusive evidence of such officer's final approval of the Document's final form.
4. The Town shall not take or omit to take any action the taking or omission of which shall cause its interest payments on this financing to be includable in the gross income for federal income tax purposes of the registered owners of the interest payment obligations. The Town hereby designates its obligations to make principal and interest payments under the Financing Documents as "qualified tax-exempt obligations" for the purpose of Internal Revenue Code Section 265(b)(3).
5. The Town intends that the adoption of this resolution will be a declaration of the Town's official intent to reimburse expenditures for the project that is to be financed from the proceeds of the Southern Bank financing described above. The Town intends that funds that have been advanced, or that may be advanced, from the Town's general fund, or any

other Town fund related to the project, for project costs may be reimbursed from the financing proceeds.

6. All prior actions of Town officers in furtherance of the purposes of this resolution are hereby ratified, approved and confirmed. All other resolutions (or parts thereof) in conflict with this resolution are hereby repealed, to the extent of the conflict. This resolution shall take effect immediately.

Approved this 11th day of December, 2017.

By: 
Sarah W. Radcliff, Town Clerk

By: 
Stephen W. Tripp, Mayor



Motion: Commissioner Davenport
Second: Mayor Pro-tem Mewborn
Discussion: None
Approved: 5-0

Motion passed unanimously.

Motion to declare the 2013 truck as surplus and authorize sale of such.

Motion: Mayor Pro-tem Mewborn
Second: Commissioner Ross
Discussion: None
Approved: 5-0

Motion passed unanimously.

D. Ordinance 17-18-21 Approving Transfer of Funds from General Fund to Water & Sewer Fund

Finance Director, Rob Taylor, presented to the board.

Item Explanation

At the Board's last meeting The Town Manager and Finance Director stated they would review other funding sources to replace the fund balance appropriation in the water and sewer fund needed to move forward with sewer repairs required by NCDOT so Hwy 102 could be resurfaced. The Town Manager and Finance Director considered the current fund balance in the Water and Sewer Fund, as well as, the additional projects in progress or to be started this year and additional revenue sources to be recorded this year (FEMA Reimbursement).

Staff Comments

Staff recommends a transfer from the General Fund to the Water and Sewer Fund for half of the cost related to the 102 sewer repair- \$96,643. The appropriation in the General Fund would be offset by FEMA funds to be recognized in FY17/18. The remaining \$96,643 of appropriation in the Water and Sewer Fund will be offset by FEMA funds of \$34,532 to be recorded in that fund leaving a net appropriation of \$62,111.

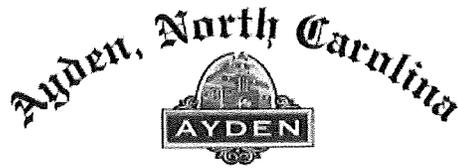
Estimated fund balance in the Water and Sewer Fund is currently \$1,329,000. We believe it would be prudent to leave Water and Sewer rates unchanged at this time. We recommend rate adjustments be reviewed during the upcoming budget process and a rate adjustment be made only if it appears the fund balance would drop below \$1 million before the end of this fiscal year.

We will start working on next year's budget in January. We have several projects in various stages in the Water and Sewer Fund that will impact its operating costs. We believe we need to consider the ramifications of all of the projects combined when reviewing rates. The budgeting process would be a better time to do this. After the recording of tonight's fund balance additions and appropriations, the Water and Sewer Fund will be \$1,129,916.

Action Requested

By motion, Budget Amendment #7 and transfer of \$96,643 from the General Fund to the Water and Sewer Fund.

Motion to approve Budget Amendment #7 and transfer of \$96,643 from the General Fund to the Water and Sewer Fund.



ORDINANCE NO. 17-18-21
TRANSFER OF FUNDS FROM GENERAL FUND TO WATER AND SEWER FUND

Budget Amendment 7

WHEREAS, the Town's desires the General Fund pay for half of the costs associated with repairing sewer lines required by NCDOT prior to the paving of NC Highway 102

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Town of Ayden hereby authorizes the following budget amendment and transfer between the General Fund and Water and Sewer Fund.

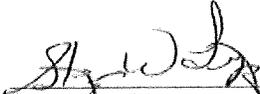
Section 1: General Fund

	Current	Revision	Revised
Revenue/Other Financing Sources			
Fund Balance Appropriated	\$ 27,831.00	\$ 96,643.00	\$ 124,474.00
All Other General Fund Revenue and OFS	<u>\$ 4,458,944.00</u>		<u>\$ 4,458,944.00</u>
Total Estimated Revenues and OFS	<u>\$ 4,486,775.00</u>	<u>\$ 96,643.00</u>	<u>\$ 4,583,418.00</u>
Expenditures/Other Financing Uses			
Transfer To Water and Sewer Fund	\$ -	\$ 96,643.00	\$ 96,643.00
All Other General Fund Expenditures and OFU	<u>\$ 4,486,775.00</u>		<u>\$ 4,486,775.00</u>
Total Estimated Expenditures and OFU	<u>\$ 4,486,775.00</u>	<u>\$ 96,643.00</u>	<u>\$ 4,583,418.00</u>

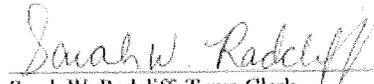
Section 2: Water & Sewer Fund

	Current	Revision	Revised
Revenue/Other Financing Sources			
Transfers from General Fund	\$ -	\$ 96,643.00	\$ 96,643.00
Fund Balance Appropriated	\$ 295,727.00	\$ (96,643.00)	\$ 199,084.00
All Other Water and Sewer Fund Revenue and OFS	<u>\$ 3,110,863.00</u>		<u>\$ 3,110,863.00</u>
Total Estimated Revenues and OFS	<u>\$ 3,406,590.00</u>	<u>\$ -</u>	<u>\$ 3,406,590.00</u>

Adopted this the 11th day of December, 2017 in Ayden, North Carolina.


 Stephen W. Tripp, Mayor
 Town of Ayden

ATTEST:


 Sarah W. Radcliff, Town Clerk



Mayor Tripp stated the board increased the sewer rates by 9.72% and asked how much revenue that generated. Mr. Taylor stated it had generated about \$47,000 to date. Mayor Tripp asked how much it would generate annually. Mr. Taylor stated it would be about \$140,000 annually. Mr. Taylor stated he and Manager Harrell felt like they needed to maintain \$1M in the water/sewer fund. Mayor Tripp asked where he got that number. Mr. Taylor said they felt like that was a comfortable fund balance. He said they had been dipping into the fund balance for several years and they needed to draw the line somewhere. Mayor Tripp asked if that was a Board decision or an administrative decision. Manager

Harrell said it wasn't a decision, it was an administrative recommendation. He stated it was the Board's decision as to whether or not they wanted to transfer the money or not. Mayor Tripp said he was not in favor of doing this and he thought it set a bad precedence. He said the fund should maintain itself and with previous projects we haven't taken funds from another fund to do repair work. He said he felt we should maintain a healthy fund balance to prevent this going forward.

Motion to approve Budget Amendment #7 and transfer of \$96,643 from the General Fund to the Water and Sewer Fund.

Motion: Mayor Pro-tem Mewborn

Second: Commissioner Ross

Discussion: None

Approved: 5-0

Motion passed unanimously.

- E. Resolution 17-18-23 Approving Final Plat – Rivers & Associates, Inc. Lot 37, The Arbors Subdivision

Item Explanation

The Town received a request for approval of a Final Plat submitted by Rivers & Associates. The submitted Final Plat depicts one (1) lot of .34 acres with frontage on Second Street and future proposed Tallow Wood Dr. (Portion of Pitt County Parcel # 15252).

Staff Comments

The property is located within the Town's City Limits and is currently zoned R-8 (Residential). Water, Sewer and Electric are available to the site provided by the Town of Ayden.

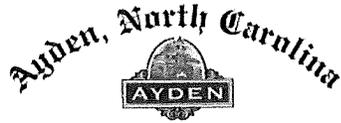
Staff has reviewed the submitted Final Plat and finds it meets all applicable requirements of the Town's Subdivision Regulations and is compliant with the Preliminary Plat. Staff recommends adoption of the enclosed resolution approving the Final Plat for The Arbors, Phase 3, Lot 37.

At its November 20, 2017 meeting, the Planning Board voted unanimously to recommend approval of the Final Plat.

Action Requested

By motion, adopt the resolution approving the Final Plat for Lot 37, The Arbors Subdivision.

Motion to adopt resolution 17-18-23 approving the Final Plat for Lot 37, The Arbors Subdivision.



RESOLUTION NO. 17-18-23
APPROVING FINAL PLAT FOR LOT 37, THE ARBORS SUBDIVISION

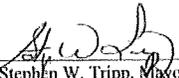
WHEREAS, The Town received a request for approval of a Final Plat submitted by Rivers & Associates. The submitted Final Plat depicts one (1) lot of .34 acres with frontage on Second Street and future proposed Tallow Wood Dr. (Portion of Pitt County Parcel # 15252); and

WHEREAS, staff has reviewed the submitted Final Plat and finds it meets all applicable requirements of the Town's Subdivision Regulations and is compliant with the Preliminary Plat. Staff recommends approving the Final Plat for The Arbors, Phase 3, Lot 37; and

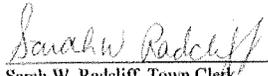
WHEREAS, at its November 20, 2017 meeting, the Planning Board voted unanimously to recommend approval of the Final Plat.

NOW, THEREFORE, BE IT RESOLVED that the Board of Commissioners approves the Final Plat for Lot 37, The Arbors Subdivision

Adopted this the 11th day of December 2017 in Ayden, North Carolina.


Stephen W. Tripp, Mayor
Town of Ayden

ATTEST:


Sarah W. Radcliff, Town Clerk



Motion: Mayor Pro-tem Mewborn

Second: Commissioner Ross

Discussion: None

Approved: 5-0

Motion passed unanimously.

- F. Resolution 17-18-24 Approving Final Plat – Baldwin Design Consultants, PA – Lot 4 – Minges Corporate Park

Item Explanation

The Town has received a request for approval of a Final Plat submitted by Baldwin Design Consultants, PA. The submitted Final Plat depicts one (1) lot of 7.402 acres with frontage Pepsi Way and Jacksontown Rd. (Portion of Pitt County Parcel # 65284).

Staff Comments

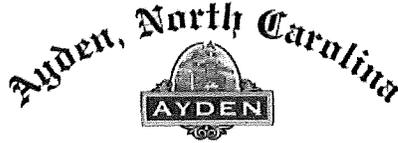
The property is located within the Town's ETJ and is currently zoned LI (Light Industrial). Water, Sewer and Electric are available to the site provided by the Town of Ayden.

Staff has reviewed the submitted Final Plat and finds it meets all applicable requirements of the Town's Subdivision Regulations and is compliant with the Preliminary Plat. Staff recommends approval of the attached resolution approving the Final Plat for Minges Corporate Park, Lot 4.

At the November 20th, 2017 Planning Board meeting, the Planning Board voted unanimously to recommend approval of the Final Plat.

Action Requested

By motion, adopt resolution approving the Final Plat for Minges Corporate Park, Lot 4



RESOLUTION NO. 17-18-24
APPROVING FINAL PLAT FOR MINGES CORPORATE PARK, LOT 4.

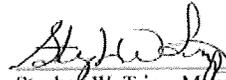
WHEREAS, the Town of Ayden has received a request for approval of a Final Plat submitted by Baldwin Design Consultants, PA. The submitted Final Plat depicts one (1) lot of 7.402 acres with frontage Pepsi Way and Jacksontown Rd. (Portion of Pitt County Parcel # 65284); and

WHEREAS, staff has reviewed the submitted Final Plat and finds it meets all applicable requirements of the Town's Subdivision Regulations and is compliant with the Preliminary Plat. Staff recommends approval of the attached resolution approving the Final Plat for Minges Corporate Park, Lot 4; and

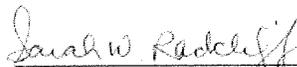
WHEREAS, at its November 20, 2017 meeting, the Planning Board voted unanimously to recommend approval of the Final Plat.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners approves the Final Plat for Minges Corporate Park, Lot 4.

Adopted this the 11th day of December 2017 in Ayden, North Carolina.


Stephen W. Tripp, Mayor
Town of Ayden

ATTEST:


Sarah W. Radcliff, Town Clerk



Motion: Commissioner Davenport

Second: Commissioner Davis

Discussion: None

Approved: 5-0

Motion passed unanimously.

G. Compliance Plans and Policies for the 2016 CDBG-I program.

Item Explanation

The Town has a funded CDBG-Infrastructure program. As a requirement of every CDBG program, the Town must adopt various plans and policies required by CDBG funding from HUD.

Attached are proposed Compliance Plans and Policies for the Town's 2016 CDBG-I program. The Town has very similar Plans and Policies approved and in place for the Town's 2015 CDBG-I program currently under construction.

The Board needs to have Plans and Policies in place for the 2016 CDBG-I program. The Board can approve the Compliance Plans and Policies as proposed or approve revised plans with modifications as desired by the Board.

Staff Comments

Staff recommends approval of the Program Plans and Policies for the 2016 CDBG-I program.

Action Requested

Approve Program Plans and Policies for the 2016 CDBG-I program.

Motion to approve the 2016 CDBG-I Programs Plans and Policies.

Motion: Commissioner Ross

Second: Mayor Pro-tem Mewborn

Discussion: None

Approved: 5-0

Motion passed unanimously.

VII. INFORMATION

- A. Staff Departmental Reports

VIII. BOARD MEMBER COMMENTS

The commissioners thanked everyone for coming and staff for their hard work.

IX. CLOSED SESSION

Attorney Scott Dixon stated we would enter into closed session pursuant to N.C.G.S. 143-318-11 (a) (5) to establish, or to instruct the public body's staff or negotiating agents concerning the position to be taken by or on behalf of the public body in negotiating (i) the price and other material terms of a contract or proposed contract for the acquisition of real property by purchase, option, exchange, or lease; or (ii) the amount of compensation and other material terms of an employment contract or proposed employment contract.

Motion to enter into closed session at 8:59pm.

Motion: Mayor Pro-tem Mewborn

Second: Commissioner Ross

Discussion: None

Approved: 5-0

Motion passed unanimously.

Motion to enter into open session at 9:20pm.

Motion: Mayor Pro-tem Mewborn

Second: Commissioner Davis

Discussion: None

Approved: 5-0

Motion passed unanimously.

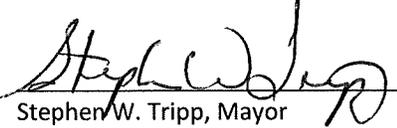
X. ADJOURNMENT

Having completed the business before them, Mayor Tripp announced that without objection the Governing Board would stand adjourned at 9:20p.m.

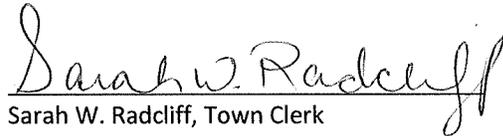
CERTIFICATION

Minutes from the December 11, 2017 meeting were adopted and certified this 8th day of January 2018 in Ayden, North Carolina.

AYDEN, NORTH CAROLINA


Stephen W. Tripp, Mayor

ATTEST:


Sarah W. Radcliff, Town Clerk