

**TOWN OF AYDEN  
GOVERNING BOARD MEETING  
MINUTES**

**June 11, 2018**– 7:00 pm  
District Courtroom – 2<sup>nd</sup> Floor of Town Hall 4144 West Avenue

**I. CALL TO ORDER**

**A. Call to Order**

Mayor Pro-tem Mewborn called the meeting to order at 7:00 p.m.

**B. Roll Call**

Present:

Commissioners Davenport, Mewborn, Ross, Langley and Davis

Absent:

Mayor Tripp

Also Present:

Steven Harrell - Town Manager

Sarah Radcliff– Town Clerk

Scott Dixon- Town Attorney

**C. Welcome Visitors**

Mayor Pro-tem Mewborn welcomed everyone to the meeting.

**D. Invocation**

Mayor Pro-tem Mewborn gave the invocation.

**E. Pledge of Allegiance**

Mayor Pro-tem Mewborn led the Pledge of Allegiance.

**F. Approval of the Agenda**

Manager Harrell said we needed to add an item to the beginning of action items to hear a request from Ronnell Peterson. We will also move Item B to the first item after Mr. Peterson's request, followed by Item A.

Motion to approve the amended agenda.

Motion: Commissioner Davenport

Second: Commissioner Davis

Discussion: None

Approved: 5-0

Motion passed unanimously.

**II. PUBLIC COMMENTS**

Skip Stang, 3927 Winchester Drive, addressed the board. Mr. Stang commended the board for a job well done on the project at the end of Hines Drive.

### III. PUBLIC HEARING

- A. Public hearing regarding Preliminary Plat (Country Club Creek Phases 1-4) – Rivers & Associates – Ayden Golf Club Rd

Planning Director Stephen Smith addressed the board.

#### **Item Explanation**

The Town has received a request for approval of a Preliminary Plat submitted by Rivers and Associates. The submitted Preliminary Plat depicts 100 lots on 86.94 acres on Ayden Golf Club Rd with an additional 7150 feet of new public roads. (Pitt County Parcel #s 84408, 77031).

#### **Staff Comments**

The property is located within the Town's City Limits and is currently zoned R-12 (Residential) and CON (Conservation). Water, Sewer and Electric are available to the site provided by the Town of Ayden.

Staff has reviewed the submitted Preliminary Plat and has found it to meet all applicable requirements of the Town's Subdivision Regulations and is in compliance with the Preliminary. As such, staff recommends approval of the Preliminary Plat for Country Club Creek, Phases 1-4.

At the May 21<sup>st</sup>, 2018 Planning Board meeting, the Planning Board voted unanimously to recommend approval of the Preliminary Plat.

#### **Action Requested**

Conduct Public Hearing. Consider Approval of the Preliminary Plat for Country Club Creek Phases 1-4.

Mayor Pro-tem Mewborn opened the public hearing.

Mr. Donald Kinney, 4530 Ayden Golf Club Road, addressed the board. He said he had an easement on the plot that is being considered and no one has talked to him about any of this. He stated he did not receive a letter regarding the Planning Board meeting when this item was discussed until the day after the meeting date. He said he lived adjacent to the property and if this was done, he would not be able to access his property.

Mr. Smith said that would be a private property matter and if there are existing easements that is between the current owner and whoever has been granted the easement. Attorney Dixon asked Mr. Smith if this would affect his easement. Mr. Kinney stated Phase 4 would turn the road into a burm. Mr. Smith said there was also a no-access easement being placed by DOT. Attorney Dixon stated he would be in contact with Mr. Kinney to discuss the matter further.

Dwight Vernelson, Rivers & Associates, addressed the board. He stated he represented the developer and would be glad to speak to Mr. Kinney about his driveway.

Mayor Pro-tem Mewborn closed the public hearing.

Manager Harrell asked Mr. Smith if the board needed to delay action until this matter was resolved. Mr. Smith said that was an option. He stated he did not recall seeing this issue in the original notes of approval, or on the current plat.

Motion to table item to the July 9<sup>th</sup> meeting to allow time for Mr. Kinney to meet with the Engineer and discuss his issue.

Motion: Commissioner Langley

Second: Commissioner Ross

Discussion: None

Approved: 5-0

Motion passed unanimously.

B. Public hearing regarding Zoning Map Amendment – Happy Trail Farms, LLC Parcel 25917

Planning Director Stephen Smith addressed the board.

**Item Explanation**

**Amendment:** The applicant is requesting a zoning map amendment to change the zoning from RA-20 (Residential/Agricultural) to B2/CCOL (Highway Commercial/Commercial Corridor Overlay District) for approximately 12.268 acres located at the corner of Jolly Road and NC 11. This property is located in the ETJ. This request consists of parcel # 25917. (See Attached Map).

**Zoning District: RA-20 (Residential/Agricultural)** – The primary purposes of this district are agriculture and low density residential development on lots with a minimum size of 20,000 square feet, and further to provide for certain other permitted and conditional uses as set forth in this section. This district is intended to ensure that residential development not having access to a public water system and dependent on septic systems for sewage disposal will occur at a low density to provide a healthful environment.

**Zoning District: B2 (Highway Commercial)** – The primary purpose of this district is to accommodate those businesses that serve the traveling public, require large amounts of land for display and parking, and are oriented to the pedestrian shopper. \*Effective December 14, 2015, all rezoning requests for B-2 along the NC 11 corridor will be required to include the CCOL (Commercial Corridor Overlay) designation.

**Zoning District: CCOL (Commercial Corridor Overlay)** - The primary purpose of this overlay district is to promote community goals and objectives for character and aesthetics along key corridors within the Town of Ayden's Planning and Zoning Jurisdiction. More specifically, the intent is to promote commercial development that is compatible with surrounding areas; to minimize the negative impacts caused by strip commercial development, loading facilities, storage facilities, sign clutter and proliferation of access points; and to strengthen the quality of life by providing for a well-designed built environment that contributes to the unique character of The Town of Ayden. The district will be used in conjunction with the Base Zoning District to ensure that development and redevelopment within this district meets this intent. \*\*Effective December 14, 2015, all rezoning requests for B-2 along the NC 11 corridor will be required to include the CCOL (Commercial Corridor Overlay) designation.

**Future Land Use Map Designation: Low Density Residential** – Low Density Residential land uses have been located in the existing ETJ where development pressures are the least. These areas are not suitable for development at high densities and will serve as a holding area for agricultural uses and future development if conditions and demand permit.

The property is surrounded by B-2/CCOL and RA-20 zoning to the north, B2/CCOL to the south, L-I to the east and RA-20 zoning to the west. (See Attached Map)

**Staff Comments**

Staff recommends approval of the Rezoning from RA-20 (Residential/Agricultural) to B2/CCOL (Highway Commercial/Commercial Corridor Overlay District). The property is located in an area suitable for commercial growth with access to NC 11. The rezoning request is not consistent with the future land use designation of Low Density Residential but the request is reasonable and in the public interest.

At its May 21<sup>st</sup>, 2018 meeting, the Planning Board voted unanimously to recommend approval of the rezoning from RA-20 (Residential/Agricultural) to B2/CCOL (Highway Commercial/Commercial Corridor Overlay District).

**Action Requested**

Conduct a Public Hearing.

By motion, approve or deny the enclosed Zoning Map Amendment Ordinance No. 17-18-26. 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. 17-18-26.

- 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. 17-18-26.

Mayor Pro-tem Mewborn opened the public hearing. Mike Baldwin spoke on behalf of Woody Whichard. Mayor Pro-tem Mewborn closed the public hearing.

Motion to approve the enclosed Zoning Map Amendment Ordinance No. 17-18-26 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.

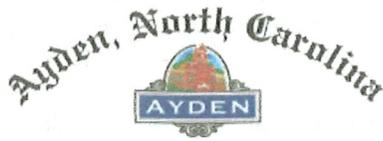
Motion: Commissioner Langley

Second: Commissioner Davenport

Discussion: None

Approved: 5-0

Motion passed unanimously.



ORDINANCE NO. 17-18-26

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 June 11<sup>th</sup>, 2018, to receive public comments regarding an application filed by Happy Trail Farms, LLC., requesting that the zoning designation on the Official Zoning Map be amended for a parcel of land (Pitt County Parcel 25917) totaling 12.268 acres from RA-20 (Residential/Agricultural) to B2/CCOL (Highway Commercial/Commercial Corridor Overlay District); and

WHEREAS, the Town of Ayden Planning Board at its May 21<sup>st</sup>, 2018 meeting voted unanimously to recommend approval of the Zoning Map Amendment; and

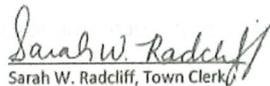
WHEREAS, the Town of Ayden Governing Board heard all evidence and arguments presented and all reports from Town Staff pertaining to said application and hereby approves the Zoning Map Amendment as requested.

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. 25917 (12.268 acres) from RA-20 (Residential/Agricultural) to B2/CCOL (Highway Commercial/Commercial Corridor Overlay District); 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 11<sup>th</sup> day of June 2018 in Ayden, North Carolina.

ATTEST:

  
Sarah W. Radcliff, Town Clerk



AYDEN, NORTH CAROLINA

  
Stephen W. Tripp, Mayor

C. Public hearing regarding Conditional Use Permit

Planning Director Stephen Smith addressed the board.

**Item Explanation**

The applicant is requesting a conditional use permit to construct a Church/Daycare/Afterschool Facility in the RA-20 zoning district.

Zoning District: RA-20 (Residential/Agricultural District). The primary purposes of this district are agriculture and low density residential development on lots with a minimum size of 20,000 square feet, and further to provide for certain other permitted and conditional uses as set forth in this section. This district is intended to ensure that residential development not having access to a public water system and dependent on septic systems for sewage disposal will occur at a low density to provide a healthful environment.

The property (Parcel #77156) is located at 3941 Jolly Rd.(See map) and is owned by Karla Allen Mclawhorn. The Conditional Use process allows the town to consider special uses which may be essential or desirable to a particular community, but which are not allowed as a matter of right within a zoning

district. A conditional use permit can also provide flexibility within a zoning ordinance to enable the town to control certain uses, which could have detrimental effects on the community.

**Staff Comments**

The application submitted has been deemed complete. The application and supporting documentation is included for your review. Action on a Conditional Use Permit will require a quasi-judicial hearing and the findings of fact must be addressed. Since this is a Conditional Use Permit, additional conditions can be added to the permit prior to approval. Staff supports the issuance of the Conditional Use Permit.

Staff supports the following conditions:

- Include appropriate landscaping in parking lot
- Include appropriate street yard landscaping
- Include appropriate perimeter yard landscaping

Applicant offers the following conditions:

Daycare hours of operation 6am-6pm Monday-Friday

At their May 21<sup>st</sup>, 2018 meeting, the Planning Board unanimously recommended approval of the Conditional Use Permit with the above mentioned conditions.

**Action Requested**

Conduct a Public Hearing. Motion to approve or deny the Conditional Use Permit.

Mayor Pro-tem Mewborn opened the public hearing.

Sandy Cutler, 3977 Jolly Road, stated she was located adjacent to the property and she wanted it to remain residential.

Pastor Roderick Best addressed the board. He stated the primary use for the building would be for worship. He said they would like approval to be able to have a daycare later if they choose to do so.

Mayor Pro-tem Mewborn closed the public hearing.

Motion to approve the Conditional Use Permit with the following conditions recommended by staff:

- Include appropriate landscaping in parking lot
  - Include appropriate street yard landscaping
  - Include appropriate perimeter yard landscaping
- The hours of the daycare will be Monday-Friday from 6am-6pm.

Motion: Commissioner Davis

Second: Commissioner Davenport

Discussion: None

Approved: 5-0

Motion passed unanimously.

D. Public hearing regarding 2015 CDBG-I Program Amendment 1

Mike Barnette, McDavid Associates, presented to the board.

**Item Explanation**

McDavid Associates has recommended the Town add water line replacement on one additional block of Fourth Street between Washington Street and Snow Hill Street using excess funds in the project. The

additional work will cost approximately \$65,000. This area is not within the original Project Area and therefore the Town must request a Program Amendment to the 2015 CDBG-I program.

The Citizen Participation for this program requires the Town to hold a public hearing anytime the Town wishes to request a Program Amendment. The purpose of this public hearing is to receive any comments the public may have concerning the proposed changes to the program.

The Program Amendment submission must include approved, certified minutes of this public hearing. Therefore, in order to expedite submission of the Program Amendment, program management staff recommends the Board authorize the Mayor to approve minutes of this public hearing when prepared by the Clerk.

**Staff Comments**

Mike Barnette, Program Manager, will be present to conduct the public hearing and answer any questions from the public.

**Action Requested**

1. Receive public comment in a public hearing
2. Authorize the Mayor to sign the Program Amendment
3. Authorize the Mayor to approve minutes of the public hearing

Mayor Pro-tem Mewborn opened the public hearing. No one spoke. Mayor Pro-tem Mewborn closed the public hearing.

Motion to authorize the mayor to sign the program amendment.

Motion: Commissioner Langley

Second: Commissioner Ross

Discussion: None

Approved: 5-0

Motion passed unanimously.

Motion to authorize the mayor to approve the minutes of the public hearing.

Motion: Commissioner Langley

Second: Commissioner Davis

Discussion: None

Approved: 5-0

Motion passed unanimously.

E. Public hearing regarding 2016 CDBG-I Program Amendment 1

Mike Barnette, McDavid Associates, presented to the board.

**Item Explanation**

McDavid Associates has determined additional sewer must be replaced in the 2016 CDBG-I sewer replacement to accommodate the direction of flow. The additional sewer is east and west of the project area on West Barwick Street and north of the project area up to Planters Street. This area is not within the original Project Area and therefore the Town must request a Program Amendment to the 2016 CDBG-I program.

The Citizen Participation for this program requires the Town to hold a public hearing anytime the Town wishes to request a Program Amendment. The purpose of this public hearing is to receive any comments the public may have concerning the proposed changes to the program.

The Program Amendment submission must include approved, certified minutes of this public hearing. Therefore, in order to expedite submission of the Program Amendment, program management staff recommends the Board authorize the Mayor to approve minutes of this public hearing when prepared by the Clerk.

**Staff Comments**

Mike Barnette, Program Manager, will be present to conduct the public hearing and answer any questions from the public.

**Action Requested**

4. Receive public comment in a public hearing
5. Authorize the Mayor to sign the Program Amendment
6. Authorize the Mayor to approve minutes of the public hearing

Mayor Pro-tem Mewborn opened the public hearing. No one spoke. Mayor Pro-tem Mewborn closed the public hearing.

Motion to authorize the mayor to sign the program amendment.

Motion: Commissioner Davenport

Second: Commissioner Langley

Discussion: None

Approved: 5-0

Motion passed unanimously.

Motion to authorize the mayor to approve the minutes of the public hearing.

Motion: Commissioner Langley

Second: Commissioner Ross

Discussion: None

Approved: 5-0

Motion passed unanimously.

F. Public hearing regarding 2018 CDBG-Neighborhood Revitalization (CDBG-NR) application

Mike Barnette, McDavid Associates, presented to the board.

**Item Explanation**

The Division of Rural Development in the Department of Commerce has announced the availability of \$10,000,000 in CDBG-Neighborhood Revitalization funds. The Town can apply for grant funding of up to \$750,000. Eligible activities include owner occupied housing and activities which support these housing activities such as water/sewer, street, drainage and community facilities. The activities can be in a neighborhood or can be scattered in the community. The program does not require a local match but the scoring can be greatly enhanced with some level of local contribution. This program closely mirrors the 2012 catalyst which funded scattered site housing replacement and work at the Arts and Recreation Center. The program will not involuntarily displace any citizens.

The Application Guidelines for this program require the Town to hold two public hearings prior to submitting an application for these funds. This public hearing serves and the first of these public hearings. The purpose of this public hearing is to receive any comments the public may have concerning the proposed activities for the application.

**Staff Comments**

Mike Barnette, Program Manager, will be present to conduct the public hearing and answer any questions from the public.

**Action Requested**

1. Receive public comment in a public hearing
2. Set a date for a second public hearing

Mayor Pro-tem Mewborn opened the public hearing.

Sarah Parker Connor, 292 Allen Drive, addressed the board. She asked if the public would have any input as to where they would like to see this grant money go. Manager Harrell said he planned to have stakeholder meetings before the next public hearing.

Mayor Pro-tem Mewborn closed the public hearing.

Motion to set the second public hearing for August 13, 2018.

Motion: Commissioner Langley

Second: Commissioner Davis

Discussion: None

Approved: 5-0

Motion passed unanimously.

**IV. CONSENT AGENDA**

- A. Minutes from the May 7, 2018 Board Meeting
- B. Approval of Ayden Housing Authority FY 17-18 Annual Audit Contract

**Item Explanation**

Attached you will find the proposal and contract for the FY17-18 Annual Audit from Gregory T. Redman, CPA, the Town's auditor for the Ayden Housing Authority (AHA).

**Staff Comments**

Staff recommends adoption of the attached resolution approving the contract with Mr. Redman to conduct the FY17-18 Annual Audit for the AHA.

**Action Requested**

By motion, adopt the enclosed resolution approving the FY17-18 Annual Audit to be conducted by Gregory T. Redman, CPA.



RESOLUTION NO. 17-18-30-1  
APPROVING AYDEN HOUSING AUTHORITY  
FY17-18 ANNUAL AUDIT CONTRACT

**WHEREAS**, the proposal and contract for the FY17-18 Annual Audit from Gregory T. Redman, CPA, the Town's auditor for the Ayden Housing Authority(AHA) has been presented to the Town Board; and

**WHEREAS**, staff recommends approving the contract with Mr. Redman to conduct the FY17-18 Annual Audit for the AHA.

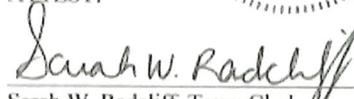
**NOW, THEREFORE, BE IT RESOLVED** the Board of Commissioners of the Town of Ayden, North Carolina, to approve the contract with Gregory T. Redman, CPA, to conduct the FY17-18 Annual Audit for the Ayden Housing Authority.

Adopted this the 11th day of June, 2018, in Ayden, North Carolina.



  
Stephen W. Tripp, Mayor  
Town of Ayden

ATTEST:

  
Sarah W. Radcliff, Town Clerk

- C. Approval of contract to audit the Town's accounts and a separate contract for year-end accounting services for the fiscal year ending June 30, 2018.

**Item Explanation**

The board approved the audit contract at last month's Board meeting. Auditors were on site June 20<sup>th</sup> and began some preliminary work. In their review, because of the amount of federal funds the Town has received directly and thru pass thru entities in the past year, the Town must also complete a single audit. This is a federal requirement for any entity which expends more than \$750,000 or more of Federal assistance in a year. The Town has two CDBG grants, state grants for water and sewer infrastructure and was reimbursed expenses by FEMA in the last fiscal year. All of these sources of revenue have federal dollars as a component of or is the sole source of income. All combined the Town has met the \$750,000 threshold and therefore must also have a single audit performed. Our current auditors are able to complete the additional work for \$3,000. The increased audit fee will not be a cost the Town. The additional cost will be absorbed and expensed by the CDBG grants.

**Staff Comments**

Staff recommends that the board authorize the mayor to execute modified audit contract with Cherry Bekaert to provide auditing services.

**Action Requested**

Resolution authorizing mayor to execute a contract with Cherry Bekaert to audit the town's books.



RESOLUTION NO. 17-18-31-1  
RESOLUTION APPROVING PROFESSIONAL SERVICES AGREEMENT BETWEEN THE  
TOWN OF AYDEN AND CHERRY BEKAERT LLP TO PROVIDE INDEPENDENT AUDIT  
SERVICES FOR THE FISCAL YEAR 2018

WHEREAS, in accordance with N.C.G.S. 159-34(a), the North Carolina Local Government Commission (LGC) requires that the full governing board takes action in approving independent audit contracts for units of local government and that the selected auditors shall report directly to the board;

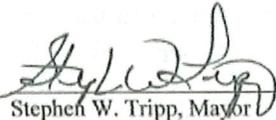
WHEREAS, last year's independent audit services were performed by Cherry Bekaert, LLP and they have submitted a contract to provide auditing services to the Town again this year;

WHEREAS, Town staff recommends to the Board approval of the professional services agreement with Cherry Bekaert, LLP in the amount of \$25,000;

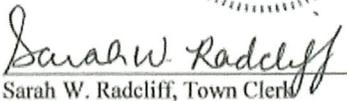
**NOW, THEREFORE, BE IT RESOLVED** by the Board of Commissioners of the Town of Ayden that it adopts this resolution authorizing the Mayor to execute the contract with the Cherry Bekaert, LLP for \$25,000.

Adopted this the 11<sup>th</sup> day of June 2018 in Ayden, North Carolina.



  
Stephen W. Tripp, Mayor  
Town of Ayden

ATTEST:

  
Sarah W. Radcliff, Town Clerk

Motion to approve the consent agenda.

Motion: Commissioner Ross

Second: Commissioner Davis

Discussion: None

Approved: 5-0

Motion passed unanimously.

**V. ACTION ITEMS**

**A. Request from Ronnell Peterson to use Ayden Gym**

Latanya Burrus, 4552 Wilson Drive and Aaron Harper, 4296 Martin Luther King Jr. St, addressed the board. Ms. Burrus said she and Mr. Harper are there on Mr. Peterson's behalf because he lives in Charlotte and is not able to get to Ayden during the week. She said they would like to have a Basketball Tournament/Camp to help the kids in the community. She stated he would also like to do a scholarship fund in memory of his deceased brother and give it to a senior at Ayden-Grifton High School. The amount of the scholarship will be \$1000. She said the event will be at Ayden-Grifton High School as well as the

Ayden Rec Center if approved. Alumni from Ayden-Grifton will come in and do a camp for the kids on the 11th and 12<sup>th</sup> of August. Camp will be for ages 5-18 and the entry fee will be \$25. The camp will be on the 11<sup>th</sup> from 10-2 at the Rec Center and the tournament will be a 12 man roster with a minimum of 20 teams.

Manager Harrell asked Mr. Duncan if the dates were available in the gym. Mr. Duncan said he didn't see a problem with it. Manager Harrell pointed out that the facility is not available for rent, however the board can allow them to use the building if they desire.

Commissioner Davis said this was a great event and he had no problem with them using the gym. He stated he had spoken to Mr. Peterson and he already has the Boys and Girls Club as well as the High School and they needed the gym as well.

Commissioner Langley said he was also in favor of it but wanted to get something in writing so they didn't have requests to use the gym for other activities.

Manager Harrell said he would develop a written agreement and bring back something to the July Meeting for the board to look at. He also stated they would need to have insurance for the event.

Commissioner Ross and Mayor Pro-tem Mewborn stated they also supported this event.

Aaron Harper stated every kid that joined the camp would also receive a free pair of sneakers and be fed for free. He said they were trying to get book sacks for them as well.

Commissioner Davis said all the profit would go right back into the community.

Motion to allow Mr. Peterson to use the gym at the Ayden Arts and Rec Center for the Basketball Tournament and Camp on August 11<sup>th</sup> and 12<sup>th</sup>.

Motion: Commissioner Langley

Second: Commissioner Davenport

Discussion: None

Approved: 5-0

Motion passed unanimously.

## B. 2015 CDBG-I & 2016 CDBG-I Fair Housing Assessments

Mike Barnette, McDavid Associates, presented to the board.

### **Item Explanation**

One of the compliance requirements of receiving CDBG funding is to Affirmatively Further Fair Housing. A component of this process is to prepare the attached Fair Housing Assessments for the Town's CDBG-I programs. These documents were prepared by the Town's CDBG-I Program Manager as a part of program compliance activities.

The Division of Water Infrastructure requires the Town approve the Fair Housing Assessment prepared for every grant program for every program.

### **Staff Comments**

Mike Barnette, Program Manager, will be present this item and answer any questions from the Board.

### **Action Requested**

1. Approve the Fair Housing Assessments
2. Authorize the Mayor to sign the Fair Housing Assessment documents

Motion to approve the Fair Housing Assessments and to authorize the Mayor to sign the Fair Housing Assessment documents.

Motion: Commissioner Langley

Second: Commissioner Ross

Discussion: None

Approved: 5-0

Motion passed unanimously.

C. Award of Service Weapon to Retiring Police Sergeant Harry Avery

Chief Barry Stanley addressed the board.

**Item Explanation**

Harry Avery served as a member of the Ayden Police Department from February 9, 1999 until May 29, 2018, at which time he will retire from the Ayden Police Department and an active career in law enforcement.

North Carolina General Statute Chapter 20-187.2 authorizes governing boards of law enforcement agencies to award to a retiring member the badge worn by him, as well as his service weapon: Glock, 9 millimeter, Model 17, Serial Number BDKT512.

**Staff Comments**

Attached is a resolution for adoption by the Town Board that declares surplus and awards to Sergeant Avery at his retirement, the badge and service weapon (Serial # BDKT512) with three magazines carried by him.

**Action Requested**

By motion, adopt attached resolution awarding badge and service weapon to Harry Avery upon his retirement from the Ayden Police Department.

Motion to adopt attached resolution awarding badge and service weapon to Harry Avery upon his retirement from the Ayden Police Department.

Motion: Commissioner Ross

Second: Commissioner Langley

Discussion: None

Approved: 5-0

Motion passed unanimously.



RESOLUTION NO. 17-18-31-1

RESOLUTION APPROVING PROFESSIONAL SERVICES AGREEMENT BETWEEN THE TOWN OF AYDEN AND CHERRY BEKAERT LLP TO PROVIDE INDEPENDENT AUDIT SERVICES FOR THE FISCAL YEAR 2018

WHEREAS, in accordance with N.C.G.S. 159-34(a), the North Carolina Local Government Commission (LGC) requires that the full governing board takes action in approving independent audit contracts for units of local government and that the selected auditors shall report directly to the board;

WHEREAS, last year's independent audit services were performed by Cherry Bekaert, LLP and they have submitted a contract to provide auditing services to the Town again this year;

WHEREAS, Town staff recommends to the Board approval of the professional services agreement with Cherry Bekaert, LLP in the amount of \$25,000;

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Town of Ayden that it adopts this resolution authorizing the Mayor to execute the contract with the Cherry Bekaert, LLP for \$25,000.

Adopted this the 11<sup>th</sup> day of June 2018 in Ayden, North Carolina.



  
Stephen W. Tripp, Mayor  
Town of Ayden

ATTEST:

  
Sarah W. Radcliff, Town Clerk

D. GUC Natural Gas Franchise Agreement and Compensation Agreement

**Item Explanation**

As the Town Board recalls, currently there is no franchise agreement for the provision of natural gas delivery service in Ayden. A first draft of a franchise agreement for GUC's provision of natural gas delivery service in Ayden was provided to the Town Board at its March meeting that laid out some of the basics of a franchise agreement. This was for illustrative purposes that evening. Staff has been working with the Town Attorney and GUC to develop a final franchise agreement to bring back to the Town Board for adoption at its May meeting.. This is needed regardless of GUC expanding its service or not.

A payment in-lieu of piped gas sales tax was also offered at the Town Board's March meeting at its March meeting. State legislation did not take into account natural gas sales by GUC in other municipalities when the statute was enacted in 2014. The amount of such a natural gas sales tax, if we were to currently receive it, would be approximately \$2,300 annually based on the natural gas revenues generated by current Ayden customers – this is the amount discussed at the March meeting. Contact with the UNC School of Government indicates that this payment in-lieu of sale tax cannot be a part of the franchise agreement itself, because it would in essence be a franchise fee, which is prohibited by state statute with regard to natural gas franchise agreements.

However, compensation to the Town could be obtained through an inter-local agreement between Ayden and GUC for costs associated with the Town's monitoring of the existing and future lines within its corporate limits.

The Town Board asked staff to see if any other natural gas providers could serve the Town of Ayden. Staff spoke with our region's representative of Piedmont Natural Gas and asked him about the possibility of PNC serving the Town of Ayden. First, he told me that the nearest transmission gas line to Ayden is some 6.2 miles away and that the cost to extend such a line runs from \$3 million to \$4 million per mile. The line would cost over \$18 million to run it to Ayden. Second, PNC has its own rule in general against serving natural gas in areas where GUC is already serving customers. For those two reasons, he says PNC would not be interested in serving Ayden. Other than the eight (8) N.C. municipalities that have their own natural gas systems, according to the North Carolina Utilities Commission website there are three other private natural gas providers in North Carolina other than Piedmont Natural Gas:

**PSNC Energy** serving the Raleigh-Durham-Chapel Hill area, the counties directly north of Raleigh and Durham, the Charlotte area and the far west mountain counties of N.C.

**Taccoa** which serves only Macon County in the far western part of N.C. – the rest of Taccoa's territory is across the state line in Georgia.

**Frontier Natural Gas** serving Surry, Yadkin, Wilkes, Watauga, Ashe & Warren Counties – these are north of Winston-Salem and north of Raleigh.

Enclosed the Town Board will find an email sent on May 25<sup>th</sup> by Chris Padgett, CAO of the GUC. It indicates GUC, with the execution of the enclosed Franchise Agreement, is planning to move ahead extending service lines along those five (5) streets identified in GUC's survey with enough gas customers indicating they would switch from propane to natural gas to warrant the cost of the extended lines. As indicated in his email, with the Town of Ayden's help in securing additional customers, GUC would extend lines down the remaining four (4) streets.

#### **Staff Comments**

Enclosed for the Town Board's consideration is an exclusive Franchise Agreement for GUC to allow its operation within the Ayden corporate limits. Additionally, enclosed is a compensation agreement whereby GUC would pay the Town of Ayden an initial payment of \$2,400 for the first year with a 2% per annum increase thereafter. Both agreements are for 15 years. Last month, the Town of Winterville approved an exclusive 15-year Franchise Agreement with GUC and a 15 year Compensation Agreement. GUC has indicated that it would agree with 15-year terms with the Town of Ayden.

#### **Action Requested**

Authorize execution of GUC Franchise Agreement and Compensation Agreement.

Mayor Pro-tem Mewborn said there are a lot of rental properties in Kennedy Estates and feels they may have discarded the surveys. He stated they were going to resurvey the area and hopefully get the landlords/owners to respond.

Commissioner Langley stated there were two items the board had requested to bring back. One was from a 20 to a 15-year agreement, which was done. The other was exclusivity of the agreement. He said if there are no other providers, why does it have to be an exclusive agreement. Attorney Dixon stated that was GUC's policy. Commissioner Langley was concerned that citizens who wanted it couldn't get it because GUC needed more customers to put the lines in. He stated he did not want to sign an agreement.

Manager Harrell stated there is nothing pushing the board to sign a franchise agreement tonight. He said we could pursue getting the additional customers necessary so it makes economic sense for GUC to run those additional lines, then bring it back to the board.

Motion to table the item until the September board meeting.

Motion: Commissioner Langley

Second: Commissioner Davenport

Discussion: None

Approved: 5-0

Motion passed unanimously.

E. Adoption of ordinance to amend the Town of Ayden FY17-18 Budget Ordinance

Finance Director Rob Taylor presented to the board.

**Item Explanation**

In reviewing the Towns' accounts as the year-end approaches, the following budget adjustments are recommended.

**General Fund Amendments**

- The 17/18 annual budget approved by the board, calls for a \$175,000 transfer from the Electric Fund to the General Fund. Transfers are allowed for reimbursing expenses to the general fund but for the most part are discouraged by the Local Government Commission. The Town does not need to transfer funds to reimburse expenses because the Town already allocates shared costs out by fund. The Town is allowed to transfer up to 5% of gross utility sales from the Electric Fund to the General Fund as a Franchise Utility Tax. In the past and for the 17/18 budget, the Town budgeted 3% of gross utility sales, or \$356,209. Staff recommends making a budget amendment to remove the transfer of \$175,000 and instead increase the utility franchise tax to the maximum 5% allowed by state statute. Total Franchise Utility Tax fee would be \$570,685. Using 5% of utility sales rather than 3% will cover the \$175,000 transfer originally budgeted and provides an additional \$39,476 to the General fund.

**Electric Fund Amendments**

- See above regarding Transfer of Funds and Utility Franchise Tax Fee. Investment earnings have been better than budgeted for the Electric Fund and can cover the net additional costs associated with removal of the transfer and increased Utility fee.

**Water and Sewer Fund Amendments**

- Increase Debt Reserve by \$29,370 and Fund Balance appropriation by \$29,370. According to the Town's Bond Order, the covenants require the Town to establish and maintain reserves sufficient to assure that loan installments will be paid on time...and the debt reserve will accumulate at the rate of one-tenth of the estimated average annual loan installment each year. The final one-tenth reserve was not included in the 17/18 adoption and needs to be added to be in compliance with the bond covenants. In prior budgets, a reserve was budgeted and adopted, but the amounts were never identified in the annual audits as such. The 17/18 audit will address this error and properly identify the accumulated reserve as restricted fund balance in the Water and Sewer Fund in the amount of \$293,700. No change in the total Water and Sewer fund balance occurs, however a portion of the fund balance will now be properly reported as Restricted – Debt Reserve. This is the final debt reserve that needs to be budgeted to meet the requirements of the bond order.

**Staff Comments**

See explanation above.

**Action Requested**

Adopt the enclosed ordinance to amend the Town of Ayden FY17/18 Annual Budget.

Motion to adopt the enclosed ordinance to amend the Town of Ayden FY17/18 Annual Budget.

Motion: Commissioner Langley  
Second: Commissioner Ross  
Discussion: None  
Approved: 5-0  
 Motion passed unanimously.



ORDINANCE No. 17-18-27

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

**WHEREAS**, the Town of Ayden has budgeted a transfer from the Electric Fund to the General Fund in the amount of \$175,000; and

**WHEREAS**, the Town of Ayden wishes to increase the Utility Franchise charged by the General Fund to the Electric Fund to the maximum 5% allowed by State statute in lieu of making a transfer; and

**WHEREAS**, the investment earnings in the Electric Fund have exceed budgeted expectations to cover the additional expense related to the increased Utility Franchise Tax Fee; and

**WHEREAS**, the Town of Ayden is required to accumulate one year's reserve of the average annual debt payments related to its 2008 bond issue at a rate of 1/10<sup>th</sup> per year; and

**WHEREAS**, the Town desires to properly account for the final 1/10<sup>th</sup> reserve that was originally omitted from the 17/18 adopted budget.

**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			
Transfers from Electric Fund	\$ 175,000.00	\$ (175,000.00)	\$ -
Intragovt Utility Franchise Tax	\$ 356,209.00	\$ 214,476.00	\$ 570,685.00
Fund Balance Appropriation	\$ 124,474.00	\$ (39,476.00)	\$ 84,998.00
All Other General Fund Revenue and OFS	\$ 3,979,308.00		\$ 3,979,308.00
Total Estimated Revenues and OFS	\$ 4,634,991.00	\$ -	\$ 4,634,991.00

Section 2: Electric Fund

	Current	Revision	Revised
Revenue/Other Financing Sources			
Investment Income	\$ 15,170.00	\$ 39,476.00	\$ 54,646.00
All Other General Fund Revenue and OFS	\$ 11,950,269.00		\$ 11,950,269.00
Total Estimated Revenues and OFS	\$ 11,965,439.00	\$ 39,476.00	\$ 12,004,915.00

Expenses/Other Financing Uses

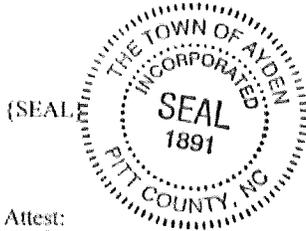
Transfers To General Fund	\$ 175,000.00	\$ (175,000.00)	\$ -
Intragovt Utility Franchise Tax	\$ 356,209.00	\$ 214,476.00	\$ 570,685.00
All Other General Fund Revenue and OFS	\$ 11,434,230.00		\$ 11,434,230.00
Total Estimated Revenues and OFS	\$ 11,965,439.00	\$ 39,476.00	\$ 12,004,915.00

Section 1: Water and Sewer Fund

	Current	Revision	Revised
<b>Revenue/Other Financing Sources</b>			
Fund Balance Appropriation	\$ 124,474.00	\$ 29,370.00	\$ 153,844.00
All Other General Fund Revenue and OFS	\$ 3,282,116.00		\$ 3,282,116.00
<b>Total Estimated Revenues and OFS</b>	<b>\$ 3,406,590.00</b>	<b>\$ 29,370.00</b>	<b>\$ 3,435,960.00</b>
<b>Expenses/Other Financing Uses</b>			
Debt Reserve	\$ -	\$ 29,370.00	\$ 29,370.00
All Other General Fund Revenue and OFS	\$ 3,406,590.00		\$ 3,406,590.00
<b>Total Estimated Revenues and OFS</b>	<b>\$ 3,406,590.00</b>	<b>\$ 29,370.00</b>	<b>\$ 3,435,960.00</b>

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 June 2018.



*Stephen W. Tripp*  
 Stephen W. Tripp, Mayor

Attest:

*Sarah W. Radcliff*  
 Sarah W. Radcliff, Town Clerk

F. Amend Capital Project Ordinance 17-18-22 and Close Project

Finance Director Rob Taylor presented to the board.

**Item Explanation**

Project Ordinance 17-18-22 was created in November 2017 to track the expenditures for repairs to Highway 102 (Third Street) prior to NCDOT repaving. Repairs have been made and project is complete. The project came in under budget by \$9,335.15. An amendment to the project budget ordinance needs to be made and project closed out. Savings from project will reduce Funds Transferred from the General Fund approved (Ord. 17-18-21) – net transfer will be \$87,305.85.

**Staff Comments**

None

**Action Requested**

Adoption by the Board to amend Project Ordinance Budget and close.

Motion to adopt Ordinance 17-18-28 amending capital project budget Ordinance 17-18-22.

Motion: Commissioner Davenport

Second: Commissioner Davis

Discussion: None

Approved: 5-0

Motion passed unanimously.



ORDINANCE NO. 17-18-28

**ORDINANCE  
AMENDING CAPITAL PROJECT BUDGET ORDINANCE 17-18-22  
NCDOT NC 102 SANITARY SEWER IMPROVEMENTS  
CONTRACT NO. 1 – SANITARY SEWER REHABILITATION  
TOWN OF AYDEN**

**WHEREAS**, The NC Department of Transportation has allocated funds to resurface NC 102 (Third Street) through the Town of Ayden, and

**WHEREAS**, The NC Department of Transportation has directed the Town to make identified repairs to existing sanitary sewer facilities along NC 102 prior to resurfacing and as a condition to resurfacing, and

**WHEREAS**, Plans for construction are complete and bids for construction were received on October 31, 2017, and

**WHEREAS**, Herring-Rivenbark, Inc. was awarded construction for a contract value of \$156,560.00, and

**WHEREAS**, Construction activities are complete, and

**NOW THEREFORE BE IT ORDAINED BY THE BOARD OF COMMISSIONERS OF THE TOWN OF AYDEN:** That the attached project budget is hereby amended as final budget; and that the Mayor and/or Town Manager are authorized to execute all related contract closeout documents.

Adopted this the day 11<sup>TH</sup> of June, 2018 at Ayden, North Carolina.



*Stephen W. Tripp*  
Stephen W. Tripp, Mayor  
Town of Ayden

ATTEST:

*Sarah W. Radcliff*  
Sarah W. Radcliff, Town Clerk

**NCDOT NC 102 SANITARY SEWER IMPROVEMENTS  
CONTRACT NO 1 - SANITARY SEWER REHABILITATION  
TOWN OF AYDEN**

		CHANGES		
		ADOPTED	THIS	ADOPTED
		BUDGET	AMENDMENT	BUDGET
<b>REVENUES</b>				
XX-XXXX-XXXX	TOWN OF AYDEN	\$ 193,286.00	\$ (9,335.15)	\$ 183,950.85
XX-XXXX-XXXX	SALES TAX REFUND	\$ -	\$ -	\$ -
	<b>TOTAL REVENUES</b>	<b>\$ 193,286.00</b>	<b>\$ (9,335.15)</b>	<b>\$ 183,950.85</b>
<b>EXPENSES</b>				
Construction				
XX-XXXX-XXXX	CN 1 - San Sewer Rehab - Herring Rivenbark	\$ 156,560.00	\$ (11,330.00)	\$ 145,230.00
XX-XXXX-XXXX	Asphalt Patching - Tripp Bro's, Inc.	\$ -	\$ 10,920.00	\$ 10,920.00
	Subtotal Construction	\$ 156,560.00	\$ (410.00)	\$ 156,150.00
XX-XXXX-XXXX	Contingency	\$ 7,828.00	\$ (7,828.00)	\$ -
XX-XXXX-XXXX	Engineering	\$ 14,873.20	\$ (1,076.35)	\$ 13,796.85
XX-XXXX-XXXX	Inspection	\$ 12,524.80	\$ (1,263.55)	\$ 11,261.25
XX-XXXX-XXXX	Construction Stakeout	\$ 1,000.00	\$ (1.25)	\$ 998.75
XX-XXXX-XXXX	Reimbursables	\$ 500.00	\$ 1,244.00	\$ 1,744.00
	<b>TOTAL EXPENSES</b>	<b>\$ 193,286.00</b>	<b>\$ (9,335.15)</b>	<b>\$ 183,950.85</b>

G. Resolution accepting financing agreement for Frederick Street Sewer Line Extension

Finance Director Rob Taylor presented to the board.

**Item Explanation**

As part of our adopted 17/18 budget, the Town anticipated reimbursing itself \$240,000 associated with the extension of sewer lines to the new Highway 11 interchange by way of financing the project. The Town has completed the sewer line extensions. The finance department requested proposals from the three local banks to finance \$240,000 over 59 months. PNC declined to provide a proposal. BB&T offered an APR of 3.01%. Southern Bank offered an APR of 2.74%

**Staff Comments**

Staff recommends adoption of enclosed resolution awarding low bid to Southern Bank for APR of 2.74%.

**Action Requested**

By motion, approve enclosed resolution awarding financing of extension of sewer lines to the new Hwy 11 interchange to Southern Bank.

Motion to approve enclosed resolution awarding financing of extension of sewer lines to the new Hwy 11 interchange to Southern Bank.

Motion: Commissioner Langley

Second: Commissioner Ross

Discussion: None

Approved: 5-0

Motion passed unanimously.



RESOLUTION NO. 17-18-33  
RESOLUTION APPROVING FINANCING TERMS

WHEREAS: The Town of Ayden ("Town") has previously determined to undertake a project for the financing of a Sewer Line Extension – Frederick Street, (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 and Trust Company ("SBTC"), in accordance with the proposal dated May 31, 2018. The amount financed shall not exceed \$240,000, the annual interest rate (in the absence of default or change in tax status) shall not exceed 2.74%, and the financing term shall not exceed 59 months 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 SBTC 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 11<sup>th</sup> day of June, 2018.

By: Sarah W. Radcliff  
Sarah W. Radcliff, Town Clerk

By: Stephen W. Tripp  
Stephen W. Tripp, Mayor



#### H. Resolution accepting financing agreement for new generator at Weyerhaeuser substation

Finance Director Rob Taylor presented to the board.

##### Item Explanation

At the Board of Commissioner's May 7, 2018 meeting, the board requested the finance department seek financing on the new generator instead of using a fund balance appropriation. A request for proposals were sent to the three local banks to finance \$651,471.00 for 36 months. PNC declined to provide a proposal. BB&T offered an APR of 2.82% and Southern Bank offered an APR of 2.74%.

##### Staff Comments

Staff recommends adoption of enclosed resolution awarding financing to the lowest bid of 2.74% by Southern Bank.

##### Action Requested

Adopt enclosed resolution awarding financing bid for generator to Southern Bank.

Motion to adopt enclosed resolution awarding financing bid for generator to Southern Bank.

Motion: Commissioner Langley

Second: Commissioner Davenport

Discussion: None

Approved: 5-0

Motion passed unanimously.



RESOLUTION NO. 17-18-34  
RESOLUTION APPROVING FINANCING TERMS

WHEREAS: The Town of Ayden ("Town") has previously determined to undertake a project for the financing of a 2018 Volvo Diesel Generator, (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 and Trust Company ("SBTC"), in accordance with the proposal dated May 31, 2018. The amount financed shall not exceed \$651,471, the annual interest rate (in the absence of default or change in tax status) shall not exceed 2.74%, and the financing term shall not exceed 36 months 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 SBTC 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 11<sup>th</sup> day of June, 2018.

By: Sarah W. Radcliff  
Sarah W. Radcliff, Town Clerk

By: Stephen W. Tripp  
Stephen W. Tripp, Mayor



I. Purchase of ATV for Electric Department

Finance Director Rob Taylor presented to the board.

**Item Explanation**

As reported at the June 4<sup>th</sup> budget work session, at the Town Board's regular meeting on May 7<sup>th</sup>, Commissioners requested additional information on the request for two ATVs for the Electric

Department. Town manager met with staff. The existing ATVs the Town has are owned by the Town. It was reported these units were acquired from the Federal Government as surplus equipment. Staff informed the board that they would have to be returned to the Federal Government, if we chose to dispose of them – staff has since learned that this is not the case, they do not have to be returned. With that in mind, the units were able within this fiscal year’s vehicle maintenance dollars to be refurbished at a cost of \$600 each, see attached pictures. Existing ATVs are 14 years old and have 5,000 hours on each of them, so the use of these units are best for lighter duty work, festivals, etc., and to be used by the Street Department.

Staff also revisited the need for two units and type of unit needed. After meeting with Town Manager and reviewing other units, staff recommends purchasing only one unit. A Kubota RTV X-series is recommended. This unit is more heavy duty than the John Deere ATVs originally considered and with a more flexible turning radius. The Kubota unit also offers more versatile attachments than the John Deere units offered, which can be beneficial to the Town in the future. The Kubota unit also has a higher ground clearance than the Town’s existing units (10.4” vs 6”). The new unit has been priced with a 100 gallon boom sprayer at \$18,832. (see attached photos and pricing). This is in lieu of the previous recommendation of two ATV’s for \$29,528.

The Electric Department would use the new ATV to assist with pulling wire and weed control spraying around poles, in areas which are not accessible by pickup truck nor easily by the current lighter ATV’s. The Water Department would also benefit from occasional use of the new unit to access lift stations, manholes, hard to reach easements, etc., also not easily accessible by pickup or the current lighter ATV’s.

**Staff Comments**

Funds are available in current FY17-18 Capital Outlay that would allow the purchase of the new ATV unit this year and staff recommends approval of the enclosed resolution authorizing the purchase of the ATV for \$18,832.

Motion to approve the resolution authorizing the purchase of the ATV for \$18,832.

Motion: Commissioner Langley

Second: Commissioner Davis

Discussion: None

Approved: 5-0

Motion passed unanimously.



RESOLUTION NO. 17-18-29  
PURCHASE ATV FOR ELECTRIC DEPARTMENT

WHEREAS, the Town currently has a need for ATV for the Electric Department and

WHEREAS, funds are available in Electric Fund Capital Outlay line for current year that would allow the purchase of the unit in the current year for total costs of \$18,832.18.

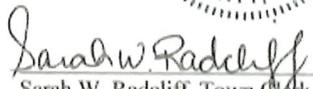
NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Town of Ayden that it authorizes the purchase of a KUBOTA RTV X Series unit with existing current year Capital Outlay dollars available of \$18,832.16.

Adopted this the 11<sup>th</sup> day of June, 2018 in Ayden, North Carolina.



  
Stephen W. Tripp, Mayor  
Town of Ayden

ATTEST:

  
Sarah W. Radcliff, Town Clerk

J. Resolution Authorizing the Town to engage in electronic payments

Finance Director Rob Taylor presented to the board.

**Item Explanation**

The pre-audit is a statutory internal control process to ensure that public funds are spent appropriately. If implemented properly the pre-audit can be an effective tool in preventing and/or mitigating employee mistake, misappropriation, and even fraud. The problem with the pre-audit process is that it is difficult to follow the strictures of the statute, particularly when conducting electronic transactions. New rules, promulgated by the State's Local Government Commission (LGC), will now make that process easier, or at least make it possible for local government entities to comply with the law.

The LGC issued new pre-audit and disbursement rules effective November 1, 2017 that exist as part of the North Carolina Administrative Code (20 NCAC 03.0409 and 20NCAC 03.0410). The rules provide certain steps the Governing unit must follow to be exempt from the pre-audit requirement on electronic transactions. Attached are the requirements. Tonight, we are requesting the Board of Commissioners adopt a resolution authorizing the unit to engage in electronic payments as defined by GS 159-28.

**Staff Comments**

No entity that utilizes credit or purchasing cards could comply with State statutes with regards to the pre-audit requirement until these new rules were implemented. The Town already has policies in place meeting the other requirements of these new rulings.

**Action Requested**

Approve attached resolution.

Motion to approve resolution authorizing the town to engage in electronic payments as defined by G.S. 159-28.

Motion: Commissioner Langley

Second: Commissioner Ross

Discussion: None

Approved: 5-0

Motion passed unanimously.



RESOLUTION NO. 17-18-35  
RESOLUTION AUTHORIZING THE TOWN OF AYDEN TO ENGAGE IN ELECTRONIC  
PAYMENTS AS DEFINED BY G.S.159-28

**WHEREAS**, it is the desire of the Board of Commissioners that the Town of Ayden is authorized to engage in electronic payments as defined by G.S. 159-28;

**WHEREAS**, it is the responsibility of the Finance Officer, who is appointed by and serves at the pleasure of the Board of Commissioners, to adopt a written policy outlining procedures for pre-auditing obligations that will be incurred by electronic payments as required by NC Administrative Code 20 NCAC 03 .0409;

**WHEREAS**, it is the responsibility of the Finance Officer, who is appointed by and serves at the pleasure of the Board of Commissioners, to adopt a written policy outlining procedures for disbursing public funds by electronic transaction as required by NC Administrative Code 20 NCAC 03 .0410;

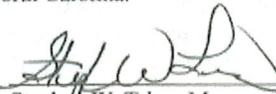
**NOW, THEREFORE, BE IT RESOLVED**, by the Board of Commissioners of the Town of Ayden authorizes the Town of Ayden to engage in electronic payments as defined by G.S. 159-28 and

Authorizes the Finance Officer to adopt a written policy outlining procedures for pre-auditing obligations that will be incurred by electronic payments as required by NC Administrative Code 20 NCAC 03 .0409 and

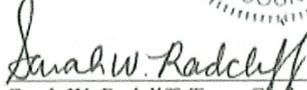
Authorizes the Finance Officer to adopt a written policy outlining procedures for disbursing public funds by electronic transaction as required by NC Administrative Code 20 NCAC 03 .0410.

Adopted this the 11<sup>th</sup> day of June 2018 in Ayden, North Carolina.



  
Stephen W. Tripp, Mayor  
Town of Ayden

ATTEST:

  
Sarah W. Radcliff, Town Clerk

K. Adding interactive phone response service for utility customers

Finance Director Rob Taylor presented to the board.

**Item Explanation**

Currently utility customers can pay their utility bills by mail, in person at Town Hall or online. Town policy does not allow customer service representatives to take credit card information over the phone. Our accounting software has added an interactive voice response system that will allow customers to call a dedicated number, check balances and make payments. Just like our online service, there is a \$1.25 convenience fee to use this service.(Note: our old software service charged \$3.00) This fee is charged directly to the customer by the third party. The Town does not receive this fee. Many of our customers have requested to make a payment by phone. Several of the calls customer service receives a day are to check balances and due dates. By adding this service, it will give customers an additional way to get account information and pay their bills. It will also free up staff to provide better customer service to those customers making payments in person.

**Staff Comments**

The convenience fee is only charged when a payment is made. Checking balances will not incur a charge.

**Action Requested**

Adoption by the Board to provide the additional payment option to utility customers.

Motion to provide the additional payment option of interactive phone response to utility customers.

Motion: Commissioner Langley

Second: Commissioner Davis

Discussion: None

Approved: 5-0

Motion passed unanimously.

L. Adopt Federal Uniform Guidance Procurement Standards

Manager Harrell presented to the board.

**Item Explanation**

Effective July 1, 2018, local governments that expend federal funds (including USDA loans and grants, CDBG funds, FEMA Public Assistance disaster relief grants, and other programs, either directly funded or reimbursement driven) must comply with the federal Uniform Guidance Procurement Standards as implemented by the U.S. Office of Budget and Management (OMB).

The OMB also requires that recipients of such federal funds adopt a Conflicts of Interest and Gifts Policy.

**Staff Comments**

Enclosed the Town Board will find a resolution adopting a compliance statement for the Town with regard to expenditure of federal funds stating that such expenditures will be so in adherence to all Federal laws, policies and standards as well as state law and local policies, adopting a Conflicts of Interest and Gifts Policy(see enclosed Exhibit "A") and authorizes the Town Manager, or his designee, to revise and update all contract templates and administrative practices and policies to meet these new federal standards where the Town uses Federal funds.

**Action Requested**

By motion, adopt enclosed resolution adopting the Uniform Guidance Procurement Compliance Statement and a Conflicts Of Interest and Gifts Policy.

Motion to adopt enclosed resolution adopting the Uniform Guidance Procurement Compliance statement and a Conflicts Of Interest and Gifts Policy.

Motion: Commissioner Davenport

Second: Commissioner Ross

Discussion: None  
Approved: 5-0  
Motion passed unanimously.



RESOLUTION NO. 17-18-36  
TO ADOPT A UNIFORM GUIDANCE PROCUREMENT COMPLIANCE STATEMENT  
AND A CONFLICTS OF INTEREST AND GIFTS POLICY  
IN ACCORDANCE WITH 2 C.F.R. Part 200

**WHEREAS**, the U.S. Office of Budget and Management has issued Uniform Administrative Requirements, Cost Principles, and Audit Requirements (the "Uniform Guidance"), which governs how non-federal entities utilize federal funds and includes procurement requirements applicable to the purchase of goods, services, construction, and repair projects; and

**WHEREAS**, non-federal entities must comply with the Uniform Guidance for all fiscal years beginning on or after December 26, 2017; and

**WHEREAS**, the Uniform Guidance is applicable to the Town of Ayden effective July 1, 2018; and

**WHEREAS**, the Town of Ayden incorporates the Uniform Guidance procurement requirement by referenced compliance statement in this resolution as allowed under the Uniform Guidance; and

**WHEREAS**, the Town of Ayden has developed a Conflicts of Interest and Gifts Policy applicable to the procurement of goods and services in accordance with the requirements set forth in the Uniform Guidance; and

**WHEREAS**, the Town of Ayden desires to formally adopt a Uniform Guidance Procurement Compliance Statement and a Conflicts of Interest and Gifts Policy.

**NOW THEREFORE, BE IT RESOLVED**, that the Board of Commissioners of the Town of Ayden, North Carolina:

(1) adopts the Uniform Guidance Procurement Policy compliance statement as follows for the Town of Ayden:

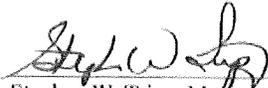
"Contracts funded with federal funds shall be procured in a manner that is in compliance with all applicable Federal laws, policies and standards as well as state law and local policies."

(2) adopts the Conflicts of Interest and Gifts Policy attached hereto as Exhibit "A";

(3) authorizes the Town Manager, or his designee, to revise and update all template contract terms, administrative practices and policies in accordance with the Uniform Guidance and to engage the Town Attorney, as needed, to seek guidance and revision of applicable contract terms, policies and procedures in accordance with the Uniform Guidance, as now promulgated or revised in the future, to the extent not inconsistent with the purpose and intent of this resolution.

Adopted this the 11<sup>th</sup> day of June 2018 in Ayden, North Carolina.



  
Stephen W. Tripp, Mayor  
Town of Ayden

ATTEST:

  
Sarah W. Radcliff, Town Clerk

#### M. Approval to build a dog park in Veterans Park

Arts and Recreation Director, Tommy Duncan, presented to the board.

##### **Item Explanation**

To repurpose the old swing set area of Veterans Park to build a dog park (See attached map). Square footage of the area is 2,508(76' x 33').

##### **Staff Comments**

Dog Park Pros and Cons

The Association of Professional Dog Trainers is an organization that was created to educate its members, the public, and other pet-care related industries in the proper management of pet dogs. A dog park can be an asset or a detriment to a community. The goal of this document is to provide, in outline format, a compilation of the advantages, disadvantages, and things to think about for communities and/or the individuals to consider regarding dog park development.

Pros:

- Provides a safe place for dogs – A dog park is a safe place for dogs to run off-leash without the concern of being hit by a car or other hazard.
- Dogs need to run to stay healthy – Not many people can run with their dogs on a leash. Veterinarians tell us it is important for their health.
- Enhances community safety – dogs who have the opportunity to use dog parks become better socialized (more familiar and friendly with other dogs and people) thereby raising community safety in general.
- Encourages law adherence – for municipalities with laws requiring dogs to be leashed, an off-leash area encourages compliance by providing a legal alternative.
- Lessens complaints – Well-exercised dogs are better neighbors who are less likely to create a nuisance, bark excessively and destroy property.
- Social opportunity for dog owners – Dog parks are a great place for owners to meet other people with common interests. The love people share for their dogs reaches beyond economic and social barriers and helps to foster a sense of community.

- Reduces crime – The presence of owners and their dogs within a park may help to deter crime and vandalism in adjacent areas.
- Importance to seniors & disabled – the use of off-leash parks offers not only a social avenue, but also a safer way for those with mobility problems who find it very difficult to walk, much less exercise, a dog on a leash.
- A positive amenity for those considering a move to community. – Having a dog park will add to your community's list of attractions for those considering a move to the area.
- A draw for people to visit the Town – other municipalities report that their dog parks are a draw for people to come to visit their town, and often these visits mean engaging in other activities while they are here.

Cons:

- Of course, one of the first things dog parents often worry about is their dog's safety when around a big group of dogs. It is possible that your dog could get picked on by more aggressive dogs; fights can break out. While this does not happen all the time, it is certainly a possibility. Also, it's possible that your dog can pick up bad habits from other dogs; like fear, nipping, aggression or ignoring commands.
- Sometimes dog owner's at the park just are not that responsible; they just drop off their dog in the park and retreat into their smart phone or cars. And, all too often these are the dogs with the biggest behavioral problems. In addition, some owners show a blatant disregard for park rules such as cleaning up after their pet or using the proper gates and areas.
- Another real disadvantage of off leash dog parks is the chance your dog could get sick. Fleas, ticks and other skin irritations from parasites can be picked up from other dogs. More serious illnesses such as kennel cough and intestinal parasites like roundworm or hookworm can be picked up from waste that neglectful owners leave at the park.

Funding:

Estimated cost to build the dog park is approximately \$6000. Grant funds from Pitt County \$5000 with an additional \$1000 taken from existing Arts and Recreation funding.

**Action Requested**

Staff recommends that the Town Board concur with the Arts & Recreation Commission to approve repurposing the old swing area as a Dog Park in Veterans Park.

Below you will find information regarding the Ayden District Park Master Plan.

**Item Explanation**

In the Ayden District Park Master Plan that was submitted to receive the Parks and Recreation Trust Grant (PARTF), the park was designed to be built in three phases.

Phase 1 included items such as: a multi-use paved fitness trail with benches, splash pad and 9 holes disc golf course, among other things.

Phase 2 included items such as: paving the gravel parking lots established in Phase 1, multi-purpose building, outdoor amphitheater, 9 holes disc golf course and a trail connection to Countryaire neighborhood.

Phase 3 mainly included the four baseball/softball fields in a “wagon wheel” configuration along with a two story structure to house a concessions stand, press box, and restrooms

After receiving the PARTF grant, the town representatives reviewed the site plan with the engineering firm Withers and Ravenel. The original site plan had one large athletic field and one small athletic field. After discussion with the Withers and Ravenel team, the small field would serve very little recreation use. Withers and Ravenel redesigned the park to its current design.

The new design included two large athletic fields and two beach volleyball courts. The new design also allowed for some other changes to take place. There was no need for a detention or retention pond. Storm water could be handled with Grass Swale/BMP. The Splash Pad was originally designed to be a non-recovery system, but after further review it was determined that it is more cost effective and more sustainable to use a recovery system. With this change a mechanical building was built to house the recovery unit. Since plumbing would already be in the mechanical building, it was cost effective to relocate the rest rooms from the picnic shelter to the mechanical building. In the new site plan, the multi-purpose building located adjacent to the playgrounds was eliminated due to the lack of available space.

During construction the contractor, (Tripp Brothers), pointed out that the plan had the entrance road on top of the sewage system. After reviewing the cost of redoing the sewage system, it was decided that it would be more cost effective to buy additional land and shift the park approximately 100 feet south.

In order to reduce the cost of the park, the Town Public Works Crew took on a lot of the smaller projects. This allowed the Town to complete Phase 1 and a great deal of Phase 2.

**The following items were completed in Phase 1:**

- Multi-use paved ¼ mile fitness trail
- Playground and tot lot
- Small picnic shelter
- 18 hole disc golf course w/practice baskets
- Splash pad
- Athletic fields
- Irrigation
- Landscaping
- Amenities (grills, trash cans, benches and water fountain
- Mechanical building with restrooms
- 2 beach volleyball courts
- Shuffleboard
- Bocce ball court
- Horseshoe area
- 2 paved parking lots & paved driveway
- Lighting, scoreboards and bleachers for athletic fields

Since the District Park opened, the following items have been added: a large picnic shelter and a maintenance and equipment building and concession stand, both for football and soccer.

According to the Ayden District Park Master Plan, **the following items are needed to complete** the park:

- outdoor amphitheater
- two paved parking lots and paved driveway
- maintenance and equipment building (baseball/softball)
- additional picnic shelters
- natural surface trails
- four baseball/softball fields in a “wagon wheel” configuration
- a two story structure to house a concession stand, press box, and restrooms
- various site improvements associated with the baseball/softball complex
- additional landscaping
- outdoor basketball courts

MHA Works has provided the town estimate cost to build future phases of the park. MHA Works divided the future phases into two phases. MHA Works' presentation on this is enclosed.

Proposed phase 2A includes:

Two 225' Baseball fields  
Two 300' Baseball fields  
A 50'X 50' Concession Stand with restrooms and press box  
Two Parking lots  
Relocation of two adjacent disc golf goals  
Brick Pavers walkway

Cost estimate for phase 2A \$3,595,382

Proposed phase 2B includes:

Amphitheater with approximately 300 seats  
Restrooms and concessions near existing Fields  
Maintenance building  
Additional picnic shelters  
Walk/Bike Greenway Trail  
Two Outdoor basketball courts

Cost estimate for phase 2B \$2,305,275

Total cost estimate for phases 2A and 2B \$5,900,657\*\*

\*\*see MHA Works' breakdown of estimated costs on enclosed sheets (costs incl. construction, engineering and contingency)

Mr. Duncan stated Linda Creech had been ill so the Arts and Rec Foundation had been inactive for some time. Mayor Pro-tem Mewborn asked if someone else could step up and take over to get the fundraising going again. Mr. Duncan said he would reach out to some of the members and see what he could do.

Commissioner Langley stated the proposed area was too small for him to support it. He asked what was included in the price. Mr. Duncan said the fence, water fountains and different toys for the dogs were included in the price. Commissioner Langley said he felt we needed to double the size to make it worthwhile and see if we could find more funding to pay for the expansion.

Motion to table this item and have Mr. Duncan come back to the board with how much it would cost to provide a 5,000 square foot dog park at Veterans Park.

Motion: Commissioner Langley

Second: None

Motion dies.

Commissioner Ross said she felt Veterans Park was too small. She said the park is used a lot and felt it would be a liability to have the dog park there. She felt if we considered a dog park, it should be a District Park, where there is a lot more space.

#### N. Adopt FY18-19 Annual Budget Ordinance

##### Item Explanation

Per discussion at the June 4<sup>th</sup> budget work session, staff has made the following changes:

- Added Loan Proceeds of \$168,000 for 6 Police Vehicles to the General Fund
- Increased Capital Outlay in Police Dept by \$168,000 for 6 Police Vehicles
- Removed Veteran's Park Bathrooms Recreation's Capital Outlay line
- Appropriated Fund Balance in General Fund is reduced to \$159,950

No payment is budgeted for the Police vehicles in the coming budget year as it is anticipated we will request an annual payment with the first payment not due until after July 2019, next year's budget. Annual payment will be approximately \$44,445 a year for a four year term based on a borrowing rate of 2.8% APR.

Note: the \$20,000 for the renovations to the Utilities Customer Service front collections counter are part of the Electric Fund Capital Outlay and, even if this expense were cut, as part of the Electric Fund, the savings could not be applied against the cost of the Police Vehicles. Note that the Electric Fund continues to be balanced without a need for an appropriation of Electric Fund fund balance.

The attached copy of the FY18-19 Budget Ordinance reflects these changes.

**Staff Comments**

Tonight the completed FY18-19 Annual Budget Ordinance for the Town of Ayden is presented for adoption. Per N.C. General Statute the Local Government Budget and Fiscal Control Act the recommended budget was submitted to the Town Board on April 20<sup>th</sup>, duly posted, and a public hearing was held on the submitted budget at the Town Board's May 7, 2018 meeting.

**Action Requested**

Adopt FY18-19 Annual Budget Ordinance.

Mayor Pro-tem Mewborn said he would like to make a motion to take the \$9,000 budgeted for the three schools and give them \$2,500 each and then give \$750 each to each of the two Head Start Programs in Ayden. He said these are very formative years for our children and he felt it was only fair that we do something for the Head Start programs.

Motion: Mayor Pro-tem Mewborn

Second: Commissioner Davis

Discussion: Commissioner Ross stated we had been giving to the schools for years illegally and, though she supported schools, as she is a retired educator herself, she felt we should not give any more money to the schools. She felt that was a state and county responsibility. She said she did support giving to the Head Start Centers.

Approved: 4-0

Opposed by Commissioner Ross.

Motion passed.

Commissioner Langley stated he wanted to add the Veterans Park Bathrooms back to the budget.

Motion to approve the budget as recommended adding back the bathrooms at Veterans Park in the amount of \$65,000.

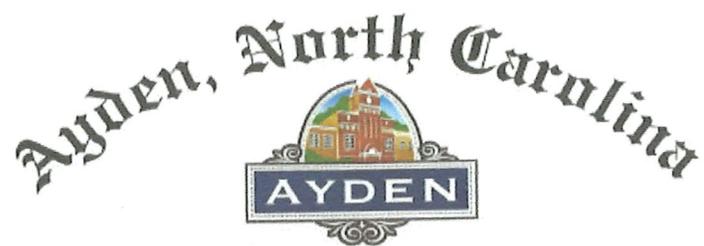
Motion: Commissioner Langley

Second: Mayor Pro-tem Mewborn

Discussion: None

Approved: 5-0

Motion passed unanimously.



ORDINANCE NO. 18-19-01

FYE JUNE 30, 2019  
OPERATING BUDGET ORDINANCE

BE IT ORDAINED by the Board of Commissioners of the Town of Ayden, North Carolina, that the following anticipated fund revenues and departmental expenditures together with a certain Fee and Charge Schedule, and with certain restrictions and authorizations, are hereby appropriated and approved for the operation of the Town Government and its activities for the Fiscal Year beginning July 1, 2018 and ending June 30, 2019.

SUMMARY

General Fund	\$	4,855,135
Electric Fund	\$	11,792,800
Water/Sewer Fund	\$	2,832,667
Stormwater Fund	\$	146,828
Rural Fire Fund	\$	231,524
Library Trust Fund	\$	1,000
	\$	<u>19,859,954</u>

**SECTION 1: GENERAL FUND REVENUES**

**REVENUES**

2018 Taxes	\$	1,085,000
Vehicle Taxes	\$	164,000
Prior Year Taxes	\$	10,000
Municipal Vehicle Fee	\$	16,000
Tax Penalties	\$	2,000
Tax Interest	\$	3,000
1% Sales Tax Art.39	\$	400,000
0.5% Sales Tax Art 40	\$	235,000
0.5% Sales Tax Art 42	\$	200,000
Hold Harmless Tax	\$	230,000
Utility Franchise Tax	\$	360,000
Beer and Wine Tax	\$	22,300
Cell Tower Franchise Fee	\$	53,000
Cable TV Franchise Fee	\$	56,000
Piped Natural Gas	\$	2,000
Solid Waste Disposal Tax	\$	3,553
Rural Fire EMS Lease Pmts	\$	91,554
Powell Bill	\$	150,000
Local/State Grants	\$	123,000
Court Facility Fees	\$	8,000
Planning Fees/Permits	\$	14,000
Refuse Collection Fees	\$	312,000
Cemetery Sales	\$	32,000
Recreation Revenue	\$	68,000
Facility Rental Fees	\$	32,500
EMS Utilities & Expenses	\$	5,000
Investment Earnings	\$	22,000
Misc Revenue	\$	35,000
Sale of Fixed Assets	\$	10,000
Special Event Donations	\$	10,000
InterGovt Electric Franchise Tax	\$	571,645
PIL Tax Electric Utility	\$	59,510
PIL Tax Housing Authority	\$	18,123
Loan Proceeds	\$	248,000
Transfers From/(to) Other Funds	\$	(22,000)
Fund Balance Appropriation	\$	224,950
	\$	<u>4,855,135</u>

**EXPENDITURES**

Governing Board	\$	221,432
Administration	\$	159,492
Finance	\$	89,536
Central Garage	\$	65,563
Public Buildings	\$	131,941
Police	\$	1,948,263
Fire	\$	158,039
Public Works/Streets	\$	521,423
Powell Bill	\$	150,000
Sanitation	\$	243,346
Economic Development	\$	35,623
Planning & Zoning	\$	173,712
Library	\$	131,014
Arts and Recreation	\$	576,541
Debt	\$	249,210
	\$	<u>4,855,135</u>

**SECTION 2: ELECTRIC FUND****REVENUES**

Electric Utility Charges	\$	11,420,000
Reconnect Fees/Penalties	\$	90,000
New Account Connect & Install Fees	\$	20,000
Facility Fees	\$	120,300
Service Charges	\$	4,500
Investment Earnings	\$	102,000
Misc. Receipts	\$	10,500
Cable TV Pole Lease	\$	10,500
Sale of Materials & Assets	\$	15,000
	\$	<u>11,792,800</u>

**EXPENDITURES**

Electric Admin/Billing	\$	504,666
Electric Operations	\$	2,400,604
Wholesale Power Purchase	\$	7,943,431
Debt Service	\$	312,944
Special Appropriations	\$	631,155
	\$	<u>11,792,800</u>

**SECTION 3: WATER / SEWER FUND**

**REVENUES**

Water Charges	\$	1,212,000
Sewer Charges	\$	1,610,000
Reconnection & Penalty Fees	\$	20,000
Water Connection Fees	\$	2,000
Sewer Connection Fees	\$	2,000
System Impact Fees	\$	2,000
Subdivision Installation Fees	\$	2,000
Investment Earnings	\$	21,000
Contribution to Fund Balance	\$	(38,333)
	\$	<u>2,832,667</u>

**EXPENDITURES**

Water/Sewer Operations	\$	2,372,276
Debt Service	\$	460,391
	\$	<u>2,832,667</u>

**SECTION 4: STORMWATER FUND**

**REVENUES**

Stormwater Fees	\$	111,828
Transfers from Other Funds	\$	35,000
	\$	<u>146,828</u>

**EXPENDITURES**

Stormwater Operations	\$	<u>146,828</u>
-----------------------	----	----------------

**SECTION 5: RURAL FIRE FUND**

Contracted Services	\$	187,330
Fund Balance Appropriated	\$	44,194
	\$	<u>231,524</u>

Rural Fire Dept. Operations	\$	<u>231,524</u>
-----------------------------	----	----------------

**SECTION 6: LIBRARY TRUST FUND**

Revenues	\$	<u>1,000</u>
Library Fund Expenditures	\$	<u>1,000</u>

**SECTION 7: UTILITY RATES**

There is hereby established, for the fiscal year 2018-2019, utility charges and fees as scheduled herewith:

**ELECTRICAL**

Electric rates are as contained in Attachment A.

**WATER & SEWER**

Water and Sewer rates are as contained in Attachment B.

**SECTION 8: FEE SCHEDULE**

There is hereby established, for the fiscal year 2018-2019, various fees and charges as scheduled herewith:

**UTILITY FEES**

Residential Utility Deposits	\$175
Small Commercial Utility Deposits	\$300
Large Commercial Utility Deposits	\$1000 up front and the balance of an average of 1.5 months usage over six months due at the end of six months of operations.
Industrial Utility Deposits	\$1500 up front and the balance of an average of 1.5 months usage over six months due at the end of six months of operations.
Temporary Service Charge	\$35 Connection Fee \$35 Meter Deposit (for first time Ayden Utility customer)
Temporary Service Charge (Realtor)	\$20 Connection Fee (48 hrs of service)
New Account Connection Fee	\$10 Electric \$10 Water & Sewer
Penalty for non-payment by the due date	1% of account balance
Penalty for non-payment by the "cutoff" date	\$25
Reconnections of Utilities	\$25 during after-business operating hours

Return Check Charges	\$25
Meter Check	\$35

**DEVELOPMENT FEES**

**ELECTRIC SERVICES:**

Sub'd Installment Fee (Electric)	\$800/dwelling unit
** Cost to developer for Town to install backbone	
** Paid by developer prior to ordering of materials	
Residential Installment Fee (Electric)	\$250/dwelling unit
** (Less than 150LF)	
Residential Installment Fee (Electric)	\$250/dwelling unit plus \$3.50/LF over 150LF
** (More than 150LF)	
Commercial Installment Fee (Electric)	Transformer and pad at customer expense
** Due at time of service request	
	\$300 for 200 AMP
	\$700 for 400 AMP
	\$1000 for 600 AMP
	** Calculated at time of service request for services over 600AMP
Primary Line Extension	Material Cost + 15%

**WATER AND WASTEWATER SERVICES:**

Sub'd Installment Fee (Water/Sewer)	\$200/dwelling unit
** Developer installs lines and extends taps to property line	
** Paid by builder prior to issuance of Zoning Compliance Certificate	
Water Connection Fee (In-Town)	\$450 for ¾"
	\$750 for 1"
	\$1200 for 1 ½"
	\$2250 for 2"
	** Cost of materials/labor plus 20% for greater than 2"
** Fee for Town installing taps and service to property line	
** Due at time of service request	
Water Connection Fee (Out-of-Town)	\$900 for ¾"
	\$1500 for 1"
	\$2400 for 1 ½"
	\$4500 for 2"
	** Cost of materials/labor plus 20% multiplied by 2 for greater than 2"
** Fee for Town installing taps and service to property line	

\*\* Due at time of service request

Sprinkler Connection Fee (In-Town) \$300  
\*\* Due at time of service request

Sewer Connection Fee (Res./In-Town) \$500/dwelling unit for 8' depth or less

\*\* Due at time of service request

Sewer Connection Fee (Res./Out-of-Town) \$1000/dwelling unit for 8' depth or less

\*\* Due at time of service request

Sewer Connection Fee – greater than 8' depth

Where a sewer line is deeper than eight (8) feet, the Town of Ayden will equally cost share with the owner/developer/builder in the difference between the actual cost to tap the sewer line at eight (8) feet and the cost of the tap at the depth of the line below eight (8) feet, with that depth not exceeding fourteen (14) feet.

The Town of Ayden's share of the difference shall not exceed the total amount of property tax revenue generated by the new development in the first taxable 36 months of the development. This collected 36 month tax revenue will be used to reimburse the water & sewer fund for the cost advanced by the fund.

The Town of Ayden's share of the connection costs shall be only as a reimbursement of the actual connection costs of the owner/developer/builder, and only after the property in question is fully developed and ready for occupancy – Certificate of Occupancy issued.

This cost sharing of sewer connection costs shall only apply to connections made after the effective date of this policy.

The Town of Ayden shall acquire at least three (3) quotes from contractors for the sewer tap work in question.

Sewer Connection Fee (Commercial) Cost of materials/labor plus 20%  
\*\* Fee for Town installing service to property line  
\*\* Due at time of service request

CMSD Impact Fee \$1000 (Residential)  
\*\* Paid by builder prior to issuance of Zoning Compliance Certificate \$1000 per 350/GPD estimated flow (Commercial/Industrial)

**STORMWATER FEE**

Customers	Monthly Fee
Industrial	\$10.00
Commercial	\$6.00
Residential	\$3.50

**MUNICIPAL VEHICLE FEE** \$5.00

**FACILITY RENTALS**

Second Street Community Building  
\*\* (Civic Orgs or Non-Profit Orgs Only) \$50 Refundable Deposit  
\$150 per use  
\$600 annually for once a month use\*\*  
\$1,000 annually for once a week use\*\*

Old Town Hall  
\*\* (Civic Orgs or Non-Profit Orgs Only) \$50 Refundable Deposit  
\$100 per use  
\$600 annually for once a month use\*\*  
\$1,000 annually for once a week use\*\*

West Avenue Stage \$250 Refundable Deposit  
\$250 per use  
\*See rental use agreement for terms

Arts and Recreation Center Campus

Doug Mitchell Auditorium \$150 Refundable Deposit  
\$350 per use for Auditorium (Non-Profit)  
\$700 per use (For-Profit)

Classrooms \$50 per use (4 Hour Maximum)

***Outdoor Athletic Fields and Gymnasium are NOT available for rent***

Veteran's Park Shelter (small) Reservations required  
\$15 for half day (4 hours)  
\$30 for full day (8 hours)

Veteran's Park Baldree Shelter Reservations required  
\$30 for half day (4 hours)  
\$60 for full day (8 hours)

<u>LL Brown Park Shelter</u>	Reservations required \$20 for half day (4 hours) \$40 for full day (8 hours)
<u>District Park Shelter (small)</u>	Reservations required \$40 for half day (4 hours) \$70 for full day (8 hours)
<u>District Park Shelter (large)</u>	Reservations required \$70 for half day (4 hours) \$130 for full day (8 hours)
<u>Off-Duty Staff</u>	\$25/hour per staff member

**\*\* Rental fee, including any off-duty staff fees, guarantees reservation and must be paid at least three (3) days in advance of requested reservation unless specified otherwise in the rental use agreement \*\***

**NOISE PERMIT FEE**

Permit to exceed noise limitations/ Permit for outdoor amplified sound	\$15.00 per event
---	-------------------

**\*\*No permitted event may last more than 4 hours in duration. No permitted event may extend beyond 11:00 pm.**

**REFUSE COLLECTION**

Residential Collection and Recycling	\$11.50 per month per residential household
Business Collection	\$16.50 per month for the first two rollouts \$16.50 per month for each additional rollout
Church Collection	\$16.50 per month for the first two rollouts \$16.50 per month for each additional rollout
Major Appliance	1 per month per address at no charge \$10 per month for each additional item
Furniture and Mattress	1 per month per address at no charge \$10 per month for each additional item
Residential Limbs and Brush	No Charge
Recycle Rollout	\$65

**PLANNING, ZONING, AND LAND USE FEES**

Driveway Permit Fee	\$50 (Town Maintained Streets Only)
Rezoning Request	\$300

Future Land Use Map Amendment	\$150
Zoning Ordinance Text Amendment	\$150
Board of Adjustment Hearings	\$250 Variance Zoning Administrator Appeal Ordinance Interpretation
Conditional Use Permits	\$250
Voluntary Annexation Petition	\$50
Preliminary Plat Review (Subdivisions)	\$200 plus \$50 per acre or fraction thereof not to exceed \$1000
Preliminary Plat Review (Minor Revisions)	\$100
Construction Drawing Review	\$200
Final Plat Review (Subdivisions)	\$150 plus \$50 per acre or fraction thereof not to exceed \$500
Final Plat Review (Minor Revisions)	\$50
Site Plan Review	\$250 plus \$25 per acre or fraction thereof not to exceed \$500
Site Plan Review (Minor Revisions)	\$50 (Minor Revisions must be requested in writing by owner/applicant)
Landscape Plan Review	\$100 (Must be submitted with Original Site Plan)
Landscape Plan Review (Minor Revisions)	\$50 (Minor Revisions must be requested in writing by owner/applicant)
Erosion and Sedimentation Control Plan	Administered by Pitt County Planning Department
Stormwater Permit	Major Subdivisions \$400 Other \$250

**INSPECTION PERMIT FEES**

Administered by Pitt County Planning, Inspections, and Permitting

**RECREATION FEES**

Tackle Football Activity Fee	\$25 (In-Town) \$50 (Out-of-Town)
Flag Football Activity Fee	\$20 (In-Town)

	\$40 (Out-of-Town)
Softball Activity Fee	\$20 (In-Town) \$30 (Out-of-Town)
Basketball Activity Fee	\$20 (In-Town) \$30 (Out-of-Town)
Cheerleading	\$20 (In-Town) \$30 (Out-of-Town)
Volleyball	\$20 (In-Town) \$30 (Out-of-Town)
Summer Day Camps	\$45 per week (In-Town) \$55 per week (Out-of-Town)
Classes (Art, Pottery, Etc...)	\$30 (In-Town) \$40 (Out-of-Town)
Specialty/Sport Camps	Cost Varies/Determined by Instructor Fees
Gate Admission to Events	\$1
District Park Splash Pad Admission	\$2 (All Day Pass)

**CEMETERIES**

Cemetery Plots (Ayden Citizens In-Town)	\$450
Cemetery Plots (Ayden Citizens Out-of-Town) [On Ayden Utilities]	\$550
Cemetery Plots (Non Ayden Citizens) [Not On Ayden Utilities]	\$750
Mausoleums	Plot price x 4 as set above
Deed Issuance for Transfer	\$50 per deed
Grave Openings and Closings	
Weekday	\$350
Weekday Cremation	\$125
Weekend/Holiday (O/C)	\$600
Weekend/Holiday Cremate	\$150

**DOCUMENTS**

Agenda Copies Sunshine List	\$10 per year
Zoning and Subdivision Ordinance Copy	\$15

Erosion and Sedimentation Control	Administered by Pitt County Planning
Flood Prevention	Administered by Pitt County Planning
Minimum Housing Requirements	\$5
Thoroughfare Plan	Administered by Greenville MPO
Code of Ordinances Copy	\$25
Town Maps (8.5" x 11" Black and White)	\$1
Town Maps (11" x 17" Black and White)	\$2
Zoning, ETJ, and Land Use Maps	
24" x 36" Color	\$20
36" x 42" Color	\$35
Certified True Copies of Documents	
First Page	\$3
Additional Pages	\$1
Single Uncertified Copies Made by Town	\$0.10 per page

**SECTION 9: LEVY OF TAXES**

There is hereby levied, for the fiscal year 2018-2019, a 2018 tax rate of \$0.54 per one hundred dollars (\$100) valuation of taxable property as listed for taxes as of January 1, 2018, for the purpose of raising the revenue from current taxes as set forth in the foregoing estimates of revenues, and in order to finance the foregoing applicable appropriations. This rate of tax is based on an estimated real and personal property valuation of \$236,677,906.

**SECTION 10: SPECIAL AUTHORIZATIONS – BUDGET OFFICER**

- A. The Budget Officer shall be authorized to reallocate appropriations within departments, and among the various line accounts not organized by departments, as the officer deems necessary.
- B. The Budget Officer shall be authorized to execute interdepartmental transfers, within the same fund, not to exceed ten percent (10%) of the appropriated monies for the department whose allocation is reduced. Notification of all such transfers shall be made to the Town Board at its next meeting following the date of the transfer.
- C. Inter-fund transfers, established in the Budget Ordinance, may be accomplished without additional approval from the Town Board.

**SECTION 11: RESTRICTIONS – BUDGET OFFICER**

- A. Inter-fund and interdepartmental transfer of monies, except as noted in Section 9, shall be accomplished by Town Board authorizations only.

- B. Utilization of appropriations contained in contingencies may be accomplished only with specific approval of the Town Board.

#### SECTION 13: UTILIZATION OF BUDGET ORDINANCE

This ordinance shall be the basis of the financial plan for the Town of Ayden municipal government during the 2017-2018 fiscal year. The budget officer shall administer the budget and this officer shall ensure that operating officials are provided guidance and sufficient details to implement their appropriate portion of the budget.

The finance and purchasing departments shall establish and maintain all records, which are in accordance with this Budget Ordinance, and the appropriate statutes of the State of North Carolina.

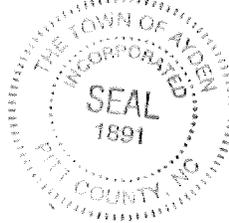
#### SECTION 14: EFFECTIVE DATE OF SALARY CHANGES

Any salary changes for Town employees shall begin the first full payroll in the new fiscal year which will begin June 27, 2017.

#### SECTION 15: INCLUSION OF AYDEN HOUSING AUTHORITY FY18 – 19 OPERATING BUDGET

The Ayden Housing Authority FY18 – 19 Operating Budget, although adopted by separate HUD Public Housing Agency "Approving Operating Resolution", is included in the Town's FY18 – 19 annual adopted budget.

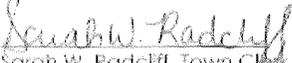
Adopted this 11<sup>th</sup> day of June 2018 in Ayden, North Carolina.



AYDEN, NORTH CAROLINA  
  
Stephen W. Tripp, Mayor

(TOWN SEAL)

ATTEST:

  
Sarah W. Radcliff, Town Clerk

## VI. ITEMS FOR DISCUSSION

### A. Traffic Calming Policy – The Pines

Planning Director Stephen Smith presented to the board.

#### Item Explanation

A Traffic Calming petition was submitted for the Pines Subdivision. As required by the Town's Traffic Calming Policy, once a petition has been submitted and meets the 60% signature requirement, staff will do a preliminary study of the area for presentation to the Planning Board and Town Board for discussion and possible action.

#### Staff Comments

Staff presented the preliminary study results to the Planning Board on April 18, 2018 and it made a motion to send the petition to the Town Board for discussion and to determine the next steps. Staff presented the preliminary findings at the Town Board's May 7<sup>th</sup> meeting. The Town Board requested staff to return with needed next steps. Tonight staff will present the Traffic Calming Policy with regard to the report that is required by the Policy in order for traffic calming measures to be implemented in a neighborhood. The level of detail and expertise required of the Town's policy for this report would indicate a need for an outside traffic engineering consultant. Note also, that any traffic calming measure/device chosen requires residents of the street in question to cover 75% of the installation costs.

#### Action Requested

Direction from the Town Board.

# Traffic Calming Measures Town Requirements

Based upon the determination of need, town staff (or its consultants) will identify and evaluate the applicability and likely effectiveness of a minimum of two traffic-calming measures. Alternative traffic-calming measures will include, but may not be limited to, such actions and devices as: chokers, neck downs, chicanes, center islands, raised crosswalks, raised intersections, roundabouts, traffic circles, speed humps, speed tables, textured pavement, one-way street designations, forced turn islands, median barriers, curbing, striping, etc.

Traffic-calming measures will be evaluated using the best information available on their applicability and effectiveness in addressing the specific problem, the technical feasibility of installing the devices properly within the constraints of the existing right-of-way, the relative costs of their construction, and the impacts they may have on emergency vehicle access, drainage, and maintenance.

The findings of this evaluation will be prepared in a report in conjunction with schematic designs of the chosen measure. Schematic designs for the traffic-calming measures will be prepared by Town staff or a qualified consultant.

This report will identify the traffic-calming measures determined to be both feasible and effective in addressing the problems established in the evaluation. It will also identify the likely impacts on traffic flow, traffic speeds, and different user groups that implementation of each feasible measure is likely to create. Estimates of construction and maintenance costs will also be included in the report.

When developing the schematic design for the chosen traffic-calming measure, the following general guidelines will apply:

- a. All devices will be planned and designed in conformance with sound engineering practices and standards, and in consultation with other communities having experience with their implementation and maintenance. Such measures should not create an unsafe condition for motorists driving at normal speeds under average driving conditions.
- b. Design of traffic calming features shall accommodate the efficient movement of a single unit truck.
- c. The parking needs of residents must be balanced with the equally important functions of traffic, emergency vehicle access, and pedestrian safety. The design and installation of traffic-calming devices should avoid the removal of parking spaces wherever possible.

This report will identify the type, location, preliminary cost estimates, and design of the traffic-calming measure(s) determined to be both feasible and effective in addressing the identified problems found on the specific street.

The report and schematic(s) will be presented to the Board of Commissioners for review and consideration. The Board will provide an opportunity for public comment at meetings where a specific traffic-calming report/request is being considered. Input received at this meeting will be used to clarify the choices between alternative measures. The Board of Commissioners will consider the comments received through public comment when selecting a preferred traffic-calming measure that balances the neighborhood protection objectives of those residing along the affected street(s) with the mobility and economic development objectives of the town.

When determining which traffic control measures should be installed, Town Staff and the Board of Commissioners will utilize the following criteria:

- Expected benefits to safety and quality of life
- Neighborhood preference
- Maintenance needs
- Cost of construction
- Technical feasibility
- Space constraints
- Geometric constraints
- Drainage requirements
- Emergency service access

Following presentation of the traffic-calming alternatives, the Board of Commissioners will vote to approve the formal design and installation of the traffic calming facility deemed most appropriate for the location defined within the application request

## Bike Lanes

Bike Lanes – A portion of a roadway, which has been designated by striping, signing, and pavement markings for the preferential or exclusive use of bicyclists.



## Bulbouts/Neckdowns/ Chokers

Curb extensions at intersections that reduce curb-to-curb roadway travel lane widths.



## Chicanes/Lateral Shifts

Curb extensions that alternate from one side of the roadway to the other, forming S-shaped curves.



## Closures (Cul-de-sacs)

Barriers placed across roadways to completely close through vehicle traffic.



## Curb Extension/Medians

Curb extensions can be used to create a variety of horizontal traffic-calming measures such as roundabouts, chicanes, neckdowns and chokers.



## Diverters

Barriers placed diagonally across an intersection, blocking certain movements.



## Education

Instructions given to the residents on safe on-street vehicle travel.



**Forced Turn Lanes** – Raised islands located on approaches to an intersection that block certain movements.



**Raised Intersection** – Raised flat areas covering entire intersections, with ramps on all approaches and often with brick or other textured materials on the flat section and ramps.



**Realigned Intersections** – Changes in alignments that convert T-intersections with straight approaches into curving roadways meeting at right angles.



**Police Enforcement** - involves employing the services of law enforcement agencies to impose the local safe vehicle laws, including those for posted speeds and traffic signals/signs.



**Roundabouts** – Barriers placed in the middle of an intersection, directing all traffic in the same direction. **Speed Humps** Rounded Raised pavement devices placed across roadways to slow and/or discourage traffic.



**Speed Cushions:** Designed as three small speed humps, speed cushions force pedestrian vehicles to slow down. However, the wider axle of emergency vehicles allows them to pass without slowing down. In addition, speed cushions are more affordable than speed humps or tables since they require less material



**Speed Humps** - Raised devices, parabolic in shape, placed across the road to slow traffic. They are often considered the most traditional traffic-calming solution. Speed humps slow traffic more gradually than speed bumps, although less so than speed tables.



**Speed Tables** – Flat-topped speed humps often constructed with a brick or other textured material to slow traffic.



**Speed Trailer**- Portable speed trailers visually display drivers' real-time speeds compared to the speed limit.



**Traffic Circles** – Barriers placed in the middle of an intersection, directing all traffic in the same direction. These are usually larger than roundabouts.

Manager Harrell stated if the board would like us to move forward with this, noting that the residents would have to pay 75% of the costs, they can move forward with contacting some traffic engineers and get some cost estimates to show what might be involved.

Mayor Pro-tem Mewborn asked if we had tried the speed trailers out there. Mr. Smith stated we had and there wasn't a big speed factor out there based on the results.

Commissioner Davis said when he spoke to a citizen about the problem and explained they would be responsible for 75% of the cost, she said they didn't need it.

Commissioner Langley asked what kind of cost the town would incur if we moved forward. Manager Harrell said we haven't talked to any consultants yet and that cost would not be aimed at the residents, just the town. Manager Harrell stated we could get some cost estimates for informational purposes.

**VII. INFORMATION**

**A. Staff Departmental Reports**

Mayor Pro-tem Mewborn asked about the progress for the Food Commercialization Center (FCC). Manager Harrell stated the board meets every other Friday. He stated a project manager, Keith Purvis, was hired and is currently conducting a survey of farmers in the area to find out what farmers would be willing to use the FCC. In addition, Mr. Purvis has taken several trips to the General Assembly trying to get matching dollars for the EDA grant. We were told we need to wait for the long session and go back then.

Mayor Pro-tem Mewborn asked about the AHA Smoke Free Policy. Manager Harrell said they had their first meeting on May 30<sup>th</sup> and had about 35 attendees. They explained it was a HUD regulation and that there would be a public hearing at the July 11<sup>th</sup> board meeting, with a July 30, 2018 effective date. Residents asked to mark the 25 foot mark and possibly provide a rain shelter.

Commissioner Langley asked if the Housing Report could show labor and material charges in the future. Manager Harrell said we could do that.

**VIII. BOARD MEMBER COMMENTS**

The Board thanked everyone for coming out and staff for their hard work. Commissioner Ross said we really need an elevator in the building and wanted staff to look into it. Manager Harrell said we were looking into it and would be bringing something back to the board for consideration.

**IX. ADJOURNMENT**

Having completed the business before them, Mayor Pro-tem Mewborn announced that without objection the Governing Board would stand adjourned at 9:43p.m.

**CERTIFICATION**

Minutes from the June 11, 2018 meeting were adopted and certified this 9<sup>th</sup> day of July 2018 in Ayden, North Carolina.



AYDEN, NORTH CAROLINA

  
Stephen W. Tripp, Mayor

ATTEST:

  
Sarah W. Radcliff, Town Clerk