



**TOWN OF AYDEN  
GOVERNING BOARD MEETING  
MINUTES**

**October 15, 2014 – 7:00 pm**  
Ayden Town Hall – Second Floor Boardroom

**I. CALL TO ORDER**

A. Call to Order

Mayor Tripp called the meeting to order at 7:05 pm

B. Roll Call

Present:

Mayor Tripp

Commissioners Davenport, Harris, Mewborn, Ross and Skinner

Absent:

None

Also Present:

Brandon Holland – Town Manager

Sherrri Scharf – Town Clerk

Phil Dixon – Town Attorney

Robert Sutton – Public Works and Utilities Director

Barry Stanley – Police Chief

Chris Tucker – Director of Finance

Stephen Smith – Community and Economic Planner

C. Approval of the Agenda

Mayor Tripp noted that the agenda had been **revised** with the following additions: (1) *Public Recognition*: GFOA Award for Financial Reporting; (2) *Consent Agenda*: Resolution to contract with NC Governor's Highway Safety Program; (3) *Action Items*: Application from Kevin Smith for Planning Board vacancy; and (4) *Information*: Request from AGHS to support a grant opportunity via online voting. Mayor Tripp then called for a motion and subsequent vote:

Motion: Commissioner Skinner

Second: Commissioner Harris

Discussion: None

Approved: 5-0

The motion to approve the revised meeting agenda was approved as presented.

## II. PUBLIC RECOGNITION

### A. Public Recognition

Mayor Tripp announced that Finance Director Chris Tucker received the Government Finance Officers Association (GFOA) award for financial reporting achievement for the sixth consecutive year, and that this reflected favorably on the Town of Ayden.

### B. Public Comments None

## III. STAFF REPORTS

### A. Manager's Report

Manager Brandon Holland reminded the Board of the special called meeting with the Ayden Housing Authority on October 17<sup>th</sup> at 4:30 pm at the AHA office and of the Ayden-Grifton High School Homecoming Game and volunteer duties at the concession stand on October 17<sup>th</sup> at 7 pm. He stated that he had recently attended a presentation of students running for student government positions at Ayden Elementary School and met with the NC City/County Managers' Association Conference Program Committee. He met with solar engineers regarding the solar farm project and surveyors regarding easements for drainage projects – those easements have been flagged and encroachment agreements with NCDOT have been signed by Town Officials. He also met with Mayor Tripp and the Ayden Ministers' Alliance to discuss crime prevention efforts and to prepare for a community service project for the holiday. He will soon meet with ECU's Master of Public Administration Director. The Ayden Arts & Recreation Foundation Committee will meet again on October 21<sup>st</sup> at 6 pm to review its charter and draft bylaws.

### B. Public Works and Utilities and Arts & Recreation Report

Robert Sutton reported that his electric crew recently assisted a contractor with repairing a pole that housed the feeder line supplying electricity to Ayden. The pole was severely damaged when struck by a car during an accident. The project work spanned two days, and the contractor was hired due to the highly technical nature and specific expertise required to repair a live feeder line. If the Town of Ayden had to do the repair work, it would have required that the entire Town be without electricity for at least 4 hours. In addition to this work, the Electric Department replaced transformers at the Ayden Hosing Authority; installed underground service at Jacksontown Road; installed additional lighting at the Boys & Girls Club and aligned ball field lights at the District Park. The Water-Sewer Department cleaned sanitary sewer mains and laterals as well as storm drain piping; fixed several service line water leaks; and performed troubleshooting and scheduled repairs to three lift station pumps. The Streets/Sanitation Department continued mosquito spraying; mowed the District Park; completed code enforcement work orders; repaired tiles; over-seeded the ball fields; and swept the streets. Mr. Sutton reported the members of the Arts & Recreation Department attended the NC Recreation and Parks Conference. The Department received a new mobile concession unit that earned almost \$1,000 in concessions during the inaugural football game at the District Park on October 7<sup>th</sup>. Youth basketball registration will run from October 20<sup>th</sup> to November 21<sup>st</sup>.

C. Economic and Community Planner Report

Planner Stephen Smith indicated that he issued four zoning compliance certificates, one for a East Side Haulers, pre-fab accessory sales at 7610 NC 11-S and one for Charles Smith, who has set up a construction office inside the Chamber Building at 554 Second Street.

D. Finance Report

Chris Tucker thanked Mayor Tripp and the Board for its recognition of his award. He distributed a finance report for the period ending September 30, 2014 that showed cash and investments at \$8,419,593 and FYE 2015 projected revenues at \$12,810,001 for the Electric Fund; \$1,276,854 for water and \$1,294,397 for sewer funds. The auditors from Martin-Starnes are in Ayden this week. Mr. Tucker still feels the recommendation of \$2.5 million in loan proceeds (with a 5 to 10 year payoff) and the \$800,000 in fund balance appropriations for the electric substation project is still valid. The Town will need to apply to the NC Local Government Commission to obtain approval for this financial arrangement. Mayor Tripp stated that he would like to see an electric rate study to coincide with the NCEMPA assets sale, which could be final by June, 2015. Mr. Tucker suggested this could be accomplished in a workshop format.

E. Public Safety Report

Police Chief Barry Stanley reported that the Ayden Police Department and a Regional Drug Task Force had been working together and recently made a drug bust that set a \$2.5 million bond for the drug dealer. New hire Detective Artis was instrumental in this arrest as contacts he had made created a network that proved to be a valuable resource. His department is also gearing up for the Halloween Carnival/Safe Night Out and planning for the Shop with a Cop event scheduled for December 17<sup>th</sup>.

**IV. CONSENT AGENDA**

- A. Open Session Minutes of September 8, 2014
- B. Special Called Meeting Minutes of September 22, 2014
- C. Resolution to Contract with Governor's Highway Safety Program

Mayor Tripp called for a motion and corresponding vote.

Motion: Commissioner Ross

Second: Commissioner Mewborn

Discussion: None

Approved: 5-0

The motion to approve the consent agenda passed.

**V. PUBLIC HEARING**

**Conditional Use Permit: Automobile Washing/Detailing**

Cannon's Car Wash; 520 Third Street

Town Manager Holland stated that Planner Stephen Smith was present to discuss the above referenced request from Ayden's Planning Board. Town Clerk Sherri Scharf swore him in before he spoke on the matter.

Mr. Smith reminded the Board that at its September 8<sup>th</sup> meeting, members unanimously approved a zoning text amendment to add automobile washing and detailing as a conditional use within the B-1 zoning district, thus updating the Table of Permitted uses to reflect this change.

At its September 15<sup>th</sup> meeting, the Planning Board voted unanimously to approve the Conditional Use Permit Application submitted by Mr. Reggie Cannon with two conditions:

1. Install a grit trap in the drain inside the building (if one does not already exist) and
2. Make any necessary lot improvements to ensure all wash water is contained on site.

Mayor Tripp declared the Public Hearing open at 7:40 p.m. There were no citizens speaking for or against the proposed action, so the hearing was subsequently closed.

Mayor Tripp called on Town Attorney Phil Dixon who suggested that, as has been the Board's practice during this quasi-judicial process, the Commissioners could allow Mr. Dixon to read each of the seven findings of fact and for the Commissioners to respond as to whether any of them desired a separate vote on any separate finding of fact. If no one desired a separate vote on any individual finding of fact, Mr. Dixon suggested the Commissioners could vote on the required seven findings of fact all at one time. Mr. Dixon read aloud all seven findings of fact, and no Commissioner requested a vote on any individual of fact.

Mayor Tripp then called on the Board for a motion and corresponding vote:

Motion: Commissioner Mewborn

Second: Commissioner Skinner

Discussion: None

Approved: 5-0

The motion to approve the seven findings of fact related to the conditional use permit for Cannon's Car Wash was approved as presented.

Mayor Tripp then called on the Board for a motion and corresponding vote for the Conditional Use Permit application:

Motion: Commissioner Harris

Second: Commissioner Mewborn

Discussion: None

Approved: 5-0

The motion to approve the Conditional Use Permit for Cannon's Car Wash was approved as presented.

## **VI. ACTION ITEMS**

### **A. Addition and Installation of a Stop Sign Within Town Limits**

Town Manager Holland stated that the Town of Ayden has received several citizen complaints about the flow of traffic at the intersection of Snow Hill Street, Cottonfield Court, and First Street.

On August 12<sup>th</sup>, the Town Manager, Police Chief, Community and Economic Planner and Public Works Director met at the intersection of Snow Hill Street, First Street and Cottonfield Court to discuss relocating the stop sign from Cottonfield Court to Snow Hill St. At that time, it was determined that the location of the stop sign on Cottonfield Court was appropriate and served the purpose of controlling vehicular access from a collector street (Cottonfield) onto through streets (Snow Hill and First). Staff did discuss, at that time, the potential need for additional traffic calming measures at this location should accidents begin to occur or if the Town continued to receive complaints.

Town Manager Holland informed the Board that since that time, the Town has received several reports of near accidents at this location caused by cars turning left from Snow Hill onto Cottonfield as cars are coming around the bend from First Street onto Snow Hill Street.

On October 7, 2014, the Community and Economic Planner and the Police Chief met again at the same location and determined that a new stop sign located on Snow Hill Street would stop traffic on Snow Hill Street and allow safe turn movements from Cottonfield Court onto First Street and Snow Hill Street. This location will also make left turns from Snow Hill Street into the Cottonfield's neighborhood safer. Manager Holland stated that he supports the findings and recommends that the Board support this safety measure.

Mayor Tripp then called on the Board for a motion and subsequent vote.

Motion: Commissioner Skinner

Second: Commissioner Harris

Discussion: None

Approved: 5-0

The motion to adopt Ordinance No. 14-15-07 to permit the installation of a new stop sign on Snow Hill Street at the intersection of First Street, Snow Hill Street, and Cottonfield Court and to revise the Stop Intersections Schedule in the Code of Ordinances was approved.

#### B. Appointments to the Planning Board

Manager Holland called on Planner Stephen Smith who explained that there are currently two vacancies for full members and one vacancy for an unexpired term on the Planning Board. These vacancies were duly advertised in the newspaper as required. The vacancies are in Ward 2 (currently held by Terry Payne); Ward 5 (currently held by Yvonne Garris), and Ward 3 (Dawn King resigned leaving a one year remaining for her unexpired term). Both Mr. Payne and Ms. Garris have reapplied stating their desires to serve again. Two additional applications were received from Mr. Ernie Lubiani, who has not served on the Planning Board, and Mr. Kevin Smith, who previously served a term on the Planning Board and would like to serve again.

Staff recommends that Mr. Payne and Ms. Garris be reappointed for another term and that the Board consider whether or not to fill the unexpired term vacated by Dawn King in Ward 3, as it is an option, not a requirement in the Town's Code of Ordinances.

Commissioner Mewborn stated that he would like to see Mr. Lubiani get appointed to the Planning Board adding that he feels Mr. Payne (who would be serving his third and final term, if appointed) has a "monopoly" on the position which causes other citizens to be excluded.

Commissioner Mewborn feels every citizen in Ayden should get a chance to serve adding that he wants what is "fair."

Commissioner Harris stated that he wants to reappoint Mr. Smith adding that the only reason he stepped down last year was due to his father illness and subsequent death; he felt that he needed to give priority to his family for a time. Commissioner Harris pointed out that Mr. Smith is a principal and educator and he appreciates that perspective and the fact that he supports our community's youth.

Commissioner Davenport stated that she believes Mr. Payne has the knowledge and experience to lead people who do not understand planning and zoning and, thus, makes the decision process easier and also avoids planning/zoning mistakes that would waste the Governing Board's time.

Mayor Tripp stated that he knows Mr. Lubiani is already serving on the Small Town Main Street Committee and believes it to be a good fit. He added that he believes the Governing Board is fair and always strives to make the right decision.

Commissioner Ross asked of the two applicants, who turned in his application first, to which Town Clerk Scharf replied that it was Mr. Lubiani.

Mayor Tripp then called on the Board for a motion and subsequent vote.

Motion: Commissioner Harris

Second: Commissioner Skinner

Discussion: None

Approved: 3-2 with Commissioners Mewborn and Ross opposed.

The motion to reappoint Terry Payne, Yvonne Garris and Kevin Smith to the Ayden Planning Board passed.

#### C. Appointments to the Library Board

Manager Holland explained that the Town duly advertised to fill two vacant positions for the Library Board. Sandra Garris and Deborah Hall are both current library board members who applied and stated that they are interested in serving again. Both members would be serving their final three-year term if selected. Since they are the only applications received and they have stated a desire to serve again, staff recommends Ms. Garris and Ms. Hall be reappointed to the Library Board.

Mayor Tripp then called on the Board for a motion and subsequent vote.

Motion: Commissioner Mewborn

Second: Commissioner Harris

Discussion: None

Approved: 5-0

The motion to reappoint Deborah Hall and Sandra Garris to the Library Board passed.

**D. Library Policy for Managing Bed Bugs**

Manager Holland stated that he and Librarian Pat Nichols had met a few times over the summer regarding a proactive approach to handling bed bugs, should they become a problem in the library. After those meetings, and a meeting with the Library Board, it was felt that the Library should have a written policy in place stating exactly how the problem would be handled should it become necessary to take action.

The policy, worded in a simple letter format, is modeled after the bed bug protocol used by the Pitt County School System. It is straightforward, non-accusatory and includes an identification guide and comprehensive information to educate library patrons on the topic.

Staff met with Manager Holland on September 10<sup>th</sup> and received his approval on the policy, after which it was presented to the Library Board during its quarterly meeting on September 23<sup>rd</sup>. The Library Board voted unanimously to accept the policy as written and forward it to the Governing Board for final approval.

Mayor Tripp asked for a motion and vote on the matter.

Motion: Commissioner Mewborn

Second: Commissioner Skinner

Discussion: None

Approved: 5-0

The motion to approve the bed bug policy for Ayden's Library was approved as presented.

**VII. DISCUSSION ITEMS**

None

**VIII. INFORMATION**

The Board was given written information regarding a grant opportunity sponsored by State Farm that could give up to \$100,000 to Ayden-Grifton High School. Mayor Tripp encouraged Board members to support this fundraising effort since AGHS fell short of "votes" last year to earn \$25,000 for its school.

**IX. BOARD MEMBER COMMENTS**

None

**X. CLOSED SESSION**

Mayor Tripp called upon Town Attorney Phil Dixon who recommended that the Board enter into Closed Session pursuant to NCGS 143-318.11 (a) (3) – to consult with an attorney employed or retained by the public body to protect the attorney/client privilege.

Mayor Tripp called for a motion and subsequent vote to enter closed session.

Motion: Commissioner Skinner

Second: Commissioner Harris

Discussion: None

Approved: 5-0

The motion to enter closed session at 8:15 pm was approved.

**XI. RETURN TO OPEN SESSION**

Mayor Tripp called for a motion and subsequent vote to return to open session.

Motion: Commissioner Harris

Second: Commissioner Mewborn

Discussion: None

Approved: 5-0

The motion to return to open session at 8:18 pm was approved.

**XII. RE-ENTER CLOSED SESSION**

Mayor Tripp called upon Town Attorney Phil Dixon who recommended that the Board enter into Closed Session pursuant to NCGS 143-318.11 (a) (6) – to hear or investigate a complaint, charge, or grievance by or against a public officer or employee.

Mayor Tripp called for a motion and subsequent vote to enter closed session.

Motion: Commissioner Mewborn

Second: Commissioner Harris

Discussion: None

Approved: 5-0

The motion to re-enter closed session at 8:20 pm was approved.

**XIII. RETURN TO OPEN SESSION**

Mayor Tripp called for a motion and subsequent vote to return to open session.

Motion: Commissioner Skinner

Second: Commissioner Harris

Discussion: None

Approved: 5-0

The motion to return to open session at 8:25 pm was approved.

**XIV. ADJOURNMENT**

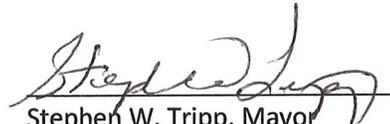
Having completed the business before them, Mayor Tripp announced that without objection the Governing Board would stand adjourned at 8:25 pm.

**CERTIFICATION**

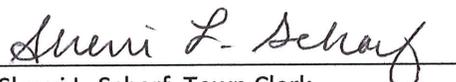
Minutes from October 15<sup>th</sup>, 2014 meeting were adopted and certified this 10<sup>th</sup> day of November 2014 in Ayden, North Carolina.



AYDEN, NORTH CAROLINA

  
Stephen W. Tripp, Mayor

ATTEST:

  
Sherri L. Scharf, Town Clerk