



**TOWN OF AYDEN
GOVERNING BOARD MEETING
MINUTES**

March 9, 2015 – 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 7:00 pm

B. Roll Call
Present:
Mayor Tripp
Commissioners Davenport, Harris, Mewborn, Ross and Skinner

Absent:
None

Also Present:
Brandon Holland – Town Manager
Sherri Scharf – Town Clerk
Phillip R. Dixon – Town Attorney
Scott Dixon – Associate to Town Attorney
Mike Barnette – McDavid Associates, Inc.

C. Approval of the Agenda

Motion: Commissioner Skinner
Second: Commissioner Harris
Discussion: None
Approved: 5-0
The motion to approve the agenda was approved as presented.

II. PUBLIC RECOGNITION

Ms. Alicia Simpson was introduced to the Board by Town Manager Holland. She will replace former Finance Director Chris Tucker. Ms. Simpson has 14 years of finance experience from her positions held in Pitt County, with her most recent one being Sr. Finance Administrator at East Carolina University. Mayor Tripp and the Commissioners welcomed her to her new role in the Town of Ayden. Her first day as Finance Director begins April 2nd.

II. CONSENT AGENDA

- A. Open Session Minutes of February 9, 2015
- B. Special Called Meeting Minutes of February 16, 2015

Mayor Tripp called for a motion and corresponding vote.

Motion: Commissioner Skinner

Second: Commissioner Ross

Discussion: None

Approved: 5-0

The motion to approve the consent agenda passed.

III. PUBLIC HEARINGS

- A. FY 2015 Community Development Block Grant (CDBG-I) Application

Town Manager Brandon Holland introduced CDBG Project Administrator Mike Barnette who stated that he was present for the second public hearing that is required before the Town can apply for any CDBG program.

The purpose of this second public hearing is to explain to the public what the Town of Ayden intends to include in the proposed water and sewer infrastructure applications for CDBG-I funds. In total, \$26,000,000 in Federal funding is available to NC. The proposed applications will request \$1,685,000 in funding for Ayden to replace water and sewer lines on parts of the following streets:

- Fourth Street
- Montague Avenue
- Washington Street

The NC Division of Water Infrastructure (DWI) now requires the Town present certain information at a final public hearing prior to submission of an application for CDBG-I funds. This information must be included in its entirety as a part of the public hearing minutes.

DWI also requires the Town to adopt resolutions and include the approved resolutions as part of the applications. DWI also requires certified public hearing minutes as a part of the application. Therefore, staff requests that the Governing Board authorize the Mayor or other Town official to approve the minutes of the public hearing that will be held tonight.

The upcoming application deadline for CDBG-I funding is March 31, 2015. Mr. Barnette stated that separate applications will be submitted for wastewater collection and water distribution systems. Based on past experience, he feels that if one scores high enough, the State will automatically approve both. He also noted that this project will not displace citizens or utilities in Ayden.

Mayor Tripp declared the Public Hearing open at 7:10 pm. With there being no public comments or input, it was subsequently closed.

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

Motion: Commissioner Mewborn

Second: Commissioner Harris

Discussion: None

Approved: 5-0

The motion to approve CDBG-I applications for water and sewer infrastructure replacement on Fourth and Washington Streets and Montague Avenue including the corresponding resolutions was approved as presented.

Mr. Barnette then stated that due to the tight deadline imposed by the State, it would be necessary for the Governing Board to approve the March 9th Meeting Minutes. He suggested that the Board may want to grant approval now for the sake of convenience, rather than call a special meeting for approval after the Town Clerk completes tonight's minutes.

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

Motion: Commissioner Skinner

Second: Commissioner Mewborn

Discussion: None

Approved: 5-0

The motion to approve the March 9th Meeting Minutes for CDBG-I applications for water and sewer infrastructure replacement on Fourth and Washington Streets and Montague Avenue was approved as presented.

V. ACTION ITEMS

A. Resolution Opposing House Bill 51

Town Manager Brandon Holland stated that it would be in the Town's best interests to oppose House Bill 51 since it allows the State to ban Extra Territorial Jurisdictions (ETJ), adding that Ayden's ETJ needs to be protected to ease the SW Bypass installation and to maintain planning and zoning control at the local level.

As noted in the resolution that NC General Assembly Members representing Ayden will receive, if approved: a form of ETJ authority has existed in NC since 1949, and the US Supreme Court has upheld the right of municipalities to exercise ETJ authority in past cases where states tried to wrest control away from the local government.

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

Motion: Commissioner Skinner

Second: Commissioner Harris

Discussion: None

Approved: 5-0

The motion to approve Resolution No. 14-15-13 in opposition of House Bill 51 was approved as presented.

B. Resolution Delegating Contracting Authority to the Town Manager

Town Attorney Phil Dixon stated that he recommended that the Ayden Governing Board adopt a resolution delegating contracting authority to Town Manager Brandon Holland. The resolution specifically states that the Town Manager be given the authority to:

award contracts, reject bids, re-advertise to receive bids, and waive bid, bond, or deposit requirements, and performance and payment bond requirements, where such waiver is otherwise authorized by law for all service contracts, purchase contracts, and construction or repair contracts not exceeding \$500,000.

Attorney Dixon stated that he has recommended this action to other governing bodies for their convenience, and he feels that it would be appropriate for the Town of Ayden as well.

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

Motion: Commissioner Harris

Second: Commissioner Skinner

Discussion: None

Approved: 5-0

The motion to approve Resolution No. 14-15-14 delegating contracting authority to the Town Manager pursuant to the NC General Statutes was approved as presented.

DISCUSSION ITEMS

FY 2015-16 Budget Workshop Meeting Date

Manager Brandon Holland stated that he has met with department heads and received their requests for budget items and that now it is time to determine when the Governing Board can meet for a budget workshop. After discussion among the Board members, it was agreed by consensus that March 23rd at 6:30 pm would be the best date.

VI. INFORMATION

Staff Departmental Reports (4)

VII. BOARD MEMBER COMMENTS

Commissioner Ross requested that the May Governing Board meeting be switched to another day and time since she will be out of the country on May 11th.

Commissioner Mewborn stated that he enjoyed the forum on teens presented by the non-profit "A Journey for Change" recently held at the Community Building. He also commented on the recent "shots fired" incident, adding that he feels an example should be set for our youth. He stated he wants to team up with Mayor Tripp and Manager Holland to meet with the churches to encourage them to tell their congregation that Ayden won't tolerate gang-related criminal activity. He also mentioned having spoken with Chief Stanley about creating a comic strip that addresses this topic as a way to reach our youth.

Commissioner Davenport stated that the people who live in South Ayden must tell those who are responsible for these crimes that they are going to “take back their neighborhoods.” She added that she was told by a citizen who lives in South Ayden that when the sun goes down, people in South Ayden go inside, lock their doors, and don’t come out.

Commissioner Skinner stated that he feels that these citizens are scared, and that until they feel safe, they won’t tell who is responsible for shootings or shots fired. He feels they need to continually reinforce the use of Pitt County Crimestoppers, and that he could personally vouch for the fact that all information reported to the Crimestoppers phone number is strictly kept confidential, even in court cases. He also said that he would be willing to join the team that speaks with Ayden church leaders.

Commissioner Harris stated he feels that every dollar spent on our youth in recreation programs is money well spent as it teaches them how to communicate, be good team mates, and how to resolve conflicts.

Mayor Tripp stated that he and the Town Manager met with Senators Davis and Pate in his office in Greenville and expressed concern over the Town’s stormwater infiltration problem and need for infrastructure funding beyond what the CDBG program encompasses in its funding formula. Opposition to the House Bill that impacts Ayden’s ETJ was also discussed as well as potential federal and state grants to assist Ayden. He said that Senator Pate stated that Ayden is “a small town that acts like a big city.” Mayor Tripp emphasized that Ayden’s stormwater problem is an urgent year-round issue that will have to be resolved before sewer lines can be extended for development to occur along Ayden’s portion of the new SW Bypass. He feels we should start marketing Ayden now for future development along the SW Bypass.

As Ayden’s representative acting as chair on the CMSD Board, Commissioner Davenport stated that 30,000,000 gallons of Ayden’s surface water is running into our sewer system, filling up CMSD’s capacity, and reminded Board members that Ayden will not be guaranteed future capacity – that Winterville might be able to claim it due to its future development needs.

Mayor Tripp made a final statement that Electricities is working hard on the agreement between NCEMPA and Duke Energy, that FERC will need to grant approval at the Federal level, and that final approval of the assets sale is projected to occur between June and September this year.

VIII. 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 in order to preserve the attorney/client privilege between the attorney and the public body, which privilege is hereby acknowledged.

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

Motion: Commissioner Skinner
Second: Commissioner Ross
Discussion: None
Approved: 5-0
The motion to enter closed session at 7:40 pm was approved.

IX. 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 8:05 pm was approved.

X. RE-ENTER CLOSED SESSION

As some of the commissioners wished to discuss other matters in 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 consider the qualifications, competence, performance, character, fitness, conditions of appointment, or conditions of initial employment of an individual public officer or employee or prospective public officer or employee; or to hear or investigate a complaint, charge, or grievance by or against an individual public officer or employee.

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

Motion: Commissioner Ross
Second: Commissioner Mewborn
Discussion: None
Approved: 5-0
The motion to re-enter closed session at 8:07 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 Davenport
Discussion: None
Approved: 5-0
The motion to return to open session at 8:35 pm was approved.

Attorney Dixon recommended that the Governing Board approve a resolution that would authorize condemnation against the Ayden Masonic Lodge in order to acquire an easement for storm drainage at an estimated fair market value of \$10,500

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

Motion: Commissioner Davenport

Second: Commissioner Ross

Discussion: None

Approved: 5-0

The motion to approve Resolution No. 14-15-15 to authorize condemnation against the Ayden Masonic Lodge to acquire an easement for storm drainage improvements was approved as presented .

XII. ADJOURNMENT

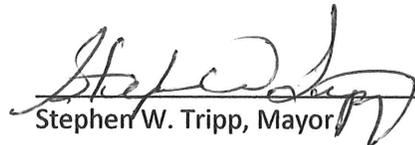
Having completed the business before them, Mayor Tripp announced that without objection the Governing Board would stand adjourned at 8:35 pm.

CERTIFICATION

Minutes from March 9th, 2015 meeting were adopted and certified this 13th day of April 2015 in Ayden, North Carolina.



AYDEN, NORTH CAROLINA


Stephen W. Tripp, Mayor

ATTEST:


Sherri L. Scharf, Town Clerk