

**TOWN OF AYDEN  
GOVERNING BOARD MEETING  
MINUTES**

**April 14, 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 7:00 pm

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

Absent:  
None

Also Present:  
Leonard Barefoot – Interim Town Manager  
Sherri Scharf – Town Clerk  
Phil Dixon – Town Attorney  
Robert Sutton – Public Works and Utilities Director  
Chris Tucker – Finance Director

C. Approval of the Agenda  
Mayor Tripp asked Interim Town Manager Leonard Barefoot if there were any changes to the agenda. The Manager replied that he wished to add an item – consider \$1,500 grant funding to Ayden Elementary School – to the Action Items section. The mayor then called on a motion and vote for the revised agenda.

Motion: Commissioner Harris

Second: Commissioner Davenport

Discussion: None

Approved: 5-0

The motion to adopt the revised agenda as presented was approved.

**II. PUBLIC RECOGNITION**

A. Introductions, Recognitions and Presentations

1. *Commissioner Glen Webb* – update on his activities and Pitt County's budget

2. *Sheriff Neil Elks* – update on Pitt County crime issues, public safety efforts and services provided in conjunction with Ayden’s Police Department
3. *B.J. Craft* – certificate presented as recognition for being Ayden’s representative for Mid-East Commission
4. *Ayden Elementary School Science Olympiad Winners* – certificate presentation
5. *Ayden-Grifton High School Quiz Bowl Championship* – certificate presentation

B. Public Comments

**Victoria Killmon, 122 Woodview Drive**, addressed the Governing Board by stating that she was concerned about the 45 mph speed limit from the corner of NC-11 and NC-102W to the Walmart Express, where there had recently been a motor vehicle fatality. The street that provides access to her subdivision, The Pines, is located in that stretch, just before the Walmart Express. She feels that the congestion in the area and motorists driving at 45 mph or higher is creating a dangerous condition for citizens, adding that “one death is one too many.” She asked the Board to issue a letter to NCDOT asking them to reduce the speed limit in that specific area.

Mayor Tripp stated that he would send a letter and keep her posted on the results.

III. STAFF REPORTS

A. Interim Manager’s Report

Interim Manager Leonard Barefoot stated that during the past month he has been focusing on the interviewing process for replacing the town manager. He expects that a new manager will be on board by the end of May or early June. He is also in the process of collecting resumes for the open planner position. Initially, those applications were slow to come, but there are now 17 in-house – some of them very good. Screening for the planner position begins on April 15th. He expects that a draft budget for the upcoming fiscal year will be ready at the end of May.

B. Public Works and Utilities and Arts & Recreation Report

Robert Sutton addressed the Board by stating that the Town recently sent out bids for the Powell Bill Paving Project. He and town staff have worked hard and made great progress during the past month on the District Park. Construction of the restroom facility and the picnic shelters is underway, and the splash pad is about 85% complete. Goal posts have been installed and the entryway sign is going up. He added that due to the volume of work performed by town staff, there will be significant cost savings as well as the pride the employees feel for having been involved in the work.

C. Finance Report

Chris Tucker distributed an updated financial report to the Board dated March 31, showing total cash and investments at \$9,622,645. He stated that all enterprise funds are tending nicely, and he predicts a break-even forecasts. The Town will not have to use all its appropriations in these funds. He has had ongoing conversations with department heads regarding their budgets and feels that he and Interim Manager Barefoot will be ready for the budget workshop meeting with the Governing Board.

D. Public Safety Report

Interim Manager Barefoot stated that Chief Barry Stanley was out of town giving testimony at a trial and, therefore, would not be giving a verbal report to the Board.

IV. CONSENT AGENDA

- A. Open Session Minutes of March 10, 2014
- B. Special Called Meeting Minutes of March 24, 2014
- C. Special Called Meeting Minutes of March 27, 2014

Motion: Commissioner Skinner

Second: Commissioner Mewborn

Discussion: None

Approved: 5-0

The motion to adopt the consent agenda was approved.

V. PUBLIC HEARING

- A. Conditional Use Permit Application for Townhomes at 4634-A and 4634-B Weyerhaeuser Road

At its March 10th Governing Board meeting, the Board adopted an ordinance to amend the Town of Ayden Zoning Ordinance to allow townhomes to be added to the Table of Permitted Uses as a conditional use within the R-8 zoning district. This action was necessary in order to consider an application from a developer (JFJ Enterprises) who expressed interest in building townhomes in Ayden. There were no citizens who spoke for or against this proposed change during the March 10<sup>th</sup> public hearing.

The Town duly advertised the second required public hearing for April 14<sup>th</sup> to seek public input for the Conditional Use Permit Application submitted by developer JFJ Enterprises to build townhomes on Weyerhaeuser Road (within the R-8 zoning district).

Mayor Tripp declared the public hearing to be open at 7:40 p.m. There were no citizens who wished to speak for or against the proposed development.

Interim Planner Landin Holland addressed the Board detailing how the proposed townhomes would be built and the impact on Ayden's Future Land Use Plan. He stated that although these are multi-family units, future development will be kept in check since the proposed process will require that an applicant secure a recommendation from the Planning Board and then subsequent approval from the Ayden Governing Board each time a new townhouse development is under consideration. Planner Holland stated that the developer, Mr. Benson from JFJ Enterprises, wants to know whether the Board is amenable to his proposed plan before he gets further into developing the land. However, since Mr. Benson was not present to answer specific questions, the commissioners decided to table a final decision until the May Governing Board meeting so that Mr. Benson could attend and give testimony.

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

Motion: Commissioner Harris

Second: Commissioner Ross

Discussion: None

Approved: 5-0

The motion to table consideration of a conditional use permit submitted by JFJ Enterprises was approved.

B. Ordinance to Amend Ayden's Town Code to Allow Taxidermy Studios as a Conditional Use Within the B-1 Zoning District

Interim Planner Holland explained to the Governing Board that Mr. William Garrett Harrell submitted a text amendment application to seek permission to establish a taxidermy studio as a conditional use within the B-2 zoning district. Currently, taxidermy studios are not listed within the Table of Permitted Uses under any district.

Following quite a bit of discussion amongst members of the Planning Board, and some initial reservations from staff, it was deemed a reasonable addition to Ayden's Central Business District and, therefore, was approved by the Planning Board during its last meeting. During the research phase, staff discovered that several municipalities across the U.S. considered this use as an "artist's studio" of sorts.

Interim Manager Barefoot referred the Board to Note 30, the part of the text amendment that defines the studio layout, delivery of animals, disposal of waste material, required permits and studio space. Regarding a question related to delivery of animals, Planner Holland stated that Mr. Harrell will use his discretion to determine whether or not he will accept delivery of animals via the front or back door. His plan is to have 40% of his studio space devoted to animal displays. Mr. Harrell addressed the Board by stating that the industry is regulated by the NC Wildlife Resources Division.

At 8:00 pm Mayor Tripp opened the Public Hearing and asked the public for input. Being that there were none, the Public Hearing was closed.

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

Motion: Commissioner Davenport

Second: Commissioner Skinner

Discussion: None

Approved: 5-0

The motion to adopt Ordinance No. 13-14-20 to amend the Ayden Town Code to allow taxidermy studios as a conditional use within the B-1 Zoning District was approved as presented.

VI. ACTION ITEMS

- A. Resolution to Confirm the Extension of the Pitt County Flood Damage Prevention Ordinance for the Town of Ayden

Interim Manager Barefoot explained that during its March 24<sup>th</sup> meeting, the Pitt County Board of Commissioners approved and adopted amendments to the Flood Damage Prevention Ordinance (FDPO). Since Pitt County and the Town of Ayden have an interlocal agreement to endorse the FDPO in Ayden's jurisdiction, Ayden's Governing Board must also adopt the amended ordinance in order to stay in compliance with the National Flood Insurance Program.

Mayor Tripp then called for a motion and subsequent vote.

Motion: Commissioner Mewborn

Second: Commissioner Davenport

Discussion: None

Approved: 5-0

The motion to adopt Resolution No. 13-14-15 and send a fully executed copy back to the Pitt County Planning Department was approved as presented.

- B. Ordinance to Amend Budget/Capital Improvement Plan for Electric Substation Repairs

Interim Manager Barefoot addressed the Governing Board by recalling that at its special called meeting on March 27<sup>th</sup>, the Board heard from Director of Public Works and Utilities Robert Sutton, with assistance from our representative at Power Services Inc, regarding recommended improvements to the Town's electric substations on NC 11 and Weyerhaeuser Road. At that meeting there was a lengthy project review and discussion amongst Board members that led to a consensus to proceed with the project by developing a proposal for funding that includes a combination of loan proceeds and fund balance.

Finance Director Chris Tucker then distributed a handout with financing options for the board to consider. He also referred them back to the meeting materials which included three different draft ordinances to create the Electric Substation Capital Project Fund utilizing various sources of revenue. He asked them to consider all three and choose the one with which they are most comfortable. Financing terms can be determined later and if it becomes necessary to increase or decrease the fund balance appropriation as a result of the FY 2014-15 budget process, we can do so by amending the budget ordinance at that time.

At this time, staff recommends that the Board establish the Capital Project Fund in the amount of \$2.3 million with 1.5 million coming from load proceeds and \$800,000 from fund balance thereby authorizing the project to move forward.

Mayor Tripp then called for a motion and subsequent vote.

Motion: Commissioner Mewborn

Second: Commissioner Harris

Discussion: None

Approved: 5-0

The motion to adopt Ordinance No. 13-14-21 to create the Ayden Electric Substation Capital Project Fund in the amount of \$2.3 million with \$1.5 million coming from loan proceeds and \$800,000 from fund balance was approved as presented.

C. Grant Funds to Assist Ayden Elementary School with Special Need  
(addition to agenda approved by Governing Board)

Ayden Elementary School is asking the Governing Board to consider a one-time immediate cash fund in the amount of \$1,500 to help offset the costs of dealing with a sensitive issue that requires an outside contractor to remedy. Certain Board members had been previously made aware of the problem and now the Board needs to reach a full consensus on whether to disburse funds to assist the school.

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 a one-time disbursement of \$1,500 to Ayden Elementary School was approved.

VII. DISCUSSION ITEMS

A. Ad Hoc Committee to Study Development of a Non-Profit Foundation for Ayden's District Park (fundraising effort)

Interim Manager Barefoot stated that he believes that since Phase I of the District Park is near completely, that now would be good timing to discuss establishing an Ad Hoc Committee to study the development of a non-profit foundation whose purpose would be to raise funds to completing additional phases of the Park. He stated that the ability to receive contributions, gifts or memorials, sometimes encompassing multiple years, would be a major advantage to forming a non-profit foundation. He is recommending that the Board authorize Mayor Tripp to appoint a committee consisting of representatives from the Governing Board and Arts & Recreation Commission along with other citizens who might prove beneficial to the Committee's efforts. The Committee would then be charged with developing the structure of the foundation, recommending appointments to the foundation, and any other issues the Board may wish to assign. The Committee would report its findings to the Governing Board upon completion of its work.

Linda Creech, chair for the Ayden Arts & Recreation Commission thanked the Governing Board for its support throughout the years, and for putting the matter of a non-profit foundation on the agenda. She stated that two years prior the Arts &

Recreation Commission established a subcommittee to discuss fundraising for the next phases of the Ayden District Park. The subcommittee had examined what it would take to file for a 501 (c)(3) status. She further stated that they were told to wait until Phase I of the District Park was complete so that there would be "something to show" when fundraising. On behalf of the Arts & Recreation Commission, Ms. Creech is now asking for the Governing Board's approval to move forward with a process for establishing a non-profit foundation.

Mayor Tripp thanked Ms. Creech for coming and stated that a non-profit foundation was an excellent idea and that he would work with her to create a list of appointees for this special Ad Hoc Committee. He promised to get back in touch with her by week end or early the following week.

B. Establish Date for FYE 2015 Budget Workshop

Interim Manager Barefoot shared with the Board a memo from Finance Director Chris Tucker who stated that he has received budget worksheets from Town departments and has scheduled meeting times to meet with department heads to review financials and discuss their budget needs for the coming fiscal year. Mr. Tucker feels confident that over the subsequent two weeks there will be a framework for the budget at the staff level. Accordingly, he is recommending that we schedule a budget workshop in early May with a late afternoon start to ensure all topics are covered.

VIII. INFORMATION

The 2012 C DBG Catalyst Program Monthly Performance Report was provided for information purposes only. To date, staff met with representatives from MHAworks and provided a tour of the Arts & Recreation Building. We are now waiting on a written report that details the project scope. Plans are being designed by McDavid and Associates relative to paving the parking lots in the front and to the side of the Building. The Town has contracted with a company who is in the preliminary stages of investigation and testing for lead based paint and asbestos in the houses that were included in the scattered site portion of the CDBG Grant Fund.

IX. BOARD MEMBER COMMENTS

Commissioners Skinner stated that something needs to be done to keep cars from parking in the fire lane at Piggly Wiggly.

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; NCGS 143-318.11 (a) (4) – to discuss matters relating to the location of a business served by the public body; and NCGS 143-318.11 (a) (6) – to consider the conditions of appointment of an individual public officer or employee or prospective public officer or employee.

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

Motion: Commissioner Harris

Second: Commissioner Davenport

Discussion: None

Approved: 5-0

The motion to enter closed session at 8:35 pm was approved.

XI. 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 9:20 pm was approved.

XII. RECESS

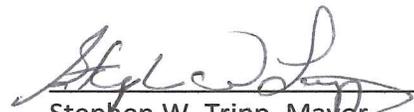
Mayor Tripp announced that without objection the meeting would stand recessed until April 16<sup>th</sup> at which time the Board will continue its town manager interview process.

**CERTIFICATION**

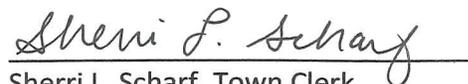
Minutes from the April 14<sup>th</sup>, 2014 meeting were adopted and certified this 12<sup>th</sup> day of May 2014 in Ayden, North Carolina.



AYDEN, NORTH CAROLINA

  
Stephen W. Tripp, Mayor

ATTEST:

  
Sherri L. Scharf, Town Clerk