TOWN OF AYDEN
GOVERNING BOARD MEETING
MINUTES

June 9, 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
Barry Stanley – Police Chief
Stephen Smith – Community & Economic Planner

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 there was not. Mayor Tripp then called for a motion and subsequent vote:

Motion: Commissioner Davenport
Second: Commissioner Harris
Discussion: None
Approved: 5-0
The motion to adopt the agenda was approved.

II. PUBLIC RECOGNITION

A. Introductions, Recognitions and Presentations
Mayor Tripp recognized Interim Town Manager Leonard Barefoot for his service to the Town from January through June of this year commending him on leading the Governing Board through the process of finding a new town manager. He then congratulated the new town manager, Brandon Holland, whose official first day coincided with the June 9th meeting. He recognized all the commissioners for the effort they put into the selection process, and ended by stating that he is confident that the Board made the "right decision" in hiring Mr. Holland.

He then had the Town Clerk administer an Oath of Office to Mr. Holland, who then became the Second Alternate Commissioner of the NC Eastern Municipal Power Agency.

Next Mayor Tripp recognized Stacy Gaskins who was in the audience. Mrs. Gaskins had received letters from students at Central Jr. High School in Moore, Oklahoma. In addition to expressing gratitude to Mrs. Gaskins for leading the effort to gather supplies and bringing them by truck to OK, the students also expressed appreciation to the Town of Ayden for caring about helping their community recover after a tornado devastated their town last spring and destroyed or severely damaged their public schools. Mayor Tripp read some of the letters aloud to the Board and audience.

B. Public Comments
None

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 trending

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 May 12, 2014
B. Special Called Meeting Minutes of May 21, 2014
C. Special Called Meeting Minutes of May 27, 2014

Motion: Commissioner Skinner
Second: Commissioner Ross
Discussion: None
Approved: 5-0
The motion to adopt the consent agenda was approved.

V. PUBLIC HEARING

A. Conditional Use Permit Application for Taxidermy Studio at 515 Third Street

Interim Planner Landin Holland was not present for the Public Hearing, but newly hired Community & Economic Planner Stephen Smith presented a memo and timeline of events on his behalf. The timeline is delineated below:

- 1/15/14: Petition for zoning amendment to allow taxidermy studios was submitted by William Garrett Harrell (property owner: Kathy Robinson)
- 2/17/14: Staff initially presents text amendment
- 3/17/14: Amended draft presented to Planning Board who unanimously voted to send its recommendation to the Governing Board
- 4/14/14: Text amendment approved by the Governing Board at its regular meeting
- 4/16/14: Mr. Harrell submitted an application for a Conditional Use Permit (Planning Board agenda deadline was 3/27)
- 5/19/14: Planning Board held a hearing on the Conditional Use Permit and it passed with a temporary approval pending the Governing Board decision. The temporary permit allowed Mr. Harrell to gain access to the building and begin operating his business
- 6/9/14: Scheduled public hearing before the Governing Board for final CUP approval

Mayor Tripp declared the public hearing to be open at 7:25 p.m. There were no citizens who wished to speak for or against the Conditional Use Permit. The public hearing was subsequently closed.

Commissioner Davenport addressed Mr. Garrett, who was in the audience, by welcoming him, stating that his store front "looks great," and apologizing on behalf of the Governing Board for the delay in the approval process.

Mayor Tripp asked Town Attorney Phil Dixon to read the seven Findings of Fact for the Board's consideration. The Board chose to vote on all Findings of Fact at one time, instead of individually.

Mayor Tripp called for a motion and subsequent vote on the Findings of Fact.

Motion: Commissioner Harris
Second: Commissioner Skinner
Discussion: None
Approved: 5-0
The motion to grant a Conditional Use Permit based on the Findings of Fact was approved as presented.

Mayor Tripp then called for a motion and vote to officially approve the Conditional Use Permit application.

Motion: Commissioner Skinner
Second: Commissioner Mewborn
Discussion: None
Approved: 5-0
The motion to approve the Conditional Use Permit application for a Taxidermy Studio at 515 Third Street was approved as presented.

B. FY 2014-15 Budget Hearing

Interim Town Manager Barefoot expressed appreciation for all the hard work and expertise Finance Director Chris Tucker put into this year's budget process adding that he has been grateful for the opportunity to work with such a seasoned professional. He then referred the Board to a memorandum he issued regarding the FY 2014-15 budget process. He stated that the Board arrived at a balanced budget based on funds being transferred from the Electric and Water-Sewer Enterprise funds, and that he was concerned about eroding the Fund Balance for the purpose of covering expenditures. The reason for issuing the memo was to offer options to strengthen the General Fund going forward, so that the new town manager would not have to revisit a budget that he had not helped build. Interim Manager Barefoot recommended that the Governing Board approve the budget after the Public Hearing, but to consider the following options for future savings that would help strengthen the General Fund:

- Look at all Town employee positions and consider a reduction in force in addition to freezing vacant positions
- Consider cutting the $40,000+ expenditure for the Washington DC lobbying group, K&L Gates
- Consider cutting the $40,000 expenditure for ditch maintenance

He also suggested seeking grant funds to minimize I&I in the Town's Water-Sewer system.

Mayor Tripp stated that he feels the budget is a "road map." He agrees with the philosophy expressed in Mr. Barefoot's memo and the strategy to revisit the budget later in the year. He also stated that he feels the Town's Management Team is a good steward when it comes to

the budget and spending. He knows that other municipalities are forced to raise their utility rates as well this year.

At 7:50 pm Mayor Tripp opened the Public Hearing on the budget and asked the public for input. Being that there were no comments, the Public Hearing was subsequently closed.

Mayor Tripp then called on the Board for a motion and subsequent vote. Stating a conflict of interest for which he would like to abstain, Commissioner Skinner asked the Board to consider first voting separately on the Ayden Fire Department budget. The Mayor called for a vote:

Motion: Commissioner Mewborn
Second: Commissioner Harris
Discussion: None
Approved: 5-0
The motion to excuse Commissioner Skinner from voting on the Ayden Fire Department budget so as to avoid a conflict of interest was approved.

Motion: Commissioner Harris
Second: Commissioner Mewborn
Discussion: None
Approved: 4-0
Abstained: Commissioner Skinner
The motion to approve the Ayden Fire Department Budget was approved as presented.

Mayor Tripp then asked the Governing Board for a motion and subsequent vote on the Town's FY 2014-15 Budget, with the exclusion of the Fire Department.

Motion: Commissioner Skinner
Second: Commissioner Davenport
Discussion: None
Approved: 5-0
The motion to approve the Ayden FY 2014-15 Budget, with the exception of the Fire Department, was approved as presented.

VI. ACTION ITEMS

A. Power Purchased Budget Ordinance

Interim Manager Barefoot explained that with the past very cold winter, the Town experienced record high revenues and expenditures in the Electric Fund. The Board is being asked to consider a budget amendment ordinance to allow a sufficient appropriation to cover the power purchased expenditure and, with it, the corresponding revenues. Passing the ordinance will allow the appropriation of additional monies to cover the projected costs of power purchased for the fiscal year, while also increasing the revenues accordingly.

Mayor Tripp then called for a motion and subsequent vote.

Motion: Commissioner Davenport
Second: Commissioner Harris
Discussion: None
Approved: 5-0
The motion to adopt Ordinance No. 13-14-22 to amend the Ayden FY 2013-14 budget for power purchased was approved as presented.

B. Ordinance to Demolish & Remove Dwelling at 4322 Pitt Street

Interim Manager Barefoot requested that Code Enforcement Officer Jim Mallow address the Governing Board regarding the due diligence and process he has undertaken in order to seek approval from the Board to demolish a dwelling located at 4322 Pitt Street. The property is owned by Connie Grace Mills, 2907B Cedar Creek Road, Greenville NC and had been vacated for more than one year and considered to be unfit for human habitation.

Mr. Mallow explained that he issued a Notice of Failure of Order to Take Corrective Action which stated that a hearing would be held in the Code Enforcement Officer's office concerning the condition of the dwelling owned by Ms. Mills. After receiving the letter/notice by certified mail, Ms. Mills contacted Mr. Mallow to state that she knew the house needed to be repaired or demolished, but that she was unable to do either. She further stated that she would not be at the February 4th hearing. With the hope of finding a cost-effective alternative, Mr. Mallow contacted the Ayden Fire Department to inquire whether the house could be burned down as a fire training exercise. On February 19th he was notified by the Ayden Fire Chief that the house is situated too close to large power lines in order to safely burn it down.

Since the Order to Take Corrective Action allowed a remedy to correct the home's defective conditions by May 4th, 2014, and since the homeowner stated that she would be unable to do so and, in fact, made no attempt to do so, Code Enforcement Officer Mallow request that the Governing Board condemn the dwelling so that he may make plans for its demolition and removal.

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

Motion: Commissioner Skinner
Second: Commissioner Davenport
Discussion: None
Approved: 5-0
The motion to adopt Ordinance No. 13-14-23 to require the owner to demolish and remove the dwelling at 4322 Pitt Street was approved as presented.

VII. DISCUSSION ITEMS

Mr. Barefoot introduced Mike Barnette, McDavid and Associates, who gave a project update on the Town's 2012 CDBG Catalyst Program. He stated that in the past, the Board had given a priority ranking to the project work, but now he is recommending that all three project areas move forward at the same time. Highlights of the project work are as follows:

- The housing rehabilitation efforts are underway with title work having been completed for all but one home; asbestos testing completed for three of the four homes; and lead testing ongoing for all four homes.
- Field work has been completed for the parking lot pavement portion of the project
- Field work for the Arts & Recreation Center rehabilitation has been completed and design plans and cost estimates for the elevator installation have been submitted

Mayor Tripp thanked Mr. Barnette for attending the meeting and for his presentation.

VIII. INFORMATION

None

IX. BOARD MEMBER COMMENTS

The Ayden Commissioners took turns thanking Mr. Barefoot for his time and attention to Town matters during his term as Interim Town Manager.

Commissioner Mewborn expressed a concern that at-risk children in the community were not afforded the same opportunities to attend summer camp as more privileged children. He stated that the latest U.S. Census Data shows 100 families living at or below the poverty line in Ayden. He believes the Town needs to support these children, so he is collecting money to pay for summer camp for these children, and he encouraged the other Board members to consider giving as well. Commissioner Skinner agreed that due to a lack of parental involvement in some homes, there is a need for real support. He also stated that he knows the Pitt County Crime Stoppers Program now targets children aged six through eight for "lifestyle turnarounds."

Mayor Tripp congratulated Commissioner Harris on his recent appointment to Chairman of the Department of Management at ECU's College of Business.

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 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 Skinner
Second: Commissioner Harris
Discussion: None
Approved: 5-0
The motion to return to open session at 8:20 pm was approved.

XII. ADJOURNMENT

Mayor Tripp announced that without objection the meeting would stand adjourned at 8:20 pm.

CERTIFICATION

Minutes from the June 9th, 2014 meeting were adopted and certified this 11th day of August 2014 in Ayden, North Carolina.

THE TOWN OF AYDEN INCORPORATED SEAL 1891 PITT COUNTY, NC

AYDEN, NORTH CAROLINA

Stephen W. Tripp, Mayor

ATTEST:

Sherri L. Scharf, Town Clerk