



**TOWN OF AYDEN
GOVERNING BOARD MEETING
MINUTES**

August 11, 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:
Brandon Holland – 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 Town Manager Brandon Holland if there were any changes to the agenda. The Manager replied that there was a revision to the budget amendment for storm water improvements as indicated by the handout at the meeting. After reviewing the revised document, Mayor Tripp then called for a motion and subsequent vote:

Motion: Commissioner Skinner

Second: Commissioner Harris

Discussion: None

Approved: 5-0

The motion to adopt the agenda with the revision to the budget amendment for storm water improvements was approved as presented.

II. PUBLIC RECOGNITION

Public Comments

Janis Suggs, 429 Fifth Street, was the only citizen with a public comment. She stated that that her neighborhood has a problem with loose dogs, and is concerned about her neighbor's loose pit bull when she is walking her dog. She feels the town's ordinance on this issue is "watered down." She also said that she witnesses drug activity directly in front of her house. She ended by saying that she expects these issues to be taken care of. Mayor Tripp thanked her for her comments, adding that Town Manager Holland will work toward a resolution.

III. STAFF REPORTS

A. Manager's Report

Manager Holland reminded Governing Board members of the ethics training requirement stating that the Mid-East Commission has scheduled a joint training session via an on-demand webinar. This session will be held at Winterville's Town Hall on Monday, September 29 from 6 to 8 p.m. He also mentioned that the NC League of Municipalities will hold its annual conference from October 11-14 in Greensboro this year, and asked Board members to let him know whether they wish to attend. The school clean-up day volunteer project (partnership with local churches) has been scheduled for Saturday, August 23rd, with a planning meeting on August 18th to discuss. Finally, he introduced Ayden's new part-time customer service representative, Lucia Marquez-Henning, to the Board and citizens. She is a former employee of PNC Bank's Ayden branch.

B. Public Works and Utilities and Arts & Recreation Report

Robert Sutton addressed the Board by stating that the Town recently installed underground services at Emma Cannon and Hibernia Roads; fixed several service line water leaks; cleaned sanitary sewer mains and laterals; installed manholes in potential storm related problem areas; laid sod at the district park; sprayed twice for mosquitoes and started preparation for the Collard Festival. He stated that all the summer camps were well attended and that the district park splash pad had an average of 30 children per day, especially during peak times (11 am to 1 pm). He then asked if the Board had any questions about the services.

Commissioner Davenport asked, "What did the State say about the ditch on Hines Drive?" and Mr. Sutton responded that the report was not in yet. Mayor Tripp asked whether flow meters were being read daily, and Mr. Sutton replied "yes, including weekends." Mayor Tripp commented that daily readings might help establish a baseline, which could be helpful in identifying I&I issues.

C. Economic and Community Planner Report

Planner Stephen Smith stated that he issued 15 zoning compliance certificates from June 1st to August 8th. New businesses include: a pet store at 536 Third St, clothing store at 4278 Lee St, used furniture sales at 538 Third St, and barber shop/beauty salon at 4288 Lee St. He also issued 4 waiver letters, most notably one for interior renovations to the Family Dollar Store. Mr. Smith is an active participant in the Small Town Main Street Committee that recently created a database that will track all downtown businesses as they move in and out. During

this period he also participated in the Neuse River regional hazard mitigation planning process which includes an update to the 2010 Pitt County Multi-jurisdictional Hazard Mitigation Plan of which Ayden is a part. Once this plan becomes final, each jurisdiction will be required to locally adopt the plan.

Commissioner Mewborn stated that he feels the Board should be notified when a new business establishes itself in Ayden. Mayor Tripp added that he would also like to know about new housing permits as they happen. Mr. Smith stated that he will keep the Board informed in the future.

D. Finance Report

Chris Tucker distributed an updated financial report that represents the closeout of the 2014 fiscal year (unaudited). The report showed total cash and investments at \$8,096,633. The Town saved \$125,000 due to not using as much Fund Balance as had been appropriated at the start of the fiscal year. He pointed out that property tax invoices will go out September 1st, and cash flow will increase when those tax revenues are recorded. Mr. Tucker stated that regarding fixed assets, the Town sold 25 surplus items on the GovDeals website, adding an extra \$21,000 into the budget. He feels that the Town is financially well positioned going into the 2104-15 fiscal year.

E. Public Safety Report

Police Chief Barry Stanley reported that the Town has two new reserve officers, William Best and Cassandra Dykes, who will be introduced at the September board meeting. He submitted the COPS grant requesting \$129,000 to fund a full-time drug and gang investigator. He should know by month's end whether the Town was awarded this grant.

IV. CONSENT AGENDA

- A. Open Session Minutes of June 9, 2014
- B. Special Called Meeting Minutes of July 31, 2014
- C. FYE 2014 Tax Settlement Statement
- D. FYE 2015 Order to Collect Property Taxes
- E. Resolution Agreeing to Continue Participation in the NC Small Town Main Street Program

Mayor Tripp called for a motion and corresponding vote.

Motion: Commissioner Harris

Second: Commissioner Mewborn

Discussion: None

Approved: 5-0

The motion to adopt the consent agenda was approved.

V. PUBLIC HEARING

CDBG Application for Infrastructure Projects

Town Manager Holland stated that Rich Moore, McDavid and Associates project engineer and administrator this infrastructure project, was present to speak to the Board.

Mr. Moore reminded the Board that the Division of Water Infrastructure has announced that it will be accepting applications for Community Development Block Grant Infrastructure (CDBG I) funds on September 2, 2014. He further explained that CDBG I applications were previously received on April 1, 2014 and May 1, 2014 for award of funds appropriated by HUD in 2013. For 2014, HUD has appropriated disbursement through the Division of Water Infrastructure for water and/or sanitary sewer needs for NC. Because HUD appropriated funds are for 2014, any unit of government that previously conducted public hearings to support April-May applications that is interested in applying for funds in September is required to conduct a new set of public hearings. A September 21 deadline has been established that will make an estimated \$26 million available. An applicant can apply for up to \$3 million. Numbers of applications are not limited where the \$3 million threshold is the only restriction.

Eligibility is based on the following criteria:

1. Must serve a target area consisting of a residents that are at least 51% low to moderate income (the greater the percentage, the better).
2. Must meet a documented critical water or sanitary sewer need (such as sewer collection system improvements to eliminate documented inflow/infiltration problems).

Based on guidelines, applications do not require any matching funds. Ayden's Town-wide low to moderate income statistics exceed 51% such that the Town is automatically eligible to apply before conducting any door-to-door income surveys. Applicants must conduct at least two (2) public hearings. (Public hearings previously conducted in March 2014 were related to HUD appropriated 2013 funding only).

Proposed Application:

Sanitary sewer collection system rehabilitation/replacement in the residential areas of Town between Snow Hill Street and Montague Street, East Third St, and areas between First and Third Streets near Martin Luther King St. Based on smoke testing performed by the Town, this area of collection system is most likely being impacted by inflow/infiltration issues.

Mayor Tripp declared the public hearing to be open at 7:40 p.m. With there being no citizens who wished to speak for or against the project, the public hearing was subsequently closed.

Mayor Tripp acknowledged that a scoring system is used that assigns points to applications. He inquired how a "tie" would be handled. Mr. Moore replied that in the case of two municipalities having the same score, #1 consideration would be the geographic area of the project/number of residents served and #2 consideration would be whether a local contribution had been provided. Although not a *requirement* of this grant application, a municipality is received favorably when allocating funds toward big infrastructure projects.

The Board gave consensus on the proposed area for the project. The second required public hearing will be held on August 13th.

VI. ACTION ITEMS

A. Budget Amendment for Website Redesign

Finance Director Chris Tucker addressed the Board by stating that Town staff teamed up with the Pitt County Development Commission, Electricities and Liaison Design Group to develop a new website design for the Town. Not only will the new design provide a “facelift” to the Town’s current site, it will be more functional and, most importantly, be easier for staff to update than the outdated version now being used. In order to pay for this expenditure, a budget amendment that appropriates restricted grant monies received in the prior fiscal year to cover this expenditure will be required.

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 Ordinance No. 14-15-02 for website improvements was approved.

B. Budget Amendment for Storm Water Improvements

At the Governing Board’s July 31st Special Called Meeting, the Board approved \$110,000 as part of a flooding mitigation plan to address three areas deemed “severe.” Since \$40,000 had already been allocated in the 2014-15 budget, staff recommended that another \$70,000 be identified. Finance Director Chris Tucker presented a budget amendment recommendation that takes \$50,000 from the Powell Bill funds (current balance at \$83,000) for the McCary Street/Masonic Lodge repairs and pulls the other \$20,000 from unassigned fund balance.

Mayor Tripp asked Mr. Tucker why the Town had not used up all monies from the Powell Bill Fund during the previous fiscal year. Mr. Tucker explained that in order to avoid exceeding the annual allotment (an average of \$150,000/year), the Town carefully monitors the bids on street projects, which are targeted at specific prices. He added that Town Staff aim each year to utilize all Powell Bill funds, however some of the funds left in balance are not enough to complete worthy projects. For example, rather than pave only part of one street, the Powell Bill account balance can be carried over to the next fiscal year to pave an entire street. This carryover is how the Town ended up with an \$83,000 balance in the Powell Bill account at the end of FY 2013-14. This balance is now working in the Town’s favor as it expands the previously allotted \$40,000 to allow more storm water improvements to be made.

Mayor Tripp agreed but asked that we ensure that Powell Bill funds are used to keep the Town’s streets maintained, so that the Town doesn’t have to borrow money for street maintenance like other cities do. Manager Holland stated that he believe the Town is actually slightly ahead of schedule on street maintenance.

Mayor Tripp then called for a motion and subsequent vote.

Motion: Commissioner Skinner

Second: Commissioner Harris

Discussion: None

Approved: 5-0

The motion to adopt Ordinance No. 14-15-03 for storm water improvements was approved.

VII. DISCUSSION ITEMS

A. 2012 CDBG Catalyst Project Update/Monthly Report

Arts & Recreation Building Rehabilitation

Town Manager Holland stated that Mike Barnette, McDavid and Associates, was present to give an update on the rehabilitation project for scattered site housing and the Ayden Community Center on Lee Street. Mr. Barnette is the Town's project administrator for the CDBG programs. Mr. Barnette addressed the Board by addressing the scattered site component of the program. At this time, two of the four houses scheduled for rehabilitation are still in the process of title clarifications which must be settled before work can begin. The other two homes have clear titles and all due diligence on lead based and asbestos abatement has been documented.

Mr. Barnette then stated that Mr. Albi McLawhorn, the architect from MHAworks, would present an update on the building rehabilitation project. Mr. McLawhorn had previously submitted a package of information to the Board members for review. He stated that the grant specifically asked for ADA improvements. His CDBG project budget totals \$255,000 for building rehabilitation, which is detailed on the chart as Items A-D with associated costs as follows:

1. Installing elevator/shaft	\$107,800
2. ADA improvements at main entry	37,520
3. ADA improvements at side entry	8,000
4. ADA upgrades for existing restroom	36,820
5. Misc. general contracting work	<u>33,916</u>
TOTAL	\$225,000

Mr. McLawhorn stated that he prefers to prioritize improvements by life safety, accessibility and convenience. He stated that the elevator will be installed close to the center of the building, utilizing an old boiler pit (no groundwater contamination). He also told the Board that due to the large volume of visitors in the building each day, a second women's bathroom should be considered for the first floor. Due to the large audiences using the 700-seat auditorium on a regular basis, he stated that safety compliance would dictate that a sprinkler system be installed, and he strongly recommended that the Board consider this in a future budget discussion.

Additional items that Mr. McLawhorn evaluated outside the project scope were also presented to the Board including: restoring the front entrance or portico, adding a new

women's restroom on the main floor, corridor upgrades, ceiling improvements and classroom enhancements. Also included were items related to the building's electrical and fire alarm systems to bring the facility fully up to code. He estimated the cost of one new bathroom to be \$36,820, and the Board agreed it could be used as a "benchmark" for determining how many additional bathrooms may be added to the project either now or in the future.

Commissioner Harris inquired about the possibility of adding air conditioning to the gym. Mr. McLawhorn replied that the cost would be \$22 per square foot, and that for the 11,200 square foot gym it would be equal to \$246,400.

He ended his presentation with timelines, stating that he estimated a three-week bid process for the ADA improvements and approximately 20 weeks to complete the elevator installation.

Mayor Tripp then called for a motion and subsequent vote.

Motion: Commissioner Harris

Second: Commissioner Davenport

Discussion: None

Approved: 5-0

The motion to authorize MHAworks to construct an elevator/shaft, complete ADA accessibility components, general rehabilitation work, and one ADA accessible bathroom was approved as presented.

Parking Lot Improvements

Next Rich Moore, McDavid and Associates, provided the Board with a six-page design document for the parking lot improvements. The CDBG Grant funds include \$75,000 for paving the front and side lots at the Arts & Recreation Community Center. He stated that if the proposed parking lot design layout is acceptable, he would respectfully request that the Board authorize McDavid Associates to proceed with the advertisement for bids.

Mayor Tripp then called for a motion and subsequent vote.

Motion: Commissioner Davenport

Second: Commissioner Skinner

Discussion: None

Approved: 5-0

The motion to authorize McDavid Associates to advertise for bids for paving the parking lots at the Arts & Recreation Building was approved as presented.

B. Additional District Park Shelter

Director of Public Works and Utilities, Robert Sutton, reminded the Board that during the FY 2014-15 budget process, staff recommended that the Board consider acquiring an additional picnic shelter for the District Park. In the current fiscal year budget, the Board allocated \$14,000 to acquire a 16 x 20 foot shelter, a size similar to the one currently at the District Park. Staff had originally considered utilizing Pitt Community College students for building the additional shelter; however due to equipment and other constraints, PCC students would not be able to build a larger shelter, which would be more desirable. However, the cost of a larger

shelter (30 x 50 feet) would cost approximately \$25,500 for materials only. He further stated that topography would limit where a shelter this size could be placed, but he believed there were two spaces where it may fit: near the volleyball court or near the walking trail.

Mr. Sutton further informed the Board that during a preliminary conversation with a local business, the owner stated he would consider trading the costs of site and construction work for naming rights on the shelter. This idea is consistent with the Town's sponsorship and naming rights policy and procedure that was developed and approved by the Arts & Recreation Commission and the Governing Board before Phase I was completed.

Commissioner Davenport stated that she was glad that businesses are willing to donate to get another shelter built. Commissioner Harris inquired about the dollar value of the labor costs related to construction, and Mr. Sutton replied that it would approximately ~~\$125,000.~~ 25,000. 

Mayor Tripp asked the Board for a consensus on moving forward with the staff's recommended plan, particularly to allow naming rights for the new large shelter. The Board gave its consensus on the plan. Mayor Tripp then stated that he thought the Arts & Recreation Commission should review the District Park site to make recommendations on the location of the additional shelter and the naming rights request. Those recommendations would then be carried forward for the Governing Board's review.

C. Drainage Ways issues and Improvements

At the July 31st meeting, the Governing Board asked Town Staff to identify all town-owned and private ditches. Public Works and Utilities Director Robert Sutton stated that he, with the assistance of Project Engineer Rich Moore (McDavid & Associates), completed an inventory of all ditches and canals in town, adding that they did not discover any blockages or obstructions. Prior to the meeting, a package of 35 maps had been distributed to the Governing Board, along with the Town's ordinance on ditch maintenance.

After Mayor Tripp indicated that it would not be necessary to review every map during the meeting, Mr. Sutton summarized by stating that responsibility for maintaining private ditches falls on the owners, meaning that the Town has no obligation to maintain them. The Town maintains ditches in the rights-of-way only. Overgrown ditches are a nuisance under the Town's ordinance and, as such, are addressed by Ayden's Code Enforcement Officer. Town Manager Brandon Holland added that property owners must be notified before the Town can take action.

Mayor Tripp suggested that staff send letters to the property owners to educate them on the Town's ordinance while also explaining how the Town is already addressing the priority areas that are prone to flooding. Mr. Sutton reminded the Board that consideration needs to be given to ditches that cross some privately owned farmland.

Finally, Mr. Sutton stated he and Mr. Moore had determined final cost estimates for addressing the remaining severe flood-prone areas: approximately \$78,000 for the Westhaven area plus another \$50,000 for Snow Hill Street. They are still trying to determine the cost for Martin Luther King Jr. Street at Planters Street.

VIII. INFORMATION

None

IX. BOARD MEMBER COMMENTS

Commissioner Ross stated that she received a citizen complaint about the condition of the Town's cemeteries (ruts, washouts, and trash overflowing) observed during a military funeral. She said that this was embarrassing for the Town. Mayor Tripp stated that he had just attended the Electricities Annual Conference and learned from other Eastern NC communities that they, too, had experienced recent flooding due to their low elevation. He also discussed the Duke Energy Progress agreement with NCEMPA stating that once the sale of NCEMPA's assets is finalized, NCEMPA will be the largest group buying wholesale power, and those annual purchases will represent 10% of Duke Energy Progress's business. The \$1,900,000,000 in debt will be reduced to \$480,000,000 and is expected to take between 12 to 18 months to complete. Once the legal agreement is complete, NCEMPA communities will know how much their electric rates will be reduced.

X. CLOSED SESSION

None

XI. ADJOURNMENT

Mayor Tripp announced that without objection the meeting would stand adjourned at 9:05 pm.

CERTIFICATION

Minutes from the August 11th, 2014 meeting were adopted and certified this 8th day of September 2014 in Ayden, North Carolina.



AYDEN, NORTH CAROLINA

A handwritten signature in black ink, appearing to read "Stephen W. Tripp", written over a horizontal line.

Stephen W. Tripp, Mayor

ATTEST:

A handwritten signature in black ink, appearing to read "Sherri L. Scharf", written over a horizontal line.
Sherri L. Scharf, Town Clerk

TOWN OF AYDEN, NC
INCORPORATED 1891

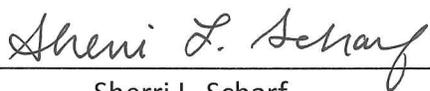


OFFICE OF THE TOWN MANAGER

I, Sherri L. Scharf, certify that I am the Clerk to the Governing Board of the Town of Ayden and that the foregoing is a true and accurate copy of the meeting minutes from the August 11, 2014 Governing Board meeting.

WITNESS, my hand and the official seal of the Town of Ayden this the 8th day of September, 2014.





Sherri L. Scharf
Town Clerk

"ONE OF AMERICA'S BEST SMALL COMMUNITIES TO RAISE A FAMILY" ~ U.S. MEDIA GROUP, 2013

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