



**TOWN OF AYDEN  
GOVERNING BOARD MEETING  
MINUTES**

**September 12, 2016 – 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 p.m.

**B. Roll Call**

Present:

Mayor Tripp

Commissioners Davenport, Harris, Mewborn, Ross and Skinner

Absent:

None

Also Present:

Steven Harrell - Town Manager

Sarah Radcliff– Town Clerk

Phillip R. Dixon –Town Attorney

**C. Welcome Visitors**

Mayor Tripp welcomed everyone to the meeting.

**D. Invocation**

Commissioner Davenport gave the invocation.

**E. Pledge of Allegiance**

Mayor Tripp led the Pledge of Allegiance.

**F. Approval of the Agenda**

Manager Harrell stated they needed to add another item to closed session regarding purchase of property.

Motion to approve the agenda as revised to include purchase of property under closed session.

Motion: Commissioner Davenport

Second: Commissioner Harris

Discussion: None

Approved: 5-0

Motion passed unanimously.

## II. PUBLIC COMMENTS

Dr. Fred R. Best, 210 E Firetower Road, Winterville, addressed the Board. He stated his family appreciated the town and the community for the support given to his family during a difficult time. He stated they had a family member with mental illness that they have been trying to care for and they wanted to raise awareness for individuals with mental illness. Dr. Best said he supported "Healthcare Not Handcuffs." He named several individuals who had been killed as a result of mental illness and stated they were coming together to help stop that. He said he and several of his family members had been arrested and wrongfully convicted of mistreating a family member with a mental illness. He stated the individual had dementia, was homicidal, schizophrenic, HIV. Dr. Best said medical records showed that the individual was incompetent. He stated they provided documents showing the conditions of the individual and many of them were overlooked. Dr. Best said they were not there out of anger or to contend with the Police Department. He said they appreciated the Police Department, the Mayor, and the city. He said he is here to raise awareness that something has to be done. He said it is no longer suitable to take those wrestling with mental illness and turn them over to the jail system. Dr. Best asked that "Healthcare, and not Handcuffs," be made a part of the agenda.

Pastor Joseph Carroll, 210 E Firetower Road, Winterville, stated he did not need to address the Board, that he had signed up to give Dr. Best more time if he needed it.

Reverend Moore, 327 Allen Drive, Ayden, addressed the board. He stated he was there in support of the residents of Kennedy Subdivision. Rev. Moore stated they were concerned that there was only one way in and one way out of the subdivision. He stated they would also like to have some speedbumps put in because there were a lot of children playing in the community. He asked that the board would take those issues into consideration.

With no others being signed up to speak, Mayor Tripp closed the public comment period.

Mayor Tripp recognized Commissioner Webb and asked if he would like to address the board. Commissioner Webb stated he had a good year serving as President of the NCACC. He said they had started a quarterly professional publication and revamped their website to make it more user friendly for the people to get information. He said one of the best things on the website was called "County Insights" that allowed you to go and get anything from mortality rates to mental health issues to graduation rates. Commissioner Webb stated they had worked with the General Assembly to get inmate medical under control. He said they were paying top rack rates for an inmate to go to the hospital and they had negotiated that down to save taxpayer dollars. He stated the tax and tags program was accomplished which requires taxes and tags to be paid at the same time and that it has helped with the County's tax collection rate. Commissioner Webb said they had also preserved a hundred million dollars for lottery funding. He said they had secured twenty million dollars in funding for mental health. He stated it was important to him to help those convicted of non-serious crimes to be able to get back into the workforce and find jobs. He said he was sworn in as a member of the Governor's Crime Commission this

morning and was very happy to have been chosen for that. Commissioner Webb stated the County had established a program to help the unincorporated areas get some roads paved with cooperation from the NCDOT. He stated they were coming to the end with the multimillion dollar radio system. He said there would be a network that would make it so fire and rescue and police could communicate from both ends of the county in emergency situations without losing signal. Commissioner Webb stated he had attended the Collard Festival and was impressed as usual.

Commissioner Mewborn said he appreciated Commissioner Webb, Dr. Best and the reverend for coming. He thanked Commissioner Webb on his position for a second chance.

Commissioner Davenport asked if there was any chance that the state would go back and repair the buildings that the mentally sick used to go to.

Commissioner Webb said the state is trying to consolidate down to three regions. He said the eastern regions need to be active in Raleigh and active with their representatives to make sure our voice is heard.

Mayor Pro-tem Skinner thanked Commissioner Webb as well for his stance on second chances. He said he felt it was important to give second chances to allow people to get back on their feet.

Mayor Tripp said coordination was key in contacting our representatives and he recommended Commissioner Webb at the county level to coordinate a task force to make sure plans are executed, not just talked about.

Commissioner Webb stated he would see that in the coming months.

Mayor Tripp said Ayden's board would do anything they could to assist and support.

Commissioner Mewborn thanked Dr. Best for coming out. He noted that Dr. Best had asked the board to make his plea a part of the agenda. Commissioner Mewborn said he agreed with him on his issue, but did not know what he wanted the board to do.

Dr. Best said they would be having a roundtable discussion in October and he would get that information to the board.

Commissioner Mewborn asked the manager if the subdivision would have a chance to comment later in the meeting when they discussed the Subdivision Access Roads.

The manager stated that was the Board's call.

Commissioner Mewborn said they would get to the Kennedy Estates issue later on during the meeting and asked that they stay so that the board could hear their concerns and needs at that time.

### **III. PUBLIC HEARING**

- A. Public hearing for Community Development Block Grant – Infrastructure Application Due September 30, 2016

Mr. Rich Moore of McDavid Associates, Inc. was present to discuss the purpose of the public hearing for the Town of Ayden's CDBG-I funding application. Mr. Moore stated that the purpose of the public hearing was to obtain citizen's views and to respond to funding proposals and answer any questions posed by citizens. Mr. Moore also stated that the public hearing must cover the Town of Ayden's community development needs, development of the proposed activities, and a review of program compliance before the submission of the Town's CDBG-I funding application to the State of North Carolina.

The Town proposes requesting funding from NCDENR'S CDBG-I program for 2016 Sanitary Sewer Improvements. The purposes of the CDBG-I grant program are:

- To improve the quality of life for low to moderate-income people by providing a safe, clean environment and clean drinking water through water and sewer infrastructure improvements and extensions of service.
- To benefit a residential area where at least 51% of the beneficiaries are low to moderate income as defined by the United States Department of Housing and Urban Development.
- To perform eligible activities.
- To minimize displacement, and
- Provide displacement assistance as necessary.

For the fiscal year of the CDBG-I, funding available is expected to be \$27 million. The maximum available grant is \$2.0 million over a 3-year period. Applications for funding are received on September 30, 2016.

The CDBG program is able to fund a wide variety of community development activities. The State of North Carolina has chosen to fund two activities: water and sewer infrastructure, and economic development projects that lead to job creation or retention. The infrastructure program, or CDBG-I program can fund a range of water and sewer infrastructure and economic development activities, including, but not limited to the, following:

Water:

- Projects that resolve water loss in distribution systems.
- Projects that extend public water to areas with contaminated wells.
- Projects that extend water lines to areas with dry wells.
- Projects that assist with low water pressure in public water systems.
- Projects that regionalize two or more water systems.
- Projects that rehabilitate or replace a water treatment plant.

Wastewater:

- Projects that resolve inflow and infiltration to collection systems and surcharges from pumps stations and manholes.
- Projects that extend public sewer to areas with failed septic tanks.
- Projects that rehabilitate a wastewater treatment plant to allow for greater efficiency/compliance with regulations.

The Town is seeking an amount in CDBG-I funds not to exceed \$968,000 for 2016 Sanitary Sewer Improvements. The purpose of the Town's request is to rehabilitate/replace existing sewer lines along Barwick, Joyner, and Garris Streets in the vicinity of the Ayden Housing Authority. The project proposed by the Town of Ayden was identified in the Town's Capital Improvement Plan. Community meetings have been held in the project area to inform citizens of the potential project, and get feedback from the residents.

A total of 100% of the CDBG- I funding will be used to benefit Low to Moderate Income (LMI) people. The project area in the Town of Ayden has been determined to have an income survey area of approximately 90+% low-moderate income. The project area includes a target area of residential homes located adjacent to Barwick, Joyner, and Garris Streets (to include the Ayden Housing Authority). The range of activities covered by the CDBG-I funds for the 2016 Sanitary Sewer Improvements includes:

- Construction
- Engineering Report
- Environmental Review
- Engineering Design
- Construction Administration and observation.
- Legal activities.
- Surveying.
- Grant Administration.

If the Town of Ayden is awarded a CDBG-I grant, the town is required to adhere to federal procurement requirements and other federal regulations which include:

- Americans with Disabilities Act/Section 504 Survey
- Davis-Bacon & Related Labor Acts
- Adoption/Submittal of a Citizen's Participation Plan
- Adoption/Submittal of an Equal Opportunity Plan
- Adoption/Submittal of a Fair Housing Plan
- Adoption/Submittal of a Language Access Plan
- Adoption/Submittal of a Relocation Assistance Plan
- Adoption/Submittal of a Section 3 Plan
- Excess Force Provision

The State of North Carolina requires that the if the Town of Ayden receives CDBG grant funding that the town will certify that they will comply with the requirements of the general displacement and relocation policy for CDBG grant funding. This policy assists low to moderate income people with costs associated with relocation or displacement, should such relocation become necessary due to the project activities. CDBG funds can be used for those costs, if necessary. No displacement and relocation will occur because of the proposed CDBG grant activity.

In the past, the Town has applied for, received, and completed CDBG projects under the following categories:

- List Name of Projects:

Small Cities Program Concentrated Needs Housing Rehabilitation Program Catalyst Program

The Town will submit its CDBG-I application for the 2016 Sanitary Sewer Improvements on or before September 30, 2016. The CDBG-I application will be available for review during normal business hours at the Town Hall located at 4144 West Avenue, Ayden, NC 28513. Additional information is available from the Town Clerk at (252) 481-5826. Should you have any complaints or grievances regarding the subject public hearing, they should be addressed to the addressee mentioned above within 10 business days and a written response to the written complaints and/or grievances will be sent by the Town within 10 business days, where practicable.

Mayor Tripp opened the public hearing.

Connie Nicholson, property owner on Martin Luther King, Jr. Street and Brown Road, addressed the board. She asked how this project would affect the flooding on Martin Luther King, Jr. Street.

Mr. Moore stated it would not affect the flooding.

Ms. Nicholson asked if any money would be allocated to take care of the back-up.

Mr. Moore stated the drainage was a concern but could only be addressed with local funds.

Commissioner Mewborn stated he had discussed the drainage issue with Manager Harrell and he was looking into it.

With no further comments, the public hearing was closed.

Mayor Tripp called for a motion to approve the resolution authorizing submittal of a Community Development Block Grant – Infrastructure application.

Motion: Mayor Pro-Tem Skinner

Second: Commissioner Mewborn

Discussion:

Approved: 5-0

Motion passed unanimously.

**IV. CONSENT AGENDA**

- A. Meeting Minutes of August 8, 2016 and August 22, 2016
- B. Resolution 16-17-06 to Contract with NC Governor's Highway Safety Program for Police Department Grant Funding
- C. Resolution 16-17-07 Approving Application for Financial Assistance Community Development Block Grant Infrastructure Program

Motion: Mayor Pro-Tem Skinner

Second: Commissioner Harris

Discussion: None

Approved: 5-0

Motion passed unanimously.

V. ACTION ITEMS

A. Proclamation Promoting NC Public Power Week



*Mayor's Proclamation*

*Proclamation Promoting NC Public Power During Public Power Week, October 2-8, 2016*

**WHEREAS**, public power meets the electric needs of 40 million Americans, almost 15 percent of electricity consumers; and

**WHEREAS**, North Carolina's public power communities provide homes, businesses and local government agencies with safe and reliable electricity employing sound business practices designed to ensure the best possible service; and

**WHEREAS**, many of North Carolina's 70 public power cities and towns have been electric providers for more than 100 years and provide 1.2 million citizens with safe, reliable power; and

**WHEREAS**, North Carolina's public power utilities are dependable institutions that provide excellent service and a commitment to community and they are valuable community assets that contribute to the well-being of the community and provide economic development opportunities; and,

**NOW, THEREFORE**, I, Stephen W. Tripp, Mayor of the Town of Ayden, North Carolina, do hereby proclaim the week of October 2-8 the 30<sup>th</sup> annual Public Power Week, a week to promote North Carolina's public power cities and towns for their contributions to their communities; and urge all citizens of Ayden to join with all public power systems in the United States in this celebration of public power.

This the 12<sup>th</sup> day of September 2016.

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Stephen W. Tripp, Mayor

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Sarah W. Radcliff, Town Clerk

Manager Harrell stated this item did not require a vote from the Board.

B. Appointment to the NCEMPA Board of Commissioners

Each member municipality of NCEMPA has a Commissioner and a First and Second Alternate Commissioner, respectively, all three (3) appointed by the respective municipal governing body. Currently, Mayor Tripp is the Town's 2016 Commissioner, as well as, NCEMPA's Vice Chair. Finance Director, Alicia Simpson, is the Town's 2016 appointed Second Alternate Commissioner. It is recommended that the Board of Commissioners appoint Town Manager Steven L. Harrell to the vacant First Alternate Commissioner's position to the NCEMPA Board of Commissioners.

Mayor Tripp called for a motion to appoint Steven L. Harrell as First Alternate Commissioner to the NCEMPA Board of Commissioners.

Motion: Mayor Pro-Tem Skinner

Second: Commissioner Davenport

Discussion: None

Approved: 5-0

Motion passed unanimously.

C. Appointments to Food Commercialization Center Planning Committee

The Planning Committee for the EDA grant N.C. Regional Food Commercialization Center at Ayden currently has Mayor Tripp, Commissioner Mewborn, Manager Harrell, Dr. David Green, Brad Hufford from the Pitt County Development Commission and Kevin Richards of the Mid-East Commission as members.

It is suggested that Commissioner Mike Harris as another Board representative and John Chaffee, President/CEO of the NCEast Alliance, also be appointed as members of the Planning Committee. This will bring committee membership to 8 members.

Mayor Tripp called for a motion to appoint Commissioner Harris and John Chaffee to the Food Commercialization Center Planning Committee.

Motion: Commissioner Mewborn

Second: Mayor Pro-Tem Skinner

Discussion: Commissioner Harris asked if he should excuse himself from voting on this matter. Town Attorney Phil Dixon said he did not need to do that.

Approved: 5-0

Motion passed unanimously.

**VI. INFORMATION**

A. NCLM Annual Conference October 23-25, 2016, Raleigh Convention Center

Manager Harrell stated there was schedule sent out with the Board's meeting packet for the NCLM Annual Conference and to let the Town Clerk know if they wanted to sign up.

B. Subdivision Access Roads

Manager Harrell stated McDavid and Associates had prepared a preliminary cost estimate in 2015 to extend Brown Road on the backside of Kennedy Estates to Thad Little Road to provide a second means of ingress/egress. He stated the preliminary estimate was \$142,350. The proposed road extension as cost estimated would provide access near the railroad crossing along Thad Little Road. The cost estimate does not include any property acquisition-related costs. It also does not provide any cost estimates with regard to any wetlands mitigation that might be endangered by the project. The Pitt County Soil & Conservation District has indicated that the property over which the proposed street would run is partially a wetlands and under U.S. Army Corps of Engineers there would be some level of mitigation required. That cost of mitigation would still have to be determined after a review of the project by the Corps. Manager Harrell stated staff is looking for direction from the Board as to whether or not to proceed with completing the project's cost estimates and bringing back to the Board for consideration for construction approval. Manager Harrell stated he had contacted the property owner adjacent to Kennedy Estates as to the feasibility of constructing a gravel road that would run alongside the railroad right-of-way as an emergency only exit for the subdivision, but the property owner was opposed to anything but a completed street.

Commissioner Mewborn said this was a great concern for him. He said they had talked about another exit in the past if this one didn't work out. He stated his main concern was that they have another exit in the case of natural disaster.

Mayor Tripp stated there had been one or two incidents where a fire had prohibited exit from the subdivision. He said he felt they were looking for more of an emergency exit than a permanent exit that would create more traffic coming through the neighborhood. Mayor Tripp suggested getting the group together to discuss it further and also meeting with Fire/EMS to develop a plan in the case of a natural disaster.

Commissioner Mewborn stated he agreed and felt the residents would have a better opinion of what has taken place and what needs to take place. He stated he wanted them to be included in the process.

Manager Harrell stated he would like permission to move forward with contacting fire/ems and scheduling a stakeholders' meeting with the residents of the subdivision.

Ms. Nicholson stated over the years there had been several conversations with the town regarding additional exits for the subdivision. She stated there were several residents who do not wish for the exit to be at the other end of Brown Road.

Mayor Tripp said he agreed with the manager holding the stakeholders' meetings and having a new pair of eyes to look at the situation.

Commissioner Ross stated she liked what everyone was saying and felt this was going in the right direction.

Mayor Pro-tem Skinner said the residents need to really think about what they want and the traffic a new exit would create.

Commissioner Davenport said they need to put a policeman on the streets to ticket those who are speeding through the subdivisions.

Mayor Pro-Tem Skinner said he had spoken to Chief Stanley about it and we do not have the workforce to designate someone for just that.

Manager Harrell stated the next item is to provide the board with information on access roads with regard to the subdivision regulations. He said the board received a full copy of the subdivision regulations with their packet, with the section on access points highlighted. He noted that the Planning Board may increase or decrease the number of approved accesses required. He stated the Town's subdivision regulations had been followed and examples from neighboring cities were included to show a different way of doing it. Manager Harrell asked the board to let him know if they wanted to him to work with staff to amend the regulations.

Mayor Pro-Tem Skinner, Commissioner Davenport and Mayor Tripp stated our developments need to be comparable to other towns.

Manager Harrell stated he would get with Stephen Smith and Terry Payne, chairman of the Planning Commission, and talk about how they can improve the plan and get back to the board.

#### C. Staff Departmental Reports

Commissioner Mewborn spoke to Mr. Butts about the newsletter. He stated all the residents of Ayden should get a copy of the newsletter and that he had asked that all of the residents of the Housing Authority get a copy. Mr. Butts said at one time they were getting the newsletter and sending it out with the rent statements but they are no longer receiving them. The Manager said he wasn't aware of that and would get it corrected. Commissioner Mewborn asked if the rubber chips on the playground on Juanita Avenue were safe. Mr. Butts said that is what is recommended. Commissioner Mewborn said he was concerned with a child putting the pieces in their mouth and it not being safe. Mr. Butts said he would check into it to be sure it is safe and get back to the board.

Commissioner Mewborn said he appreciated the report from the Police Department including the additional information he had requested.

### VII. BOARD MEMBER COMMENTS

Commissioner Mewborn stated there was an event at the Arts and Recreation Center over the weekend with several residents present and he stated he was very proud of the conduct of the citizens and residents in attendance.

Commissioner Ross thanked everyone for coming. She stated the board is there to serve the citizens and she appreciated them being there to let them know their concerns. She said the Collard Festival was great and went very well. She stated the Pitt County Fair would be from 9/20 to 9/25 and hoped all would come out and enjoy it.

Commissioner Harris said he was glad to have a board room full of citizens in attendance. He thanked staff for their work during the Collard Festival.

Mayor Pro-tem Skinner thanked everyone for coming and thanked staff for their work during the festival.

Mayor Tripp agreed with Commissioner Mewborn about the event held at Arts and Rec. on Saturday. He stated Mr. Peterson was from Ayden and had come back to have the event and he looked forward to having more events like it in the future. Mayor Tripp also thanked Pat Tripp and Commissioner Ross for their part during the Collard Festival. He also thanked staff for their hard work and commitment to the Festival. Mayor Tripp congratulated the three principals from the Town of Ayden's Schools for being nominated for Principal of the Year in Pitt County.

Mayor Pro-tem Skinner recognized Ms. Mary Dail in the audience and stated she had finally gotten everything approved. Ms. Dail thanked everyone for their assistance.

#### **VIII. CLOSED SESSION**

Mayor Tripp asked Town Attorney Phil Dixon to cite the reason for entering Closed Session, to which Mr. Dixon responded: "pursuant to NCGS 143-318.11 (a) (5) To establish, or to instruct the public body's staff or negotiating agents concerning the position to be taken by or on behalf of the public body in negotiating (i) the price and other material terms of a contract or proposed contract for the acquisition of real property by purchase, option, exchange, or lease; or (II) the amount of compensation and other material terms of an employment contract or proposed employment contract; and NCGS 1433-318.11 (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 asked the Board for a motion.

Motion: Commissioner Harris

Second: Commissioner Mewborn

Discussion: None

Approved: 5:0

The motion to enter closed session at 8:24 p.m. passed.

#### **IX. RETURN TO OPEN SESSION**

Mayor Tripp asked the Board for a motion to return to open session at 8:33p.m.

Motion: Commissioner Harris

Second: Commissioner Mewborn

Discussion: None

Approved: 5:0

Motion passed unanimously.

Motion for the Town Manager to send out a RFQ to local attorneys.

Motion: Mayor Pro-Tem Skinner

Second: Commissioner Harris

Discussion: None

Approved: 5:0  
Motion passed unanimously.

**X. ADJOURNMENT**

Having completed the business before them, Mayor Tripp announced that without objection the Governing Board would stand adjourned at 8:33 p.m.

AYDEN, NORTH CAROLINA

  
Stephen W. Tripp, Mayor

ATTEST:

  
Sarah W. Radcliff, Town Clerk