



**TOWN OF AYDEN
GOVERNING BOARD MEETING
MINUTES**

February 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
Sherrri Scharf – Town Clerk
Phillip R. Dixon – Town Attorney
Scott Dixon – Associate to Town Attorney
Robert Sutton – Public Works and Utilities Director
Chris Tucker – Director of Finance
Stephen Smith – Community & Economic Planner
Tommy Duncan – Arts and Recreation Director
Mike Barnette – McDavid Associates, Inc.
Rich Moore – McDavid Associates, Inc.
Michael Taylor – Power Services, Inc.
Ben Combs - HelioSage

C. Approval of the Agenda

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

II. PUBLIC RECOGNITION

A. Public Recognition

1. Ayden Schools – Funding Allocations
Principals Cornelia Cox (Ayden Elementary School), Jeff Theus (Ayden Middle School) and Marty Baker (Ayden-Grifton High School) addressed the Governing Board to discuss how they planned to spend the \$3,000 allocation that each would receive on behalf of their schools. Mayor Tripp presented the \$3,000 checks to each principal, and he and the commissioners were included in photos that were taken during check presentations.
2. Mayor Tripp presented Ayden Resident Eric Walls with a framed Certificate of Recognition for being selected by Pitt Community College to receive the NC Community College System's "Great within 58" Academic Excellence Award for outstanding achievement in the classroom.
3. Mayor Tripp presented Linda Creech with an award for having served on the Ayden Arts & Recreation Commission from 2004 to 2014, and as its Chairperson since 2009. He commended her for her leadership during the process of creating the District Park and, most recently, the non-profit foundation that will seek to raise money for additional phases of the District Park.
4. Glen Webb, Chairman of the Pitt County Board of Commissioners, gave a detailed summary presentation on activities related to Pitt County's budget and current projects in Greenville.

B. Public Comments

Ms. Mary Dail, 313 Garris Street, addressed the Board by stating that the Town had "used" her during the application process for the Community Development Block Grant (CDBG) by leading her to believe that her house would be rehabilitated. She further stated that she had "papers" that would prove that she owned the home that she and other family members inherited. On behalf of the Town, the CDBG program is managed by McDavid Associates.

Mayor Tripp told Ms. Dail that he felt that there had been a mistake or misunderstanding and directed the Town Manager to schedule a meeting to try and address her concerns.

III. CONSENT AGENDA

- A. Open Session Minutes of January 12, 2015
- B. Open Session Minutes of January 20, 2015
- C. Order to Advertise Unpaid 2014 Tax Liens on Real Property

Mayor Tripp called for a motion and corresponding vote.

Motion: Commissioner Harris
Second: Commissioner Skinner
Discussion: None
Approved: 5-0

The motion to approve the consent agenda passed.

IV. PUBLIC HEARINGS

- A. FY 2015 Community Development Block Grant (CDBG) Application
Town Manager Brandon Holland introduced CDBG Project Administrator Mike Barnette who stated that the Town must conduct two Public Hearings before applying for any CDBG program in order to comply with HUD Citizen Participation Requirements.

The purpose of the first public hearing is to explain to the public what CDBG application types are available in the FY 2015 funding cycle to include infrastructure and economic development and can serve as the first public hearing for any CDBG application throughout the year.

The FY 2015 program does **not** contain housing rehabilitation funding but does include funding for:

1. water and sewer infrastructure improvements for residential users (CDBG-I)
2. building renovation for LMI job creation or retention (CDBG-ED)
3. infrastructure installation for LMI job creation or retention (CDBG-ED)

The initial application deadline for CDBG-I funding is March 31, 2015, with a second deadline sometime in September 2015. The CDBG-ED applications are typically accepted continually throughout the year.

The staff will take comments from this public hearing along with other known fundable needs and present an application proposal at a subsequent public hearing for the Board consideration and public notification.

At this time the only Board action required is to hold a Public Hearing is required to receive comments or input from citizens.

Mayor Tripp declared the Public Hearing open at 7:50 pm. With there being no public comments or input, it was subsequently closed.

- B. Conditional Use Permit Application – Littlefield Solar Center, LLC

Ayden's Community & Economic Planner, Stephen Smith, stated that Littlefield Solar Center is seeking a conditional use permit to operate a solar farm within the RA-20 Zoning District on parcels of land owned by Paul Braxton Farms, LLC; specifically, Pitt County Parcels #44149, 44335, and 44333 on W. Littlefield Road.

The primary purposes of the RA-20 (Residential/Agriculture) District are agriculture and low-density residential development on lots with a minimum size of 20,000 square feet and to ensure a healthy environment for residential development that does not have access to public water systems and, therefore, is dependent on septic systems for sewage disposal. The conditional use process also provides flexibility within a zoning ordinance to enable the Town to control certain uses which could have detrimental effects on the community. Mr. Smith also referred to Section 4, Note 27 of the Town Zoning Ordinance that provides general requirements, application requirements, and design standards for solar farms.

The Planning Board considered this application at its January 20, 2015 meeting and voted unanimously to recommend approval of the application with the condition that screening should be installed as required, instead of accepting the applicant's alternative of screening only areas within view of residences. In contrast, the Ayden's Zoning Ordinance requires screening to be placed around the entire site if it is adjacent to residential property.

Mr. Ben Combs of HelioSage was then introduced and gave a visual presentation that provided details about the current request (for Littlefield Solar Center) and also a general overview of other solar projects his company had completed.

Mayor Tripp asked Mr. Smith if the Planning Board had given consideration of the location of the SW Bypass before approving the conditional use permit, and Mr. Smith replied "no." Mayor Tripp then stated that since Littlefield Road is in the Town's ETJ, Ayden would gain no direct benefit.

Mayor Tripp declared the Public Hearing open at 8:05 p.m. There were no citizens speaking for or against the proposed action, so the hearing was subsequently closed.

Mayor Tripp called on Town Attorney Phil Dixon who suggested that, as has been the Board's practice during these quasi-judicial processes, the Commissioners could allow Mr. Dixon to read each of the seven findings of fact and have the Commissioners respond as to whether any of them desired a separate vote on any separate finding of fact. If no one desired a separate vote on any individual finding of fact, Mr. Dixon suggested the Commissioners could vote on the required seven findings of fact all at one time. Mr. Dixon read aloud all seven findings of fact, and no Commissioner requested a vote on any individual of fact. However, Mayor Tripp did ask Mr. Smith if there would be access from Littlefield Road, and Mr. Smith said, "yes."

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

Motion: Commissioner Davenport

Second: Commissioner Ross

Discussion: None

Approved: 5-0

The motion to approve the Conditional Use Permit Application for Littlefield Solar Center, LLC was approved as presented.

V. ACTION ITEMS

A. Appointments to the Ayden Historic Society Committee

At the November 10th, 2014 Governing Board meeting, Mayor Tripp stated that there had been ongoing conversations with citizens regarding the need for Ayden to have a special place for its historic artifacts and artwork, such as a museum. He suggested that the Town advertise for citizens to serve on an ad-hoc committee for the purpose of creating a Historic Society. Mayor Tripp added that the Board would need to give top priority to finding a location for the museum/art display.

In December an ad was placed in a Sunday edition of the Daily Reflector. Sunday was chosen as it is the edition with the highest readership in Pitt County. To help the Town determine which citizens would be committed to establishing this ad-hoc Committee, the Town Clerk distributed applications to citizens who requested them. As a result of the advertisement, the following individuals stated their interest (in no particular order) to serve on the Historic Society Committee:

1. Anne Grimes
2. John Curry
3. Chuck Dunn
4. Barney Barker
5. Gloria Dixon
6. George Snyder
7. Andrea Norris
8. Bill Norris
9. Ernie Lubiani
10. Marvin Baldree
11. Alice Cannon Parker

Mayor Tripp stated that he had spoken to B.J. Craft and that she had agreed to serve. He added that Commissioner Mewborn stated an interest in serving as the Town's ex-officio member to support the Committee's needs and provide updates to the Board. He then called on the Board for a motion and corresponding vote:

Motion: Commissioner Harris

Second: Commissioner Skinner

Discussion: None

Approved: 5-0

The motion to endorse the above-referenced individuals, in addition to B.J. Craft, and to appoint Commissioner Mewborn as ex-officio to the Historic Society Committee was approved.

B. Appointment to the Planning Board

Town Manager Brandon Holland stated that there is currently one regular member vacancy on the Planning Board due to Charles Twardy's term expiring in February, 2015. The Town advertised this vacancy in the Daily Reflector on Sunday, January 25th. Mr. Twardy, who lives in Ward 4, was the only person to apply to fill this vacancy. Since he wants to serve again, staff recommends reappointing him for a second term.

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

Motion: Commissioner Harris

Second: Commissioner Mewborn

Discussion: None

Approved: 5-0

The motion to reappoint Mr. Charles Twardy to the Ayden Planning Board was approved.

C. Appointment to the Arts & Recreation Commission

Town Manager Holland stated that with the expiration of Linda Creech's membership (i.e. 3 consecutive terms served) there is presently a full member vacancy on the Arts & Recreation Commission to be filled. The Town of Ayden advertised this vacancy in the Daily Reflector on Sunday, January 4, 2015. Although it has been the Board's practice to have equal representation by ward when possible, it is felt that for the Arts & Recreation Commission, having membership that represents a balance between arts and recreation is more important.

Mr. Johnny Davis was appointed in February 2014 to serve as an alternate; he is now hoping to serve as a regular "full member." Mr. Scott Pagona and Mr. Ernie Lubiani have also applied.

Staff recommends appointing Mr. Pagona to serve as a full member and maintain Johnny Davis as an alternate member. Due to his background, staff feels Mr. Pagona would be an excellent choice. Since the Commission currently has more "recreation" members than "arts" members, Mr. Pagona's appointment will also bring more balance to the Commission.

Commissioner Mewborn stated that he felt all the applicants would be excellent choices, and asked if the Board could appoint more than one. Arts & Recreation Director Tommy Duncan stated that the Commission's bylaws would have to change in order to do that. Mayor Tripp stated that as an alternate, Mr. Davis will still be able to participate. Commissioner Harris said that he was impressed by Mr. Pagona's background, particularly having been a music teacher for the Pitt County Schools, and he believes Mr. Pagona's appointment would better serve to maintain the balance between "sports" and "arts."

Mayor Tripp then called for a motion and corresponding vote.

Motion: Commissioner Harris

Second: Commissioner Skinner

Discussion: None

Approved: 4-1; with Commissioner Mewborn opposed

The motion to appoint Mr. Scott Pagona to the Ayden Arts & Recreation Commission was approved as presented.

D. Ayden-Grifton High School JROTC Flag Retirement Ceremony

In January, Master Sargent Dawson of the Ayden-Grifton High School JROTC approached the Town with a request to hold its first annual flag retirement ceremony. He is asking for support from the Town (i.e. a location, a "fire pit," etc.) and wishes to open this event to all Ayden citizens.

If the Board favors approving this request for a ceremony *within* the Town's limits, it would seem the most logical place to have the ceremony is at Veterans' Park, since the JROTC performs its flag raising ceremony there every November. Staff recommends consulting with the Ayden Fire Chief regarding the Code of Ordinances stipulations for open burning within the Town's corporate limits to determine if a permit could be granted to the Town for the purpose of this ceremony.

Mayor Tripp then called for a motion and corresponding vote.

Motion: Commissioner Harris

Second: Commissioner Ross

Discussion: None

Approved: 5-0

The motion to approve a flag retirement ceremony was approved as presented.

E. Resolution Awarding Contracts for Ayden Electric Substation Improvements

At its Special Called Meeting on March 27, 2014, Robert Sutton, Director of Public Works and Utilities, gave a presentation to the Governing Board detailing the project work required to upgrade the NC-11 Substation and Weyerhaeuser Substation. The discussion included cost estimates and potential sources for funding the required upgrades.

At its regularly scheduled Governing Board Meeting on April 14, 2014, the Board gave final permission to proceed with the project. Authorization was given to create a Capital Project Fund in the amount of \$2,300,000 with \$1.5 million in loan proceeds and \$800,000 allocated from fund balance.

Public Works & Utilities Director Robert Sutton stated that this is the final project component for labor and equipment that is needed to complete the electric substations upgrades. Coordinating the bidding process with Mr. Sutton, Power Services Project Engineer Michael Taylor duly advertised for bids for labor and equipment for the substation upgrades on January 11, 2015. The sealed bids were opened and reviewed, but due to unacceptably high pricing, they were rejected and subsequently rebid on February 2, 2015. Mr. Taylor stated that the first bid process had cost overruns of about 20%, but that the second round of bids was more in line with the original estimate for the project. Mr. Taylor recommends that PowerSecure, who submitted the lowest, responsible and responsive bid be awarded the contract for labor and equipment.

Mayor Tripp asked the commissioners if any of them had questions, and there were none.

Mayor Tripp then called for a motion and corresponding vote.

Motion: Commissioner Mewborn

Second: Commissioner Davenport

Discussion: None

Approved: 5-0

The motion to approve Resolution No. 14-15-10 awarding a contract to PowerSecure in the amount of \$485,490.69 was approved as presented.

VI. DISCUSSION ITEMS

SW Bypass Project Presentation

Manager Brandon Holland stated that the project is a design-build model, designed and built at the same time and scheduled to be finished in 2018-19, adding that there are no final plans at this time. Preliminary designs indicate four entrances to the town: at Old NC 11, Snow Hill Road and Third Street and Jolly Road, and Mayor Tripp stated that cannot be cut off since they serve the major thoroughfares into Town, adding that the Town needs to ensure that these are preserved to make room for potential commercial growth. He is confident that this commercial growth will come once the SW Bypass is complete.

Tripp advised the Planning Board to oversee the creation of a land use map to preserve the potential commercial properties, and specifically address the commercial overlay in both the corporate limits and the ETJ. In response, Planner Stephen Smith stated that portion of NC 11 to the proposed bypass is already zoned B2 (business) with a commercial overlay, noting that the Planning Board initiated this change several years ago in anticipation of a potential bypass. The remaining land around the proposed interchange is zoned RA-20 (residential/agriculture). He also stated that the Pitt County Planning Department has approached the town about creating a joint land use study along the corridor. Planner Smith believes property owners in the RA-20 zone will likely approach the Town about rezoning their properties for future business use, adding that those already holding commercial zoned land are very excited that they have the potential to sell those properties for commercial use.

Mayor Tripp asked where the Town's sewer lines stop, and Robert Sutton replied that a pump station is located at Walmart on NC 102. Because the pipe at the location is about 8 ½ feet deep, a gravity line could provide sewer west to Frederick Drive, however a gravity line would not likely extend west of the by pass. Mayor Tripp asked if the Town would have to put in a additional pump station near the Pleasant Plain Road area, and Robert Sutton replied, "yes."es Commissioner Davenport inquired whether the properties in that area would have to be annexed into town; and Mr. Sutton replied that historically the town has required annexation as a condition for having sanitary sewer extended, adding that the project would also need an engineering design with the final design presented to the state for approval. Once engineered and drawings are approved, NCDOT typically gives the Town access to the right-of-way. Mr. Sutton believes that the SW Bypass design we currently have is probably close to the version we will get from the design team.

Commissioner Davenport suggested a grant would help with the sewer project, and Manager Holland stated that he would begin searching for one, but that most grants for installing utilities are based on job creation numbers. Mayor Tripp stated that the Town should begin marketing for the corridor area soon, adding that after the Planning Board lays out the process with a new Land Use Map, the Town should be simultaneously seeking grants and launching a marketing campaign so that Ayden is "ready to go" once the bypass is built.

VII. INFORMATION

Staff Departmental Reports (4)

VIII. BOARD MEMBER COMMENTS

Commissioner Ross stated that she was against hiring Dr. Craig Williams, the human resources consultant, but that the Town's problems will take some time to solve.

Commissioner Davenport said that the teachers need teaching assistants in our schools.

Commissioner Skinner said that the Town needs to keep its "foot on the pedal" when it comes to the SW Bypass.

Commissioner Mewborn stated that he believes there should be more focus on our youth, that more money should be spent on parenting classes, and that it is easier to "build a child than it is to repair an adult."

Commissioner Harris stated that the recently released Pitt County "report card" should be "taken with a grain of salt" because Ayden schools are performing at a higher level than the newspaper articles imply.

Mayor Tripp thanked Finance Director Chris Tucker for the job he has done serving the board and community for the past 10 years, adding that Mr. Tucker had received awards many times for a "clean audit." He then wished Mr. Tucker and his family well, saying he would be missed.

IX. 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 Mewborn

Second: Commissioner Skinner

Discussion: None

Approved: 5-0

The motion to enter closed session at 9:05 pm was approved.

X. 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.

XI. ADJOURNMENT

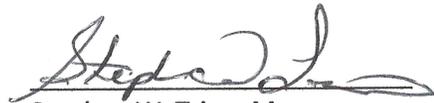
Having completed the business before them, Mayor Tripp announced that without objection the Governing Board would stand adjourned at 9:20 pm.

CERTIFICATION

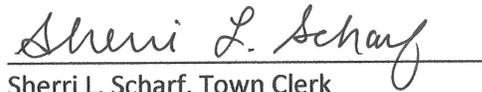
Minutes from February 9th, 2015 meeting were adopted and certified this 9th day of March 2015 in Ayden, North Carolina.



AYDEN, NORTH CAROLINA


Stephen W. Tripp, Mayor

ATTEST:


Sherri L. Scharf, Town Clerk