



**TOWN OF AYDEN
GOVERNING BOARD MEETING
MINUTES**

September 14, 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 7:03 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

C. Approval of the Agenda

Manager Brandon Holland indicated that an item needed to be added to “Action Items” so that the Governing Board could consider a resolution to apply for a grant to construct an all-inclusive playground.

Motion: Commissioner Skinner

Second: Commissioner Harris

Discussion: None

Approved: 5-0

The motion to approve the revised agenda with an additional “action item” was approved.

II. PUBLIC RECOGNITION

Public Comments

None

III. CONSENT AGENDA

- A. Open Session Minutes of August 10, 2015
- B. Request to Change NRWASA Alternate Commissioner
- C. Resolution to Contract with NC Governor's Highway Safety Program for Police Department Grant Funding in the Amount of \$20,000
- D. Ayden Housing Authority Charge Offs

Mayor Tripp called for a motion.

Motion: Commissioner Skinner

Second: Commissioner Harris

Discussion: None

Approved: 5-0

The motion to approve the consent agenda was approved as presented.

IV. PUBLIC HEARINGS

Conditional Use Permit Revocation

Planner Stephen Smith led the discussion by reminding the Governing Board that at its August 10th meeting, the Board requested that he, Town Manager Holland, Mr. Payne (Planning Board Chair) and Mr. Cannon, the business permit holder, hold a meeting to try and reach a compromise(s) on the current violations of the Conditional Use Permit (CUP). The stated goal was to find a solution beneficial to all stakeholders; specifically one that would mitigate waste water infiltration into the Town's sewer system. The Board voted to table the revocation of Cannon Car Wash's CUP until it learned of the findings from the requested meeting with Mr. Cannon, et. al.

Planner Smith stated that the above-referenced group met on September 9th to discuss the issues regarding the permit and agreed on the following new conditions for the permit:

1. All cars and small trucks/SUV's will be washed inside the building
2. Large vehicles that cannot fit inside the building will be washed outside, with the washing taking place on the gravel portion of the lot where the water can dissipate through the gravel
3. All waste water must be contained onsite and will either be diverted to flow into the gravel and grassed areas or will be allowed to enter the approved drains located in the service bay.

For the Board's consideration, staff recommends that the current conditions in the Conditional Use Permit be replaced with the revised conditions stated in 1-3 above.

Mayor Tripp declared the Public Hearing to be open at 7:05 p.m. With there being no comments from the public, it was subsequently closed.

Commissioner Mewborn thanked all the stakeholders involved in resolving the issues and stated that he thought pursuing open and honest dialogue was the "right route to take."

Commissioner Davenport agreed and added that with so many people living without jobs, she was pleased that the Town could support “a man wanting to make a living” in Ayden.

Commissioner Mewborn made a formal motion, and Mayor Tripp called for a second and votes.

Motion: Commissioner Mewborn

Second: Commissioner Harris

Discussion: None

Approved: 5-0

The motion to rescind Cannon’s Car Wash Conditional Use Permit revocation and revised the permit by replacing the current conditions with the ones referenced above was approved.

V. ACTION ITEMS

A. Resolution for Town Attorney to Petition Superior Court

Community & Economic Planner Stephen Smith spoke for Code Enforcement Officer Jim Mallow regarding property at 278 Allen Drive (Pitt Co. Parcel No. 04887) by referring Board members to a timeline of activities dating back to 2011, when the referenced house was damaged during Hurricane Irene. Tax records show that Sallie & Jasper Wilson are the original owners, but Mrs. Wilson is incapacitated and, thus, no longer able to handle arrangements for the property. It is believed that Mr. Wilson is deceased. After several attempts to reach the heirs to the property (Joan and Aaron Hines), a hearing was held on May 6th to discuss repairs to the house. The Hines’s did not attend the hearing. It was also noted that there are unpaid Pitt County and Ayden taxes for this property. Planner Smith stated that the biggest issue is having the roof replaced, making the cost of the needed repairs within the 50% threshold to maintain the structure, rather than demolish it.

Planner Smith stated that the deed dated July 2013 shows the property was transferred from the Hines to the Wilsons. In response to Commissioner Mewborn’s comment that he was sure that Mr. Jasper Wilson is not deceased, Planner Smith admitted that he misstated what was on the deed: that, in fact, the property was legally transferred from the Wilsons to the Hines, who are heirs to the property.

Since the house can be saved with needed repairs, but the heirs in control of the property have not made any attempts, Ayden is seeking to have the Town’s Attorney petition the Superior Court for an order that would direct the property owner(s) to comply with Ayden’s Code Enforcement Order so that the house can meet the minimum code requirements.

Town Attorney Phil Dixon stated that he would take whatever decision the Superior Court Judge makes and add that language to the new order for the Hines family.

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

Motion: Commissioner Skinner

Second: Commissioner Ross

Discussion: None

Approved: 5-0

The motion to approve Resolution No. 15-16-01 asking the Town of Ayden's attorney to petition the Superior Court for an order to direct the Ayden property owner(s) to comply with Ayden's Code Enforcement Order was approved as presented.

B. Consider Appointments to Arts & Recreation Commission

With both Marshall Beacham and Natasha Cannon moving out of Ayden, their resignations left one full member vacancy and one ETJ vacancy on the Arts & Recreation Board. These vacancies were duly advertised in the daily newspaper and on the Town's website.

Johnny Davis has been serving as an alternate member since February 2014 and applied to be a full member. In addition, the Town received applications from Ricardo Espinoza, Jonathan "Taylor" Keith and Ashley Watkins.

Staff recommended appointing Johnny Davis to serve a full voting member and appoint Ashley Watkins to fill the vacant ETJ position, since she lives outside the Town's corporate limits. This will leave a choice between Taylor Keith and Ricardo Espinoza to serve as an alternate.

Commissioner Mewborn then made a motion to appoint Johnny Davis as a full member:

Motion: Commissioner Mewborn

Second: Commissioner Skinner

Discussion: None

Approved: 5-0

The motion to appoint Johnny Davis to the Arts & Recreation Commission as a full member passed.

Commissioner Harris made a motion to fill the remaining vacancies.

Motion: Commissioner Harris

Second: Commissioner Mewborn

Discussion: None

Approved: 5-0

The motion to appoint Taylor Keith as an alternate member and Ashley Watkins as the ETJ representative to the Arts & Recreation Commission passed.

C. Consider Appointment to the Planning Board

There is presently one regular member vacancy on the Ayden Planning Board due to Linda Tucker-Gooding choosing not to renew an additional term. This vacancy was duly advertised in the daily newspaper and on the Town's website. Mr. Clifton Daniels was the only citizen to submit an application for consideration.

Motion: Commissioner Mewborn

Second: Commissioner Harris

Discussion: None

Approved: 5-0

The motion to appoint Mr. Clifton Daniels to the Planning Board passed.

D. Consider Rescheduling October Board Meeting

Since the NC League of Municipalities annual conference is scheduled for October 10-13 this year, and the next Governing Board meeting is scheduled for October 12th, it was suggested that the Board consider changing the date of its October meeting.

Motion: Commissioner Harris

Second: Commissioner Skinner

Discussion: None

Approved: 5-0

The motion to reschedule the October Governing Board meeting from Oct. 12th to Oct. 6th passed.

E. Resolution to Apply for a Playground Grant from Trillum Health Resources

Recreation Director Tommy Duncan stated that he just learned that the Town could apply for grant funding to construct an all-inclusive playground that would serve handicapped children, which would be like the one in Greenville. Trillum is not seeking a local match in funds but does require a resolution from the Town of Ayden to demonstrate that the Town owns land for the playground and has the ability to maintain the playground once it is place.

Since the playground equipment at Veterans' Park is 25 years old and is showing wear, Mr. Duncan recommends the Town seek a complete replacement which would also include replacing the chipped wood with rubber mats.

Mayor Tripp called for a motion and votes.

Motion: Commissioner Harris

Second: Commissioner Skinner

Discussion: None

Approved: 5-0

The motion to approve Resolution No. 15-16-03 authorizing the Town and Recreation Department to submit a grant to Trillum Health Resources was approved as presented.

VI. DISCUSSION ITEMS

None

VII. INFORMATION

Staff departmental reports

VIII. BOARD MEMBER COMMENTS

All Board members thanked all Town staff for their hard work in preparing for the Collard Festival, policing it while it was active, and cleaning up the streets after it was over. Commissioners Mewborn and Davenport were also appreciative of the invitation to the South Ayden Alumni event and thanked the staff responsible for organizing the event.

Commissioner Skinner asked for the status on the plaque for the professional baseball team, Coastal Plain League, that was supposed to be installed at the ball field, and Mr. Duncan responded that the plaque has been on order but that the sign company is holding it up. Commissioner Skinner also stated that the Ayden Rural Fire Association has received enough donations and grant funding to build an outlying fire station that will serve the citizens who live in the District but outside the Town's limits.

Mayor Tripp stated he appreciated the South Ayden Alumni event and thanked Commissioner Mewborn for nominating Annie Brown for the Order of the Long Leaf Pine Award, which he felt she very much deserved for her years serving the Ayden community as an educator and an assistant to the Ayden Housing Authority. Mayor Tripp complimented the Red Cross and stated how much he appreciated them being in Ayden on a recent Saturday to install a total of 340 smoke detectors/alarms in 90 Ayden homes. He stated his appreciation for the 250 guest who attended the Collard Festival Art Show this year, and said he was excited that the Town will see its first barbecue festival next Memorial Day.

There was a general discussion about the need to see financial reports to review balances in the enterprise funds and compare year-end to year-to-date. In response, Finance Director Alicia Simpson stated that the auditors will be back in Ayden on September 28th, and Manager Holland said that they were planning a financial report presentation to the Board in October.

IX. CLOSED SESSION

Mayor Tripp called upon Town Attorney Phil Dixon who recommended that the Board enter Closed Session that evening 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 7:40 p.m. was approved.

X. RETURN TO OPEN SESSION

Mayor Tripp called for a motion and subsequent vote to return to open session.

Motion: Commissioner Mewborn

Second: Commissioner Harris

Discussion: None

Approved: 5-0

The motion to return to open session at 7:43 p.m. was approved.

XI. ADJOURNMENT

Having completed the business before them, Mayor Tripp announced that without objection the Governing Board would stand adjourned at 7:43 pm.

CERTIFICATION

Minutes from September 14th, 2015 meeting were adopted and certified this 6th day of October 2015 in Ayden, North Carolina.



ATTEST:

Sherri Scharf

Sherri Scharf, Town Clerk

AYDEN, NORTH CAROLINA

Stephen W. Tripp
Stephen W. Tripp, Mayor