

TOWN OF ELIZABETHTOWN
Regular Meeting
August 2, 2010

The Elizabethtown Town Council met for their regular scheduled meeting on Monday, August 2, 2010 at 7:00 p.m. in the Council Chamber of the Elizabethtown Municipal Building. Those in attendance were Mayor Sylvia Campbell, Mayor Pro Tem Rufus Lloyd, Council Members, Dicky Glenn, Ricky Leinwand, Charles DeVane, Herman Lewis, and Town Attorney Goldston Womble. Department Heads present included Public Services Director Pat DeVane, Police Chief Bobby Kinlaw, Finance Director Jan Lennon, Fire Chief Byron Graham and Human Resources Director Jennifer Dowless and Town Manager Eddie Madden. Absent: Council Member Russell Priest.

Mayor Campbell called the meeting to order and asked Mayor Pro Tem Rufus Lloyd to give the invocation.

Mayor Campbell presented the August 2, 2010 agenda and supplemental for approval. A motion was made by Council Member Ricky Leinwand and, seconded by Mayor Pro Tem Rufus Lloyd, to approve the agenda and supplemental as presented (Unanimous).

Item #1: Approval of Previous Minutes

Mayor Campbell presented to Council, the minutes of July 12, 2010 Work Session, July 12, 2010 Regular Session, July 12, 2010 Closed Session. A motion was made by Council Member Ricky Leinwand, and seconded by Council Member Herman Lewis, to approve the minutes as presented (Unanimous).

Item #2: Recognition of Cadets Attending First Due Firefighters Camp

Mayor Campbell welcomed the cadets that attended the first firefighter's camp in Bladen County; Fire Chief Byron Graham was recognized to introduce each cadet that attended the evening meeting. Chief Graham stated that 17 cadets graduated from the two week course; however, only five (5) cadets were present at the evening meeting due to school activities taking place. Chief Graham briefly gave a description of what their two week camp entailed and commended each cadet for their gain of knowledge and experience. Mayor Campbell thanked Chief Graham for sponsoring such a worth while program and each cadet was recognized for their participation.

Item #3: FY 2010-11 Budget Amendment - #2011-01

Mayor Campbell recognized Town Manager Eddie Madden to present budget amendment #2011-01. Mr Madden stated the purpose of the \$500 budget amendment is for the application fee necessary to submit an application to the Local Government Commission (LGC) for interim financing for the Fire Department renovations project. A motion was made by Council Member Dicky Glenn, and seconded by Council Member Ricky Leinwand to approve budget amendment #2011-01 as presented (Unanimous).

Item #4: Project Ordinance: Fire Station Renovation Project

Mayor Campbell recognized Town Manager Eddie Madden to present the project ordinance for the fire station renovation project. Mr. Madden stated that Council's consideration is requested for the fire station renovations project in the amount of \$389,800. Mr. Madden stated that funds have been approved by USDA for this project; however, it is necessary to obtain interim financing per letter of conditions from USDA. Mr. Madden reminded Council that RFP's would be sent to financial institutions in the very near future and the application would be forwarded to LGC in order to have the interim financing in place when construction begins. Council is requested to consider the project ordinance for the Fire Station Renovation project. A motion was made by Mayor Pro Tem Rufus Lloyd, and seconded by Council Member Dicky Glenn to approve Project Ordinance for the Fire Station renovation project (Unanimous).

Item #5: Project Ordinance: Elizabethtown Gang Initiative Grant

Mayor Campbell recognized Town Manager Eddie Madden to present the Project Ordinance for the Elizabethtown Gang Initiative Grant. Mr. Madden stated that Council will need to consider the project ordinance in the amount of \$99,450 for the Elizabethtown Gang Initiative grant funds received from the Governor's Crime Commission for FY 2009-2010. Mr. Madden advised that the Police Department applied for the grant which was received; Town's match is in the amount of \$24,862.50. These funds will be used by various recipients in the community to assist with gang related violence. Mr. Madden reported that the funds would be used for the following:

Contract-Steve Lesane	\$20,800
Contract-Sword of the Lord Ministries	\$ 9,250
Contract-Bladen Youth Focus Group	\$22,200
Contract-Minority Male Mentoring Program	\$22,200
Recreation Equipment	\$25,000

A motion was made by Mayor Pro Tem Rufus Lloyd, and seconded by Council Member Charles DeVane to approve the attached Project Ordinance for the Elizabethtown Gang Initiative Grant as presented (Unanimous).

Item #6: Unpaid Fiscal Years' Tax Report and Order for Tax Collection

Mayor Campbell recognized Town Manager Eddie Madden to present the unpaid taxes for the fiscal year and the unpaid taxes of years past. Mr. Madden stated that Tax Collector Beverly Robinson and interim Tax Collector Livingston Lewis have combined their efforts to collect unpaid taxes from 1999 to 2009. Currently, the unpaid taxes including interest and advertisement fees total \$83,011.83. Council had many concerns regarding the same names repeated year after year of unpaid taxes, and requested a remedy to this situation. Mr. Madden stated that letters have been sent numerous times asking that they pay the unpaid amount, and the Town has even hired the services of an attorney to move forward with filing liens against the property owner. A motion was made by Council Member Dicky Glenn, and seconded by Council Member Ricky Leinwand to approve the attached unpaid fiscal year's tax report and Order for Tax Collection

as presented (Unanimous).

Item #7: Downtown Revitalization Lighting Options

Mayor Campbell recognized Town Manager Eddie Madden to present this agenda item regarding the leasing/purchasing of decorative street lights for the downtown revitalization project. Mr. Madden stated that Mr. Don Sanders with Carolina Lighting Systems attended the noon meeting in an effort to display samples of lighting hardware and present a description of each one with an option of purchasing from their company. Council considered the information presented and agreed to the 15-year term in which a cost of \$2,193.33 for a monthly payment and \$26,319.96 for an annual payment at a total cost of \$394,799.40. A motion was made by Council Member Dicky Glenn, and seconded by Mayor Pro Tem Rufus Lloyd to approve Option #2 for a 15-year term at a total cost of \$394,799.40.

Item #8: Elizabethtown Gang Initiative Grant Contracts for Recipients

Mayor Campbell recognized Town Manager Eddie Madden to present the contracts for Gang Initiative grant. Mr. Madden reported that the Elizabethtown Police Department submitted a grant application during fiscal year 2009-2010. Police Chief Bobby Kinlaw was contacted and advised that the following recipients were named in the grant:

Steve Lesane - Grant Coordinator
Sword of the Lord Ministries
Bladen Youth Focus Group
Minority Male Mentoring Program

Mr. Madden reported that in administering the grant, contracts from the recipients are requested. Mr. Madden stated that the contracts were reviewed by Town Attorney Goldston Womble. Attorney Womble stated that in reviewing the contracts he found wording would need to be changed to the following contracts:

-Mr. Steve Lesane's contract in **Section 3**: "Contractor will receive *bi-weekly* payments of no more than \$945.45". In addition, **for each of the four contracts Section 13**, "The Contractor shall remain an independent contractor and as such shall be wholly responsible for the work to be performed *under the supervision of his employees*"...not clearly understood.

Mr. Madden requested that Council consider the contracts to include revisions that have been made. A motion was made by Council Member Dicky Glenn, and seconded by Mayor Pro Tem Rufus Lloyd to approve the attached Elizabethtown gang Initiative Grant Contracts for Recipients as amended (Unanimous). Signed contracts will be on file in Police Chief Bobby Kinlaw's office.

Item #9: Contract for Town's Web Site Upgrade-GovOffice Web Solutions

Mayor Campbell recognized Town Manager Eddie Madden to present an update on the Town's Web Site upgrade. Mr. Madden reported that Human

Resources Director Jennifer Dowless contacted GovOffice to see if they could provide services for the upgrade of the Town's web site. Mr. Madden stated that GovOffice agreed to upgrade the web site for a one time package price of \$3,025 and an annual fee of \$550. A motion was made by Mayor Pro Tem Rufus Lloyd, and seconded by Council Member Herman Lewis to approve the contract by GovOffice to upgrade the Town's website (Unanimous).

Item #10: Appointment of Voting Delegate and Alternate Voting Delegate for NCLM Conference, October 24-26, 2010 Winston-Salem, NC

Mayor Campbell reported that the NC League of Municipalities has set their conference date in Winston-Salem, NC for October 24th thru 26th. As always, the conference request each municipality appoint a voting delegate and alternate voting delegate. Mayor Campbell requested that Council select a voting delegate to attend the conference. Council Member Herman Lewis requested that Mayor Pro Tem Rufus Lloyd serve as the voting delegate and Council Member Herman Lewis agreed to serve as the alternate voting delegate. A motion was made by Council Member Dicky Glenn, and seconded by Council Member Charles DeVane to approve these two appointments to attend the NCLM Conference in October (Unanimous).

Item #11: "Briefly"

Mayor Campbell recognized Town Manager Eddie Madden to give an update on upcoming events.

- Mr. Madden reminded Council members that a joint Town Council and Planning Board meeting is scheduled for Tuesday, August 17th at 7pm in which a presentation will be made by Benchmark concerning the Hwy 87 Corridor plan and potential ordinance amendments. Copy of the "Recommended Zoning Ordinance Amendments for Bypass Commercial District" was provided to Council.

- Bishop Joe Lowery will once again organize a Community Encouragement Day that will take place on Saturday, August 14th on MLK Drive.

- Chamber of Commerce will have their monthly luncheon meeting which is scheduled for Tuesday, August 10th.

- Mr. Madden reported that the regular Town Council meeting date for September falls on Labor Day and requested that Council choose an alternate date for the Council meeting. Council agreed to meet on Tuesday, September 7th.

Item #12: Open Forum

Mayor Campbell stated that anyone wishing to speak at the evening meeting are asked to approach Council for a 3 minute speech.

Mr. Alton Hopgood approached Council and stated that his water line runs through his neighbor's yard (Mr. Donald Wayne) and stated that the water line needed to be moved off his neighbor's property and requested that the Town allow him to tie into the water lines located on Alexander Street.

Town Manager Eddie Madden reported to Council that this matter has a lot of history behind it in which the water lines were placed in 1960. Mr. Madden

explained that in recent years the intentions were to place a road in this community; therefore, individuals built their homes according to the plans of the road being constructed; the plans were later aborted. Mr. Madden advised that this presented a problem due to the fact the water lines were established according to the proposed road coming through.

Mr. Donald Wayne approached Council and stated that he had proceeded to dig in his yard when he hit a water line. He stated that years ago he had asked the Town to locate any lines that may be in his yard; however, he was told there were no water lines located; now he has discovered there are water lines across his property that belong to Mr. Hopgood.

Mr. Madden advised Council that Mr. Hopgood and Mr. Wayne would be responsible for paying a fee to have the water lines removed and a connection fee to the Alexander Street connection for \$700. Mr. Madden stated that it would be the responsibility of Mr. Hopgood and Mr. Wayne to pay the fees necessary to make the corrections.

Town Attorney Goldston Womble stated that he would look into the legal aspect of this situation and requested that Mr. Wayne refrain from further digging on his property until the legality aspect can be researched. After much discussion surrounding this matter, Mayor Campbell conveyed to Mr. Hopgood and Mr. Wayne that a decision could not be made in this evening's Town Council meeting since the matter was discussed in open forum and it was not considered an agenda item. Mayor Campbell stated that Council would look into this matter along with the Town Attorney and a decision would be made in the September meeting.

Mayor Campbell asked if there were additional questions or comments and with no further discussion, a motion was made by Council Member Herman Lewis, and seconded by Council Member Charles DeVane to adjourn (Unanimous).

Sylvia Campbell, Mayor

ATTEST:

Sarah L. Baysden, Deputy Town Clerk