

TOWN OF ELIZABETHTOWN
Regular Meeting
March 7, 2011

The Elizabethtown Town Council met for their regular scheduled meeting on Monday, March 7, 2011 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 Ray Allen, Charles DeVane, Dicky Glenn, Ricky Leinwand and Herman Lewis, and Town Attorney Goldston Womble. Department Heads present included Finance Director Jan Lennon, Police Chief Bobby Kinlaw, Fire Chief Byron Graham and Town Manager Eddie Madden. Public Services Director Pat DeVane arrived late to the meeting because he was with his daughter at a school activity.

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

Mayor Campbell presented the March 7, 2011 agenda and supplemental (Change Order No. 2 for Farmer's Market Project and Additional Information for March 22nd NCDOT meeting in Council Room) for approval. A motion was made by Council Member Ricky Leinwand and seconded by Council Member Herman Lewis to approve the agenda and supplemental as presented (Unanimous).

Item #1: Approval of Previous Minutes

Mayor Campbell presented to Council, the meeting minutes of February 7, 2011 Regular Work Session, February 7, 2011 Regular session and February 7, 2011 Closed Session. A motion was made by Council Member Herman Lewis, seconded by Council Member Charles DeVane, to approve the minutes as presented (Unanimous).

Item #2: Resolution #R-11-09 – Resolution to Accept Conveyance of Swanzy Street from US Hwy. 701 to Martin Luther King, Jr. Drive

Mayor Campbell called upon Town Manager Eddie Madden to present. Mr. Madden explained that the conveyance from the NCDOT would allow the Town to be eligible for Powell Bill funds. Therefore, Resolution #R-11-09 was presented for consideration. Council Member Dicky Glenn, seconded by Council Member Rufus Lloyd, moved to approve the attached resolution as presented (Unanimous).

Item #3: Resolution #R-11-10 – Resolution of Support Not to Close the Bladen Correctional Center at White Lake

Mayor Campbell called upon Town Manager Eddie Madden to present. Mr. Madden reported there is a possibility that the Correctional Center at White Lake may be closing due to budget cuts. Mr. Madden explained how valuable the inmate labor is to the Town and if that labor is lost, it is anticipated that the Town would have to hire 7-8 full-time employees for Public Services. Therefore, Resolution #R-11-10 was presented for consideration. Council Member Ricky Leinwand, seconded by Council Member Rufus Lloyd, moved to approve the attached resolution as presented (Unanimous).

Item #4: Proclamation - "Multiple Sclerosis Awareness Week" March 14th – 20th

Mayor Campbell noted that a request had been received by the Town to have "Multiple Sclerosis Awareness Week" declared in the Town of Elizabethtown for March

14th – 20th. Council Member Dicky Glenn, seconded by Council Member Rufus Lloyd, moved to approve the attached Proclamation as presented (Unanimous).

Item #5: Tax Releases

Mayor Campbell reported that Tax Clerk Beverly Robinson submitted the following tax release for consideration:

2010 Billy Ray Britt
Reason Not in City Limits
Value \$4,290.00
Personal Property
Tax Released \$29.02

Council Member Rufus Lloyd, seconded by Council Member Herman Lewis, moved to approve the tax release as presented (Unanimous).

Item #6: New Generator for Lift Station Improvements

This agenda item was approved at the Noon work session.

Item #7: Change Orders:

For Downtown Revitalization Project – Change Orders No. 3, 4 & 5

For Farmer’s Market Project – Change Orders No. 1 & No. 2

Mayor Campbell called upon Town Manager Eddie Madden to present this agenda item. Mr. Madden reported the following information:

For Downtown Revitalization Project – CO #3 – An increase of \$18,970, making the contract price \$868,243.50; CO #4, an increase of \$14,757.38, making the contract price \$883,000.88; CO #5, an increase of \$8,910.00. Council Member Dicky Glenn, seconded by Council Member Herman Lewis, moved to approve Change Orders 3, 4 & 5 as presented (Unanimous).

For Cape Fear Farmer’s Market Project – CO#1 – an increase of \$3,785.00 making contract price \$1,036,485. Council Member Dicky Glenn, seconded by Council Member Herman Lewis, moved to approve Change Order #1 as presented (Unanimous). Council Member Ray Allen, seconded by Council Member Dicky Glenn, then made a motion to approve Change Order #2 (Farmer’s Market) to include the Town splitting the costs with the Inman’s for Change Order #2 (\$800 each) for a double door rather than single door entry in the meat market. At this time, discussion followed. As supplemental information, at a March 7th, 9 am, Farmer’s Market meeting, change order #2 was discussed. The Meat Market renters (Marilyn and John Inman who were present at the Council meeting) requested a double door entry rather than single door entry because they want to use grocery carts to take the purchased items out to the customer in the parking lot with return of the carts back into the market. Mr. Madden outlined that the design of the building had been under consideration for several months and numerous contacts had been made with all parties involved. The total cost of the change order will be \$1600 and the tenant is being asked to pay one-half. There was a question as whether the door would be a safety issue and if it needed to be an automatic door. After further discussion, Council Member Ray Allen amended his motion to have the Town pay the \$1600 if the Inman’s could provide an answer by March 11th as to their commitment to lease space at the Farmer’s Market. Council Member Herman Lewis seconded the motion for the Town to pay the \$1600 charge for Change Order No. 2 (Unanimous).

Item #8: FY 2010-11 Budget Amendment #2011-08

This agenda item was approved at the Noon work session.

Item #9: FY 2010-11 Budget Ordinance Amendment No. 2

Mayor Campbell asked Town Manager Eddie Madden to present. Mr. Madden reported that this amendment included a sprinkler meter rate table. It has become necessary to separate the sprinkler meter rates from the regular water and sewer use rates. In April, sprinkler meter customers will be billed on a quarterly basis. Therefore, Council Member Rufus Lloyd, seconded by Council Member Herman Lewis, moved to approve the attached Budget Ordinance Amendment as presented.

Item #10: Formation of Committee for Planning a Christmas Parade

It was consensus of Council to table this agenda item until the April 4th Council meeting. It was learned that Chamber of Commerce Director Dawn Maynard will serve on the committee to plan the Christmas parade.

Item #11: Capital Improvement Program (CIP) – Threshold Determination

Mayor Campbell called upon Town Manager Eddie to present this agenda item. Mr. Madden explained the capital improvement program and that a determination would need to be made as to what dollar amount needs to be assigned in order to be considered a capital project for Elizabethtown. The suggested amount ranged from \$25,000 to \$50,000. The CIP will be presented at the March 14th Council Retreat as reported by Mr. Madden. Therefore, Council Member Dicky Glenn, seconded by Council Member Rufus Lloyd, placed a \$25,000 figure for determination of a Capital Project (Unanimous).

Item #12: Bid Award for Sale of Averitte House – 208 W. King Street

Mayor Campbell called upon Town Manager Eddie Madden to present. Mr. Madden reported that one sealed bid was received for the sale and removal of the Averitte dwelling located on the Town's property adjacent to the Cape Fear Farmer's Market (208 W. King Street). The bid was received from Mr. Dewitt Sanders in the amount of \$1519.99. Town Attorney Goldston Womble will be assisting the Manager in getting a letter to Mr. Sanders to ensure that all certificates of liability, other required permits, performance bonds from the moving company, etc. are obtained so that the dwelling can be moved off the site. Mr. Sanders was given until May 1st to get the dwelling relocated. Council Member Dicky Glenn, seconded by Council Member Herman Lewis, moved to accept the bid received from Mr. Dewitt Sanders in the amount of \$1519.99 for purchase of the Averitte House.

Item #13: Release and Indemnity Agreement – Downtown Project

Mayor Campbell asked Town Manager Eddie Madden to present. Mr. Madden explained that this agreement related to the installation of new streetlights on the Courthouse side of Hwy. 701 and new sidewalks. The sidewalks will need to be partially relocated onto County property with the lighting and underground conduit being installed on Town property. The Town will maintain and upkeep the new streetlights and new sidewalks. The Town will pay the costs involved with demolition and replacement of the sidewalks. This agreement holds the County harmless from any claims or liabilities involved with this work. Council Member Dicky Glenn, seconded by Council Member Charles DeVane, moved to accept the attached agreement as presented (Unanimous).

Item #14: Update on Wastewater Treatment Plant

Mayor Campbell called upon Town Manager Eddie Madden to present. Mr. Madden informed Council that he and Director of Public Services Pat DeVane had met with a representative of United Water regarding the daily operations of the Town's WWTP. It was learned that United Water will no longer service small WWTP facilities effective July 1, 2011. Between now and July 1st, the Town will be soliciting bids for service and may have to hire an operator or train and certify in-house which would prove to be more cost-effective. By July 1st, the Town should have a plan in place for operation of the WWTP. This as information to Council so no action was required at this time.

Item # 15: "Briefly"

Mayor Campbell recognized Town Manager Eddie Madden to report on upcoming events:

- March 7th meeting at 2:30 pm, with Manager, USDA, project engineer and NCDOT reference the Downtown Revitalization project;
- March 8th – Chamber of Commerce Luncheon at Noon at the Front Porch
- The Fire Department's monthly report provided;
- March 22nd – NCDOT Citizens Informational Workshop to provide information and answer questions for improving vehicular safety and traffic operations at two NC 87 Bypass intersections with Cromartie Road;
- April 15th – Town's Annual Spring Clean-up Day; and
- Bladen County Board of Commissioners did approve the relocation of the Salter Monument from the Courthouse lawn to a location near the original Tory Hole site.

Item # 16: Open Forum

Mayor Campbell recognized Police Chief Bobby Kinlaw. Chief Kinlaw reported that the Police Department would be participating in the operation medicine drop on March 25th at 5 pm. Chief Kinlaw said the public would be advised of the details via notice in the newspaper. He also reported that the DOT would start the milling work during the March 7th week on Broad St. to Pine.

Item # 17: Closed Session

Mayor Campbell requested that Council enter into closed session. A motion was made by Council Member Dicky Glenn, seconded by Council Member Rufus Lloyd, to enter into closed session in accordance with NCGS 143-318.11(a)(3) Attorney-Client Privilege (Unanimous).

With there being no further business, the meeting was declared adjourned.

Sylvia Campbell, Mayor

ATTEST:

Juanita Hester, Town Clerk