

TOWN OF ELIZABETHTOWN
Regular Meeting
June 7, 2010

The Elizabethtown Town Council met for their regular scheduled meeting on Monday, June 7, 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, Charles DeVane, Herman Lewis, Russell Priest 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, Planning Technician Robert Lewis and Town Manager Eddie Madden. Absent: Council Member Ricky Leinwand

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

Mayor Campbell presented the June 7, 2010 agenda for approval. A motion was made by Council Member Dicky Glenn and, seconded by Council Member Herman Lewis, to approve the agenda as presented (Unanimous).

Item #1: Approval of Previous Minutes

Mayor Campbell presented to Council, the minutes of May 3, 2010 Work Session, May 3, 2010 Regular Session, May 3, 2010 Closed Session Meeting and May 18, 2010 Special Called Recessed Meeting. A motion was made by Mayor Pro Tem Rufus Lloyd, and seconded by Council Member Herman Lewis, to approve the minutes as presented (Unanimous).

Item #2: Presentation

Mayor Campbell recognized Executive Director Stevie Craig of the Elizabethtown Housing Authority/Joint Municipal Housing to give an annual report on public housing. Ms. Craig presented to Council an annual report, in which 2009 was closed out in very good standings with funds leftover at the end of the year. Also several housing units received landscaping, guttering and downspouts. Ms. Craig reported that the Housing Authority is working to place tankless water heaters in each unit. Mayor Campbell asked Ms. Craig if the housing units were at full capacity. Ms. Craig stated that there is one (1) vacancy; however, there are potential renters and this is a very popular unit because of the location. Mayor Campbell asked for questions or comments for Ms. Craig, but none were noted.

Mayor Campbell stated that on another matter concerning the Housing Authority Board, two vacant seats needed to be filled. Mayor Campbell stated that Ms. Beulah Richardson filled a seat on the Housing Authority Board; however, she was fatally injured in an automobile accident in March. Ms. Craig stated that Ms. Richardson served 20+ years on the Board and would be greatly missed. Mayor Campbell asked if there was a way that the Council could commemorate something in her memory for the many years she served on the Board; an idea to dedicate a street was proposed. Mayor Campbell requested that

Council consider the street dedication as well as additional ideas were welcomed.

Item #3: Public Hearing: Interim financing for Fire Station Renovation Project-through Local Government Commission

Mayor Campbell opened the public hearing concerning the interim financing for the Elizabethtown Fire Department renovations. Mr. Madden stated that discussions were held at the annual retreat regarding the financing of the fire station and Town Council approved the remodeling of the existing fire station located on Swanzy Street. Mr. Madden stated that modifications would total \$389,800 and of that amount \$136,430 will be in the form of grants and the remainder in the form of a loan. The grant portion of this loan would go through USDA-Rural Development of Lumberton, NC. Mr. Madden reported that all plans and specifications have been approved, however; a stipulation with USDA does apply and this includes interim financing. Financing must be provided during the construction phase of the project, once it is completed, a second closing would take place to repay the first mortgage. Mr. Madden advised that the purpose of the public hearing is to request to the Local Government Commission for interim financing in the amount of \$389,800.

Mayor Campbell asked for questions or comments; no one had signed in to speak; therefore the public hearing was closed.

Item #4: Public Hearing; Text Amendment-Removal for Article 6, Section 6.3.7-Removal of Marquee Signs, Case #TA#0410108780

Mayor Campbell opened the public hearing and recognized Planning Technician Robert Lewis to update Council on the text amendment regarding sign removal. Mr. Lewis stated that a text amendment was submitted by the Town of Elizabethtown to remove Article 6, Section 6.3.7 from the Elizabethtown Zoning Ordinance. Mr. Lewis reported that marquee signs are currently allowed in all zoning districts without a permit. Mr. Lewis advised that the public hearing was advertised in the Bladen Journal on May 21st and May 25th.

Mayor Campbell asked for questions or comments from Council.

Council Member Russell Priest stated that numerous individuals that use the marquee signs were not aware that this issue was going to be discussed this evening. Council Member Priest conveyed his concern in removing the marquees from the Zoning Ordinance in which merchants feel they would lose business. Council Member Priest agreed that several of the marquee signs are in poor condition and could be dangerous during a wind storm; however, the marquee signs could be painted or replaced with new.

Mayor Campbell asked for additional questions or comments; however, no comments were made and no one had signed in to speak; therefore, the public hearing was closed.

Item #5: Public Hearing: FY 2010-2011 Proposed Budget

Mayor Campbell opened the public hearing and recognized Town Manager Eddie Madden to present the FY 2010-2011 Proposed Budget. Mr. Madden stated that normally Council adopts the budget after the public hearing between June 1st and June 30th. Mr. Madden asked that Council meet together on Monday, June 21st at 10am in the Council Chamber for the adoption of the

budget ordinance. Mr. Madden reported that the Town continues to work on tax collections with the assistance of Tax Collector Beverly Robinson and Mr. Livingston Lewis. Mr. Madden stated that year end will be at the 97% collection rate, whereas, in previous years it was at 88%. Local option sales tax continues to be down, a proposal was submitted to decrease sales tax revenue by \$100,000. Mr. Madden reported that interest income is down, the Town is yielding as little as .81% on earning accounts. Mr. Madden reported that vehicle tax collections is doing very well, this is in conjunction with Bladen County and the same level is being maintained as the prior year. Mr. Madden thanked staff for their hard work during the year as well as through the budget process. The health insurance rates have decreased considerably due to the switching of health care providers; therefore, United Healthcare will be the Town's provider for the new fiscal year. Mr. Madden reported that overall the general fund budget is proposed at \$5,189,608, Utility Fund \$1,252,995 for a total of all funds being at \$6,442,603.

Mayor Campbell stated that no one signed up and no further questions were asked by Council. The public hearing was closed.

Item #6: Resolution #10-005-To Authorize the filing of an application for approval of a financing agreement for LGC Application for Fire Station Renovation Project

Mayor Campbell stated this Resolution is authorizing the filing of an application for approval of a financing agreement with the Local Government Commission for Elizabethtown Fire Station renovations. Mr. Madden advised that the renovations will take place in the area of staff and housing quarters. The Town has a responsibility of maintaining a facility that meet all the building codes and handicapped accessible requirements because this building does have issues concerning safety. A motion was made by Council Member Dicky Glenn, and seconded by Council Member Charles DeVane to approve the attached resolution to authorize filing an applicatin to LGC as presented (Unanimous).

Item #7: Resolution #R-10-006-Authorizing Planning Grant Application

Mayor Campbell recognized Town Manager Eddie Madden to report further on this agenda item concerning the planning grant application. Mr. Madden stated that a deadline is approaching for the Town to approve or disapprove the request for a planning grant application to the Rural Economic Development Center for a preliminary report for the wastewater treatment plan. A motion was made by Mayor Pro Tem Rufus Lloyd, and seconded by Council Member Charles DeVane to approve the attached resolution as presented (Unanimous).

Item #8: Project Ordinance for Farmer's Market Project

Mayor Campbell stated that the project ordinance for the Farmer's Market project is presented for Council's consideration. A motion was made by Council Member Dicky Glenn and seconded by Mayor Pro Tem Rufus Lloyd to approve the attached project ordinance for the Farmer's Market (Unanimous).

Item #9: Text Amendment to Article 6, Section 6.3.7 to remove marquee signs from the Elizabethtown Zoning Ordinance

Mayor Campbell stated that this agenda item was previously discussed under the public hearing section in which a request comes from the Town of Elizabethtown to remove marquee signs from the Elizabethtown Zoning Ordinance. A motion was made by Council Member Russell Priest and seconded by Mayor Pro Tem Rufus Lloyd to disapprove the text amendment that was presented for Article 6, Section 6.3.7 (Unanimous).

Mayor Campbell stated that Article 6, Section 6.3.7 is a good ordinance; however, Council needs to make sure these signs are in good condition.

Item #10: Tax Releases

Mayor Campbell stated that Tax Collector Beverly Robinson submits tax releases as presented:

2004 Accent Dyeing and Finishing	5009577
REASON: Out of Business	
Value: \$254,983.00	
Real Property	
Tax Released	\$1,733.88
2005 Accent Dyeing and Finishing	50099577
REASON: Out of Business	
Value: \$253,596.00	
Personal Property	
Tax Released	\$1,724.45
2009 Anthony's Unisex Shop	5009977
REASON: Out of Business	
Value: 2,000	
Real Property	
Tax Released	\$12.30
2009 Anthony's Unisex Shop	5009977
REASON: Out of Business	
Value: 100.00	
Real Property	
Tax Released	\$0.62
2008 Andrew Brown	5009282
Reason: Town Owns Property	
Value 14,000	
Real Property	
Tax Released	\$86.10
Grand Total Tax Releases	\$3,557.35

A motion was made by Council Member Dicky Glenn, and seconded by Council Member Herman Lewis to approve tax releases as presented (Unanimous).

Item #11: Acceptance of Bid for Nick Street Surplus Property

Mayor Campbell recognized Town Manager Eddie Madden to present this agenda item concerning surplus property on Nick Street. Mr. Madden stated that Council authorized the sale of property located on Nick Street which is owned by the Town. Mr. Madden reported that an ad was placed in the "Bladen Journal" advertising bids for the Nick Street property; two (2) bids were received, they are as follows:

Vickie Gillespie	\$5,001
George Boussias	\$5,100

A motion was made by Council Member Dicky Glenn, and seconded by Mayor Pro Tem Rufus Lloyd to approve the highest bid from George Boussias in the amount of \$5,100 (Unanimous).

Item #12: Acceptance of RFP for Banking Services

Mayor Campbell recognized Town Manager Eddie Madden to report further on this matter concerning RFP's for Banking Services. Mr. Madden stated that every four years the Town is requested to obtain RFP's for banking services. Mr. Madden stated that every opportunity was made to obtain proposals from local banks; however, a total of two (2) proposals were received. The Town currently banks with First Citizens Bank and Trust and the only change that was made supplementally is rate of interest earned. Mr. Madden reviewed both RFP's and found that First Citizens Bank was lower; therefore, it is recommended that banking services for the next four years remain with First Citizens. A motion was made by Council Member Dicky Glenn, seconded by Mayor Pro Tem Rufus Lloyd to remain with First Citizens Bank (Unanimous).

Item #13: Appointments to the ABC Board and Airport/Economic Development Commission

Mayor Campbell stated that the ABC Board and the Airport Commission each have an expiring term, they are as follows:

ABC Board	Wayne Edge	3 year term
Airport Commission	Chad DeVane	4 year term

Mayor Campbell reported that both Mr. Edge and Mr. DeVane have agreed to serve an additional term. A motion was made by Mayor Pro Tem Rufus Lloyd, and seconded by Council Member Herman Lewis to approve the reappointment as stated (Unanimous).

Mayor Campbell stated that in talking with Executive Director Stevie Craig of the Housing Authority, the two vacant seats will remain vacant until further noticed is received from Ms. Craig.

Item #14: Rural Economic Development Center, Inc.

Mayor Campbell recognized Town Manager Eddie Madden to report on the agreement with the Rural Center on the Farmer's Market project. Mr. Madden

stated that this agreement will require the signature of Mayor Campbell and primarily this grant will be used for Planning purposes so that architectural invoices that have incurred will be reimbursable under this grant. A motion was made by Council Member Dicky Glenn and seconded by Mayor Pro Tem Rufus Lloyd to approve the agreement between the Town of Elizabethtown and The Rural Center (Unanimous).

Item # 15: Extension Agreement between Town of Elizabethtown and United Water Operation

Mayor Campbell recognized Town Manager Eddie Madden regarding the agreement between the Town and United Water Operation. Mr. Madden stated that the Town is required to establish an agreement with the Town's wastewater treatment provider. These contracts are normally in place for four (4) years; however, the Town is not completely satisfied with the negotiations and the agreement that is recommended is an extension of the existing contract for an additional year. Throughout the next year, negotiations will be considered with alternatives recommended and the current rate would only be increased at the Cost of Living (COLA). A motion was made by Mayor Pro Tem Rufus Lloyd and seconded by Council Member Herman Lewis to extend the contract one (1) additional year with United Water (Unanimous).

Item #16: Citizen Request

Mayor Campbell recognized Bishop Joe Lowery from the Sword of the Lord Ministry of Elizabethtown in which he requested to appear before Council on behalf of his church.

Bishop Lowery reported that he was aware that property adjacent to the Sword of the Lord Ministry (Neal Property) was available and stated that he would like to acquire this property by a minimal fee or if the Town would donate to the ministry. Bishop Lowery stated that he would like to repair the home that is situated on the property and use it for church activities.

Mayor Campbell asked Bishop Lowery if he had been inside the house. Bishop Lowery stated that he has been inside of the house and it is in need of numerous repairs; however, he reported that staff and volunteers are willing to make necessary repairs.

Mayor Campbell asked Council if they had any questions for Bishop Lowery.

Council Member Dicky Glenn stated that the Town was in hopes of demolishing the structure and extending the Public Services property which is adjacent to the property in question. Council Member Glenn asked if the structure was given to the ministry could they have it moved off of the property. Bishop Lowery stated they were not able to do that.

Council Member Herman Lewis asked Public Services Director Pat DeVane if he expanded the Public Services property to the Neal property, could he take a portion and give the remainder to the ministry. Mr. DeVane stated that they needed storage space and also access from Martin Luther King Drive which does not allow additional space.

Mayor Campbell requested that Council discuss the matter and touch base with Bishop Lowery at a later date with a decision.

On another matter, Bishop Lowery brought to Council's attention that in September a gospel singing would take place at Elizabethtown Middle School, this would be the kick off for "Stop The Violence". Bishop Lowery reported that Encouragement Day has been scheduled for August 14th and invited Council to attend.

Item #17: "Briefly"

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

- Mr. Madden stated that the Budget Ordinance would be presented at a Special Called Meeting on Monday, June 21st at 10am in the Council Chamber.
- The Farmer's Market will have a ground breaking and check presentation on Friday, July 23rd. Checks will be presented to the Farmer's Market from RAFI-USA, Tobacco Trust Fund and USDA. It is anticipated that Congressman Mike McIntyre will be present as well as other officials.
- Fire Chief Byron Graham submitted the monthly fire department report for Council's review.
- Town Hall Day is scheduled for Wednesday, June 16th in Raleigh.
- Mr. Madden reminded Council members that Dixie Youth will host a tournament beginning Friday, June 25th at Leinwand Park.
- A Fourth of July Celebration will take place July 3rd at Tory Hole Park by the Bladen Historical Society from 11am to 2pm. Re-enactments will take place portraying battles of years past.

Item #18: Open Forum

Mayor Campbell opened the meeting to anyone wishing to make comments or speak on a matter of concern.

Ms. Sally Bryan approached Council and conveyed her concern for the Sweepstakes/Internet Cafe's. Ms. Bryan stated that she works with her son who has a business, Kinlaw Pools and Internet Sweepstakes. Ms. Bryan asked that Council take a closer look at the business of Internet Cafe's in which several individuals are employed and to visit the business to see how well it is established and maintained. Ms. Bryan thanked Council for their time.

Mr. Greg Powell spoke on behalf of the Internet Cafe's and stated that he was against the ordinance the Town has enforced. He requested a fair tax amount on each Internet Cafe establishment and internet machine and he also requested that the town reconsider the cost for the new fiscal year.

Mayor Campbell thanked Mr. Powell and Ms. Bryan in stating their request and it would be discussed before the board. Mayor Campbell asked for additional comments or concerns.

Item # 19: Closed Session

Mayor Campbell asked that Council enter into closed session. A motion was made by Council Member Dicky Glenn, and seconded by Council Member Herman Lewis to enter into closed session under NCGS 143-318.11(a)(5) Real Estate and NCGS 143-318.11(a)(3) Attorney-client privilege (Unanimous).

Sylvia Campbell, Mayor

ATTEST:

Sarah L. Baysden, Deputy Town Clerk