

TOWN OF ELIZABETHTOWN
Regular Meeting
January 3, 2011

The Elizabethtown Town Council met for their regular scheduled meeting on Monday, January 3, 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, Dicky Glenn, Ricky Leinwand, Charles DeVane, Herman Lewis, Ray Allen and Town Attorney Goldston Womble. Department Heads present included Public Services Director Pat DeVane, Police Chief Bobby Kinlaw, Human Resources Director Jennifer Nye, Planning Technician Robert Lewis, Fire Chief Byron Graham and Town Manager Eddie Madden. Absent: Finance Director Jan Lennon.

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

Mayor Campbell presented the January 3, 2011 agenda and supplemental for approval. A motion was made by Council Member Dicky Glenn 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 December 6, 2010 Work Session, December 6, 2010 Regular Session and December 13, 2010 Special Called Meeting. 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: Public Hearing: Quasi-Judicial Procedure - Conditional Use Request by Brian Investments, LLC, Case #CU-1108109024, construction of two (2) 140' x 25' mini-storage buildings at 2543 W. Broad Street

Mayor Campbell stated that this public hearing would be opened as a Quasi Judicial hearing in which all persons wishing to speak on behalf of the Conditional Use Request will be sworn in by Deputy Clerk Sarah Baysden.

Deputy Clerk Sarah Baysden-Do you solemnly swear that the testimony you are about to give is the whole truth, nothing but the truth, so help you God.

Planning Technician Robert Lewis-Yes.

Joey Taylor-Yes

Mr. Lewis-Enclosed is a Conditional Use Application submitted by Brian Investments, LLC for Town Councils approval to construct two (2) 140' x 25' mini-storage buildings at 2543 W. Broad Street. Enclosed is a map of the property and surrounding areas. The property owners of the property involved in the conditional use application and the owners of the parcels of land abutting the property involved in the conditional use application have been sent notification of this evenings public hearing; notification of the public hearing was advertised in the "Bladen Journal" on December 17th and December 21st. The Planning Board unanimously approved the conditional use application at their

December 6, 2010 meeting. Enclosed is a memo from Planning Board Chairman Jim McLaney regarding the decision made on the conditional use request. As a special note, please reference material related to the standards for issuing a conditional use permit in North Carolina. Be aware that it is the applicant's responsibility to present evidence that the standards of the Elizabethtown Zoning Ordinance are met.

Mayor Campbell - Thank you Robert. Joey Taylor signed in to speak, so Mr. Taylor if you will come up at this time.

Mr. Joey Taylor - Basically what we are proposing here are two buildings, which is an extension of existing mini storage building sites. These buildings will be located completely behind the old Dorman Chevrolet dealership; actually these buildings will be further away from any residential units and the existing buildings. We feel it is pretty straight forward but I will be glad to answer any questions you might have.

Council Member Dicky Glenn - About how far, once you get both buildings built, what kind of buffer space....about how many more feet would you be at the timberlands there.

Mr. Taylor - Probably about 60 more feet before you get to the property line. To the South it would be a long ways, so there is plenty of feet to the South and about 60 ft more beyond the asphalt.

Councilman Glenn- Are you planning on leaving that vacant?

Mr. Taylor - Yes.

Mayor Campbell - Any other questions?

Mr. Taylor - Thank you.

Mayor Campbell - Thank you sir. Okay at this time, we are going to close the public hearing and we will be voting on that a little bit later.

Item #3: Resolution (#R-11-01) Against Privatization of ABC Stores

Mayor Campbell presented Resolution #R-11-01 regarding the privatization of ABC Stores and conveyed her concern that it would impact the budget significantly at the Town of Elizabethtown. Mayor Campbell requested a motion to approve resolution against the privatization of ABC Stores. A motion was made by Mayor Pro Tem Rufus Lloyd, and seconded by Council Member Herman Lewis to approve the attached resolution as presented (Unanimous).

Item #4: Resolution #R-11-02 - Resolution for Approving Local Water Supply Plan

Mayor Campbell recognize Town Manager Eddie Madden to present this agenda item regarding a resolution for the Local Water Supply Plan. Mr. Madden stated that the State requires a local water supply plan that must be presented to them and requires the adoption of the governing board to submit the plan along with a resolution. A motion was made by Council Member Ricky Leinwand, and seconded by Mayor Pro Tem Rufus Lloyd to approve the attached resolution as presented (Unanimous).

Item #5: Resolution #R-11-03 - Resolution to Adopt Bladen County Animal Control, Animal Welfare and Control of Rabies Ordinance

Mayor Campbell recognized Bladen County Health Director Wayne Stewart to present this agenda item concerning the adoption of Resolution #R-11-03.

Mr. Stewart stated that a few years ago Bladen County increased the size of their animal shelter which would house up to 60 animals. Mr. Stewart stated that with the

increase of abandoned animals on the rise the Town would need to adopt the resolution concerning Animal Control, Animal Welfare and Control of Rabies Ordinance so that the Councy would be able to enforce animal control rules within the City Limits. Mr. Stewart reported that Bladen County, Town of White Lake, Clarkton and Dublin, have submitted their resolutions and it is hoped that Elizabethtown will approve the resolution this evening. A motion was made by Council Member Dicky Glenn, and seconded by Mayor Pro Tem Rufus Lloyd to approve the attached resolution as presented (Unanimous).

Item #6: Resolution #R-11-04 - Resolution to Authorize Police Department to submit Pre-Application to NC Governor's Crime Commission

Mayor Campbell recognized Police Chief Bobby Kinlaw to present this agenda item regarding the submitting of a pre-application to the NC Governor's Crime Commission.

Chief Kinlaw stated this was a pre-application that would be submitted if the resolution is approved by Council; this grant would allow the replacement of handguns, shotguns which are approximately 20 yrs. old and are beginning to give the officers problems. Chief Kinlaw reported that the pre-application would also allow the Police Department to purchase a video recorder for interviewing homicide suspects which is mandated by State Statutes. If awarded, the total Federal grant funds will be in the amount of \$9,787.50 with the Town's match being \$3,262.50. Mayor Campbell asked how the Police Department disposed of old guns. Chief Kinlaw stated that an allowance is given on the trade-in.

A motion was made by Mayor Pro Tem Rufus Lloyd, and seconded by Council Member Herman Lewis to approve the attached resolution as presented (Unanimous).

Item #7: Conditional Use Permit Request by Brian Investments to allow placement of two mini-storage buildings at 2543 W. Broad Street, Case #CU 1108109024

Mayor Campbell stated that she would excuse herself from this item of business due to a conflict of interest; therefore, Mayor Pro Tem Rufus Lloyd would reside over this agenda item regarding a conditional use permit. A motion was made by Council Member Dicky Glenn, seconded by Mayor Pro Tem Rufus Lloyd to excuse Mayor Campbell from this agenda item (Unanimous).

Mayor Pro Tem Rufus Lloyd stated that Council needs to consider a request submitted by Brian Campbell Investments to allow replacement of two (2) mini-storage buildings at 2543 W. Broad Street. A motion was made by Council Member Herman Lewis, and seconded by Council Member Charles DeVane to approve the conditional use permit as presented (Unanimous).

Item #8: Authorized Fund Disbursement Signature

Mayor Campbell reported that an additional Town Council Member is needed to sign checks; former Council Member Russell Priest was authorized to sign checks but no longer serves with Council. Town Manager Eddie Madden reported that Council Member Dicky Glenn is authorized to sign on behalf of the Finance Director; therefore, one additional Council Member is needed. A motion was made by Council Member Ricky Leinwand, and seconded by Mayor Pro Tem Rufus Lloyd to approve Council

Member Charles DeVane to serve as the additional authorized fund disbursement signature (Unanimous).

Item #9: FY 2011-2012 Budget Process, Activity Calendar and 2011 Retreat

Mayor Campbell recognized Town Manager Eddie Madden to present the FY 2011-2012 Budget Process, Activity Calendar and 2011 Retreat. Mr. Madden stated that Council Members agreed to meet on Monday, March 14th at White Lake Town Hall for the annual retreat. A motion was made by Council Member Ricky Leinwand, seconded by Mayor Pro Tem Rufus Lloyd to set a date of Monday, March 14th for the 2011 Retreat at White Lake Town Hall and to adopt the FY 2011-2012 Activity Calendar (Unanimous).

Item #10: Annexation Services Plan

Campbell Mayor stated that Council Members are requested to determine which areas, if any, meet the Town's long-term growth objectives so that Benchmark can begin working on an Annexation Services Plan. A motion was made by Council Member Dicky Glenn, and seconded by Council Member Herman Lewis to look at all the areas except the Mt. Olive area (Unanimous). Council determined that Cromartie Road, Hayfield Subdivision and the Industrial Park would meet long-term growth objectives; therefore, Benchmark would begin working on these areas for the Annexation Services Plan.

Item #11: FY 2010-11 Budget Amendment #2011-06

Mayor Campbell recognized Town Manager Eddie Madden to present the budget amendment. Mr. Madden stated that there were several expenditures that were approved by action but requires approval of the budget amendment; they are as follows:

-Town's share for WWTP (feasibility study)	\$10,000
-Amerizon GPS Units	\$1,719.30
-Annexation Services	\$3,000
-Tree Light Contract	\$37,000
-Averitte Property Purchase	\$28,250.00
-Morehead St. Property Purchase	\$25,750.00
-Neal House Demolition and Clean-up	\$3,609.60
Total	\$109,328.90

A motion was made by Council Member Dicky Glenn, and seconded by Council Member Ricky Leinwand to approve the attached FY 2010-11 Budget Amendment #2011-06 as presented (Unanimous).

Item #12: Appointment: Alternate Member for Advisory Council of the Lumber River Council of Governments

Mayor Campbell stated that an alternate member for the Advisory Council is needed due to former Council Member Russell Priest leaving the Town Council to fill obligations with the County; presently Council Member Dicky Glenn serves as the main representative. A motion was made by Council Member Ricky Leinwand, and seconded

by Mayor Pro Tem Rufus Lloyd to appoint Council Member Ray Allen to the Advisory Board as alternate (Unanimous).

Item #13: Landscape Plan for Downtown Revitalization Project

This item of business was stricken from the agenda.

Item #14: Designation of Voting Delegate and Alternate Delegate for the NCLM 2011 Advocacy goals Conference on January 20, 2011

Mayor Campbell recognized Town Manager Eddie Madden to present this agenda item regarding the NCLM 2011 Advocacy goals conference. Mr. Madden stated that the League of Municipalities will host a conference on January 20th to discuss legislative goals for the upcoming session. Mr. Madden reported that an item that will be discussed is the proposed changes for the ABC Privatization matter. Mr. Madden advised that he would be attending the conference and requested that Council Member Charles DeVane accompany him due to the matter of ABC Privatization taking place on the Advocacy goals agenda. A motion was made by Mayor Pro Tem Rufus Lloyd, and seconded by Council Member Ricky Leinwand to appoint Council Member Charles DeVane as alternate delegate for the Advocacy goals Conference (Unanimous).

SUPPLEMENTAL

Item # 14A: Change Order for Swanzy Ridge Project

Mayor Campbell recognized Town Manager Eddie Madden to present Change Order No. 2 regarding the Swanzy Ridge Projects. Mr. Madden reported that there were various changes to the Change Orders which consisted of raising the existing manhole at the Swanzy Pump Station for a cost of \$875.00. In order to make changes to the existing manhole, the Pump Station will require the installation of light receptacles for a cost of \$350.00, additional fencing is required at the Swanzy Ridge Pump Station for \$2,250.00 plus additional materials at the pump station for a cost of \$2,100.00. It is anticipated that one more Change Order will be forthcoming on this project. Mr. Madden advised Council that the additional cost would be covered under the grant the Town received. A motion was made by Mayor Pro Tem Rufus Lloyd, and seconded by Council Member Dicky Glenn to approve Change Order No. 2 as presented (Unanimous).

Item # 14B: Resolution Authorizing Planning Grant Application

Mayor Campbell recognized Town Manager Eddie Madden to present the resolution authorizing the Planning Grant Application. Mr. Madden stated that funds were appropriated under Item #11 on the evening agenda in which the Averitte Property was purchased in the amount of \$28,250.00. In discussions with W.K. Dickson Engineering Firm, the Town would like to obtain grant funding for utilizing the property for Farmer's Market purposes. Mr. Madden reported that one possibility was discussed, that being the Parks and Recreational Trust Fund (PARTF); however, many requirements need to be fulfilled in order to qualify. It is W.K. Dickson's recommendation, to hold off in making an application to the PARTF until next year. Mr. Madden suggested that an application be submitted to the N.C. Clean Water Management Trust Fund for planning funds that would help the Town to develop the Greenway Master plan. Mr. Madden

stated that the Resolution submitted, would authorize the Town to submit an application to the NC Clean Water Management Trust Fund; the grant is in the amount of \$40,000 with no matching funds required.

A motion was made by Council Member Charles DeVane, and seconded by Council Member Herman Lewis to approve the attached resolution as presented (Unanimous).

Item #15: "Briefly"

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

-Mr. Madden reported that the annual Martin Luther King Day parade has been scheduled for Monday, January 17th, at 11 am. Mr. Madden stated that plans are being made to keep the parade route the same due to road construction taking place; however, a decision will be forthcoming.

-Mr. Madden reminded everyone that Town offices will be closed on Monday, January 17th in observance of Martin Luther King Day.

-Construction has begun on the Cape Fear Farmer's Market, and staff has been made aware that vendors will not be able to sell on the property while construction is taking place. The Town has made plans to prepare property adjacent to the farmer's market (Averitte Property) which will allow vendors to relocate temporarily.

-A reminder that January 11th at noon, the Chamber of Commerce Luncheon will take place at Front Porch Restaurant.

Item #16: Open Forum

Mayor Campbell opened the meeting to anyone wishing to speak regarding any concerns.

Ms. Debbie Hester approached Council to convey her concern for the water sprinkler fees that have increased considerably. Ms. Hester asked if the fees were going to be a permanent situation.

Town Manager Eddie Madden explained that the fees are State mandated, due to the fact that some individuals were using water to do more than water their yards. All Municipalities were required to adhere to an increasing scale, based on consumption. Mr. Madden advised that water sprinkler bills were normally mailed quarterly; however, residents were receiving astronomically high water sprinkler bills and the mailing of water bills changed to every month.

Ms. Hester stated that she did inquire about disconnecting her water sprinkler service, and if there would be a reconnect fee and the Water Department stated that they would not charge a reconnect fee. Ms. Hester thanked everyone for listening to her concern and asked Council to please reconsider going back to the quarterly water bills rather than monthly.

Mayor Campbell asked for additional questions or comments; however, no one came forward. A motion was made by Council Member Dicky Glenn, and seconded by Council Member Herman Lewis to adjourn (Unanimous).

Sylvia Campbell, Mayor

ATTEST:

Sarah L. Baysden, Deputy Town Clerk