

## TOWN OF ELIZABETHTOWN

### Scheduled Meeting

February 4, 2013

The Elizabethtown Town Council met for their regular meeting on February 4, 2013 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, Herman Lewis, Dicky Glenn, Ray Allen, Ricky Leinwand, Paula Greene, and Attorney Goldston Womble. Department Heads present included Public Services Director Pat DeVane, Police Chief Bobby Kinlaw, Fire Chief Byron Graham, Zoning/Code Enforcement Officer Bryan Martin and Town Manager Eddie Madden. Absent: Finance Director Jan Lennon.

Mayor Campbell recognized Mayor Pro Tem Rufus Lloyd to lead the invocation for the evening meeting.

Mayor Campbell presented the February 4, 2013 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 the January 7, 2013 Regular Work Session and Regular Meeting minutes of January 7, 2013. A motion was made by Council Member Dicky Glenn and seconded by Mayor Pro Tem Rufus Lloyd to approve the minutes as presented (Unanimous).

#### Item #2: Resolution #R-13-03: Recognition for Mr. Charles R. Underwood Posthumously

Mayor Campbell recognized Public Services Director Pat DeVane to present this agenda item regarding a resolution recognizing Mr. Charles R. Underwood who recently passed away.

Mr. DeVane recognized the Underwood family and presented a resolution in which Mr. Underwood was recognized for numerous years he dedicated to his business as well as the service he provided for the Town of Elizabethtown since 1966. Mr. DeVane presented a framed resolution to Mr. Underwoods family and conveyed his condolences in the passing of Mr. Underwood.

Mayor Campbell stated that the Resolution had been approved in the noon meeting by Council Members. Copy of the signed Resolution is attached hereto and incorporated herein by reference.

Item #3: Resolution #R-13-04: Study of a multi-modal Transportation Greenway Corridor to link Fayetteville to Wilmington as presented by Joel Strickland, Director of the Mid-Carolina Rural Planning Organization

Mayor Campbell recognized Town Manager Eddie Madden to present this agenda item regarding a study of the multi-modal Transportation Greenway Corridor. Mr. Madden stated that Council is requested to consider a resolution showing support for a possible greenway project that would link Fayetteville to Wilmington. Mr. Joel Strickland with the Mid-Carolina Rural Transportation Planning Organization gave a very thorough explanation in the noon meeting and approved resolutions from Wilmington MPO, Cape Fear Area RPO, Fayetteville MPO and the Mid-Carolina RPO were provided to Town Council.

A motion was made by Council Member Herman Lewis, and seconded by Council Member Ricky Leinwand (Unanimous). Copy of the signed Resolution for Elizabethtown's support is attached hereto and incorporated herein by reference.

Item #4: Resolution #R-13-05 Recognition of Curtis L. Brown, Jr. Induction into the U.S. Astronaut Hall of Fame

Mayor Campbell stated that a framed resolution would be presented to Mr. Curtis L. Brown, Jr. at a time when he would be in Elizabethtown and he would be recognized at that time. Mayor Campbell read the resolution of recognition in honor of Col. Curtis L. Brown, Jr.

A motion was made by Council Member Dicky Glenn, and seconded by Council Member Herman Lewis to approve the Resolution (Unanimous). Copy of the signed Resolution is attached hereto and incorporated herein by reference.

Item #5: Letter of Intent to Participate in Cape Fear Basin Association and appoint Hugh Bledsoe to the Association Board

Mayor Campbell stated that a request has been made for the Town to participate in the Middle Cape Fear Basin Association and to approve a board member to serve on the association board. The association is responsible for developing, implementing, and managing a coordinated water quality monitoring program by collecting data and information within the river basin. Stream monitoring is mandated by the State of North Carolina and this organization handles this for the Town. Public Services Director Pat DeVane stated that the association fees are approximately \$2,298.10 and this has been

included in the FY 2012-2013 Water Fund budget. In addition, the Town was asked to appoint a person from the Town for representation on the association board and staff recommendation was Mr. Hugh Bledsoe, ORC, for the Elizabethtown wastewater Treatment Plant.

A motion was made by Council Member Ricky Leinwand, and seconded by Council Member Dicky Glenn to approve the attached Letter of Intent to Participate in the Middle Cape Fear Basin Association and to appoint Mr. Hugh Bledsoe to serve on the Cape Fear Basin Association board (Unanimous).

#### Item #6: Fire Station Renovation Project Funding Option

Mayor Campbell recognized Town Manager Eddie Madden to present this agenda item regarding the Fire Station renovation project. Mr. Madden gave a brief overview of funding options for the renovations of the Elizabethtown Fire Station, in which funding the renovations have been questioned. Currently, the renovations will be financed by BB & T Governmental Finance; however, prior to the loans being closed, it will require the Local Government Commission (LGC) approval. Mr. Madden stated that the purpose of this is due in part to the renovations being considered a new construction. According to NC General Statutes, it requires new construction projects to be approved by the LGC. Mr. Madden conveyed to Council that during the planning process of the renovations, it was not considered a new construction, it was simply an addition to the existing building. Mr. Madden requested that funds be utilized from water proceeds and at the completion of the renovations, the loan would be closed with USDA which is already in place and this does not require LGC approval. Mr. Madden further explained that if Council wishes to continue with the original financing and seek LGC approval, this is a 90 day process and may keep the Town from receiving the recovery act monies which has a deadline of June 30th if not fully utilized.

A request was made by the Town Manager to authorize the use of water fund transfer to fund the construction with the understanding that at the March Council meeting a revised construction budget will be submitted. The funds being borrowed from the water fund will need to be replaced by Rural Development permanent financing as soon as construction is complete so that a well drilling project can soon be undertaken. The use by the Town of these funds will preclude the necessity for multiple advances of Rural Development funds. The water funds are only temporarily available and are not available for permanent financing of the Fire station Renovation project. Copy of letter request from the Town and response letter from USDA-RD attached hereto and incorporated herein by reference.

A motion was made by Council Member Dicky Glenn, and seconded by Council Member Herman Lewis to use the water fund reserves for construction funding of the fire station renovation project (Unanimous).

#### Item #7: Asset Management Plan Administration Proposal from Lumber River Council of Government

This agenda item is scheduled for March Council meeting.

Item #8: Automated Meter Reading (AMR) Project Update

Mayor Campbell recognized Public Services Director Pat DeVane to give an update on the Automated Meter Reading (AMR) Project.

Mr. DeVane stated that the bid opening did take place and numerous companies participated; however, the bids were inconclusive on the bid awards and it is hoped that findings will be brought before Council in 30 days to bring to a conclusion and move forward with this project.

Mayor Campbell asked for questions and/or comments, but none were noted.

Item #9: State Aid to Airports Block Grant Agreement for Land Clearing and Planting Runway 33 RPZ

Mayor Campbell presented the State Aid Block Grant Agreement which was submitted by the NCDOT-Division of Aviation in the amount of \$79,218.00 for Land Clearing & Planting Runway 33 RPZ (construction). Mayor Campbell advised that the State would pay 90% and a matching fund of 10% is required from the Elizabethtown Airport Commission.

A motion was made by Council Member Paula Greene, and seconded by Mayor Pro Tem Rufus Lloyd to approve the grant agreement for the Land Clearing project as presented (Unanimous). Copy of the signed contract is attached hereto and incorporated herein by reference.

Item #10: State Aid to Airport Block Grant for Project #36244.4.4.1 Airfield Lighting Construction

Mayor Campbell presented the State Aid Block Grant Agreement which was submitted by the NCDOT-Division of Aviation in the amount of \$704,583 for Airfield Lighting (construction). Mayor Campbell advised that the State would pay 90% and a matching fund of 10% is required from the Elizabethtown Airport Commission.

A motion was made by Mayor Pro Tem Rufus Lloyd, and seconded by Council Member Herman Lewis to approve the grant agreement for the Airfield Lighting construction as presented (Unanimous). Copy of the signed contract is attached hereto and incorporated herein by reference.

Item #11: Budget Amendment 2013-05

Mayor Campbell recognized Town Manager to briefly report on the Budget Amendment. Mr. Madden reported the following items for the budget amendment:

Expenditures

-New Vermeer Chipper	\$24,000
-New Police Vehicles	\$50,000
-Environmental Assessment	\$ 4,000
And Site Visit	
Appraisal, Slingsby St.	\$ 1,465
Total	\$79,465

Revenues

Fund Balance Appropriated	\$ 1,465
Rec. FB Appropriation	\$ 4,000
BB & T Gov. Finance Loan	\$74,000
Proceeds	
Total	\$79,465

A motion was made by Council Member Ricky Leinwand, and seconded by Mayor Pro Tem Rufus Lloyd to approve the Budget Amendment as presented (Unanimous).

Copy of the signed Budget Amendment is attached hereto and incorporated herein by reference.

Item #12: Tax Releases

Mayor Campbell presented the Tax Releases that were submitted by Tax Clerk Beverly Robinson, they are as follows:

2012 Russell Osbourne                      0519776

Reason    Not in City Limits

Released Value \$11,100.00

Real Property

Tax Released \$68.27

2012 Marlowe Farm LLC 5013710

Reason Only 1.74 Acres In city limits

Released Value \$2,929.472

Real Property

Tax Released \$18,016.25

2012 WW Woodhouse 5012127

Reason Only 31.27 acres in city limits

Released Value \$82,085.00

Real Property

Tax Released \$504.83

2012 Canon Financial Services 5013807

Reason Disposed of Assets

Released Value \$1,698.00

Personal Property

Tax Released \$10.44

2012 Hilton DeVane Enterprises Inc. 5014054

Reason Corrected Value

Real Property Parcel 0014473

Tax Released \$88.19

2012 Hilton DeVane Enterprises Inc. 5014054

Reason Corrected Value

Released Value \$6,870.00

Real Property Parcel 0014480

Tax Released \$42.26

2012 Hilton DeVane Enterprises Inc. 5014054

Reason Corrected Value

Released Value \$2,440.00

Real property Parcel 0016781

Tax Released \$15.01

2012 Hilton DeVane Enterprises Inc. 5014054

Reason Corrected Value

Released Value \$10,450

Real Property Parcel 0014472

Tax Released \$64.27

2012 Hilton DeVane Enterprises Inc. 5014054

Reason Wrong Value

Released Value \$9,880.00

Real property Parcel 0016358

Tax Released \$60.77

2012 Martha Lewis 5009991

Reason Only .33 Acres in city limits

Released Value \$106,517.00

Real Property

Tax Released \$655.08

2012 Herbert Ward Jr. 5013714

Reason Only .38 acres in city limits

Released Value \$23,461.00

Real Property

Tax Released \$144.29

Grand Total Releases \$19,669.65

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

#### Item #13: 2012 Tax Lien Advertisement

Mayor Campbell stated that under NC General Statutes, taxpayers owing taxes, which are liens on real property must be advertised at least once between March 1st and June 30th. Mayor Campbell advised that the total amount of uncollected liens as of 1/23/2013 is in the amount of \$341,232.71 (for years 1999 to 2012). Town Manager Eddie Madden conveyed to Council that the collection rate is 97%.

A motion was made by Council Member Ricky Leinwand, and seconded by Council Member Herman Lewis to approve the presented Tax Lien report on real property for advertisement between March 1st and June 30th (Unanimous). Copy is attached hereto and incorporated herein by reference.

#### Item #14: Change Order for Street Drainage and Water Improvement for Pickney Street CDBG Project

Mayor Campbell presented the Change Order #1 for Street Drainage and Water Improvement for Pickney Street CDBG project in which additional work is being requested.

A motion was made by Council Member Ray Allen, and seconded by Council Member Herman Lewis to approve the Change Order #1 in the amount of \$95,121 which increases the contract price to \$223,187.98(Unanimous). Copy of change order is attached hereto and incorporated herein by reference.

Item #14A: Support For Construction of a Rock Arch Ramp Fishway at Lock and Dam #2 and #3, Cape Fear River

Mayor Campbell recognized Town Manager Eddie Madden to present this agenda item regarding support for construction at Lock & Dam #2 and #3 at the Cape Fear River.

Mr. Madden stated that Lock & Dam #1 is complete and the overall plan is to make the same improvements at each Lock & Dam. Mr. Madden stated this is an expensive project but one with many advantages that will adhere to facilitating fish passages for anadromous migratory species to historical spawning habitat. This construction is paid for through Federal funds and the Town has no financial commitment whatsoever. Mr. Madden conveyed to Council that the Cape Fear River Watch group is requesting a letter of support only.

A motion was made by Mayor Pro Tem Rufus Lloyd, and seconded by Council Member Paula Greene to provide a letter of support for construction of a Rock Arch Ramp Fishway at Lock and Dam #2 and Lock and Dam #3 (Unanimous). Support letter copies are attached hereto and incorporated herein by reference.

Item #15: "Briefly"

Mayor Campbell recognized Mr. Madden to give a brief report on upcoming events.

-Mr. Madden stated that he along with Dr. Darrell Page and student intern Dustin Kornegay attended the Main Street Conference in Salisbury, NC. Mr. Madden advised that Dr. Page will be making plans to present information obtained during this conference to Council Members.

-Mr. Madden reminded Council Members that he would be attending the City and County Managers seminar in Durham on February 6-8.

-The NC Small Town Main Street meeting will take place on Thursday, February 21st at Town Hall.

-The LRCOG will offer a Conditional Use Permitting Workshop on Thursday, February 28th at Town Hall. Council Members are encouraged to attend.

-The Town Manager will be attending the two day ICMA Southeast Regional Summit that takes place on March 7-8 in Asheville.

-Town hall Day will take place on Wednesday, March 27th in Raleigh. Mr. Madden stated that he along with Council Member Ray Allen attended the Legislative Goals Conference and the delegates across the State listed their 15 top legislative priorities and it was approved by the delegation.

-Mr. Madden briefly reported on the clearing at Tory Hole Park in which Public Services has worked steady and very hard in taking down pine trees, underbrush and cleaning around the bathroom building and amphitheater.

-The Williams Street project that was going to require funds to come from the water fund or Powell Bill project, will be included in the CDBG project instead. Mr. Madden stated that this would be a \$45,000 savings to the Town.

-Mr. Madden requested that Council consider some application needs for the Main Street Solutions Grant. Mr. Madden reported that there was approximately \$200,000 available in the grant; however, Council will decide what project can be used that will create jobs in order to utilize this grant.

Council Member Paula Greene asked if there was a list of suggestions that they could possibly consider.

#### Item #16: Open Forum

Mayor Campbell asked if anyone had questions or concerns or would like to approach Council.

Ms. Rachel Urban of the American Cancer Society presented to Council an opportunity to volunteer for a cancer study that is taking place at the Smithfield Packing Company Employment Office on Thursday, March 7th and Friday, March 8th. Ms. Urban stated that by volunteering it allows the Cancer Society to study information that is gathered and to test blood samples that are given at the time of registration. Ms. Urban reported that the Cancer Society recognized Bladen County as a high risk community in North Carolina for cancer incidents; therefore, that is the purpose of the cancer study, CP3 which is the third series of three.

Ms. Urban asked for questions or comments, but none were noted.

#### Item #17: Closed Session

Mayor Campbell requested that Council enter into closed session at this time. 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)(3) Attorney-Client Privilege and NCGS 143.318.11(a)(5) Real Estate for the Richard Allen property located on Swanzy Street (Unanimous).

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Sylvia Campbell, Mayor

ATTEST:

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Sarah L. Baysden, Deputy Town Clerk