

**ELM CITY BOARD OF COMMISSIONERS
TUESDAY, JUNE 12, 2012
ELM CITY TOWN HALL
CONFERENCE ROOM**

MINUTES

1. Call to Order

Mayor Grady Smith (hereinafter "Mayor Smith") called to order the regular meeting of the Elm City Board of Commissioners (hereinafter "Board") at 7:30 pm on June 12, 2012.

2. Roll Call

Mayor Smith conducted a roll call. The following were present:

Commissioner, Melvin Cooke (hereinafter "Comm. Cooke")

Commissioner, Lewis Crockett (hereinafter "Comm. Crockett")

Commissioner, Marsha Wells (hereinafter "Comm. Wells")

Commissioner, Gil Wheeler (hereinafter "Comm. Wheeler")

Town Administrator, Jonathan Russell (hereinafter "Admin. Russell")

Town Clerk, Dena Cordell

3. Approval of Minutes from Last Meeting

Mayor Smith gave the Board opportunity to review the proposed minutes from the May 15, 2012, meeting.

MOTION – Comm. Cooke made motion to approve the minutes of the May 15, 2012, Elm City Board of Commissioners Meeting; seconded by Comm. Wheeler. Motion passed by unanimous vote.

4. **Solar Farm Zoning Consideration**

Jennifer Lantz, with the Wilson Economic Development Council, and Dr. David Moore, joint property owner of the Moore Farm was present at the meeting to present the Board with information regarding the zoning of the Moore Farm, located on Lake Wilson Road. Dr. Moore asked the Board to consider delaying the annexation of the property for five years. In 1954, the property was divided into lots and attempted to be auctioned off. There was no interest in the property for housing purposes, so the Moore's father purchased the property for farming purposes. The property has been on the market for 3 years, and has been advertised over the country and world. Many have contacted the Moore's for the potential of placing convenience stores, garage / wrecker services, and Prestige Farms for use of placing a turkey farm. He believes that the Solar Plant would be a good fit for the Town. The property will require no services. Dr. Moore mentioned that the family has been a good neighbor of Elm City, in the fact that they have torn down five slum houses, four tobacco barns, and just a few years ago offered the Town to drill a well on the farm for free. They also allowed the Town to place sewage manholes in the fields, receiving no compensation from the Town. Dr. Moore feels their property has been taken hostage by the Town. He wants the sale to be profitable for both the Town and the County, and would like to see the Town in turn be a good neighbor to their family.

Jennifer Lantz mentioned that if the Town agreed to waiting for the five years of annexation requirement, the property would automatically come into the Town's jurisdiction at the five year mark.

Much discussion was rendered by the Board regarding the ins and outs of allowing this 5 year wait on the annexation of property, possible negotiations, questions as to the additional 30 acres and what time frame it would be annexed into the Town.

MOTION: Comm. Wheeler made motion that the Town requires the property to be annexed into the Town immediately; seconded by Comm. Cooke. Motion passed as follows: Comm. Wheeler and Comm. Cooke, for motion; Comm. Wells, against motion; and Comm. Crockett, abstained.

5. Internet Sweepstakes Request

Janet Dorsey addressed the Board as to the possibility to bringing an Internet Sweepstakes business into the Town limits, due to the fact that the City of Wilson had rezoned and made ordinance changes regarding Internet Sweepstakes. The Board mentioned that the Town's UDO allowed for such at the Cox Direct industrial area. Admin. Russell will check with UCPCG for such UDO Ordinance allowances.

6. Josh Robinson – Community Action Committee

Josh Robinson, a Town citizen, is interested in starting a Community Action Committee, with the responsibility of planning events for summer, fundraisers for charities, carnivals, concerts and showcases of local artists, and activities that could take place year round. He would like to add committee members. Josh asked the Board to show support if interest is found for such a committee.

MOTION: Comm. Crockett made motion that the Board support the Community Action Group; seconded by Comm. Cooke. Motion passed by unanimous vote.

Mayor Smith instructed Josh to try to get support from other areas as well.

7. Officer Fitzgerald

Officer Fitzgerald was present to introduce himself to the Board as the newest deputy assigned to the Town. He assured the Board that he would be about the Town ensuring to bring the crime level down as much as possible. The Board was happy to mention that they had seen a rise in the policing of the Town with the officers being much more visible.

8. Admin. Russell's Report

Admin. Russell reported to the Board from the written report he submitted within the June 12, 2012 Agenda Packet. The following actions were taken by the Board as related to Admin. Russell's report:

A. Powell Bill Participation Information:

The Town has received the Powell Bill Participation request for the upcoming fiscal year. It is estimated that the Town will receive \$39,244.46, which will be paid in two installments: October 2, 2012 and January 1, 2013.

B. Annexation by Petition:

Admin. Russell received the completed mapping for the annexation by petition on June 11. The maps are to be filed, along with accompanying paperwork to be sent to multiple Federal, State, and Local Agencies. The filing should take place by June 30, 2012, to ensure that there will be no proration of taxes.

C. Department of Commerce Infrastructure Grant:

The Department of Commerce Infrastructure Grant will present opportunity opening in July of this year, and will provide up to \$750,000 with a 5% match from the Town. These funds can be used to replace water lines within the Town, in an effort to reduce or eliminate the brown water issues that are in some portions of the Town. There are also State/EPA funds that could be available for the same purpose, at an 80% grant, 20% loan rate in August. The percentages have not been set and may vary.

D. I & I Project Update:

The bid opening for the I & I project took place on May 31, 2012. The low bid was received from Ralph Hodge Construction of \$504,223. The amount was below the anticipated construction cost, and will allow any leftover funds to be utilized for additional sewer infrastructure improvements. The current estimated remainder will be \$396,000.

E. RBEG Project:

The bid that was tentatively approved on May 15th for the sidewalk project from Anderson Construction has been approved. O'Brien and Gere has submitted a request that will allow Municipal Engineering Inc. to handle the remainder of the project since they have continued their municipal division.

MOTION: Comm. Cooke made motion that the Town allow Municipal Engineering Inc. to handle the remainder of the project; seconded by Comm. Crockett. Motion passed by unanimous vote.

F. 607 South Parker Street:

The Town received approval from the County to move forward with the demolition of the structure located at 607 S. Parker St. The Town is reviewing bids for the project.

G. Wills Roofing Quote:

Wills Roofing has been back to work on the new roof 5 or 6 times that they replaced on the Library building nearly 10 months ago. The building continues to leak towards the back of the building and Wills can't seem to locate the leak. They have suggested that a masonry sealant be applied around the entire building at a cost of \$3,600 in an effort to stop the leak. Offered is a money back guarantee on this repair.

Town Attorney, Slade Rand, suggested that the Town require Wills to do the repair at their cost, since the original work had a 5 year warranty on work and 20 year warranty on the material.

H. No Tolls on I-95 Coalition:

Admin. Russell was contacted by a group that is lobbying for support against tolls on I-95. They request support from municipalities and individuals that are along the corridor.

I. Addition to Report: Budget Amendment #2

Admin. Russell provided the Board with a Budget Amendment prepared by the Town CPA, Andrew Harris.

MOTION: Comm. Cooke made motion that the Board approve the said amendment; seconded by Comm. Crockett. Motion passed by unanimous vote.

9. Invoices

Admin. Russell presented Mayor Smith and the Board with the monthly Town invoices in the agenda packet.

MOTION – Comm. Cooke made motion to pay bills; seconded by Comm. Wheeler. Motion passed by unanimous vote.

10. Comments from Public Floor

Thelma Young mentioned that the lot on Main Street, behind Tyson Lane is in need of being cut. She also mentioned that there are 2 houses on Branch Street that belong to Dennis Knight where the grass is too tall in the back.

The question arose as to who is in charge of locking the Park in the evenings. Comm. Childress is the commissioner assigned the Park. The Town will check with the deputies to ensure that the park is locked at 7 o'clock in the summer and 5 o'clock in the winter.

Ms. Hunter also would like the Town to have a Community Clean Up Day.

MOTION: Comm. Crockett made motion that the Town have a clean-up day on Saturday, July 14th; seconded by Comm. Cooke. Motion passed by unanimous vote.

11. Commissioner Concerns

Comm. Wheeler would like to see the Town make additions to the sidewalks once down, to further beautify the appearance.

Comm. Wells mentioned the Rusty Turner property where there were uncontrolled bushes and grass that doesn't meet the Town's ordinances.

Comm. Wells also mentioned that the Bailey House, owned by Jason Cain, is now open for business as a Bed and Breakfast.

12. Closed Executive Session

MOTION: Comm. Cooke made motion to move into the closed executive session; seconded by Comm. Wheeler. Motion passed by unanimous vote. The closed session met pursuant NCGS 143-318.11 (personnel and legal matters).

13. Re-opening of Public Session

MOTION: Comm. Crockett made motion to re-open the public session; seconded by Comm. Cooke. Motion passed by unanimous vote.

14. **Adjournment**

Mayor Smith adjourned the meeting at approximately 10:08 pm, June 12, 2012, upon motion of Board.

MOTION – Motion was made to adjourn by Comm. Cooke; seconded by Comm. Crockett. Motion passed by unanimous vote.

Minutes submitted by: Dena H. Cordell, Town Clerk