

Town of Farmville
Board of Commissioners
April 7, 2009

The Farmville Board of Commissioners met in regular session on Tuesday, April 7, 2009 at 7:30 p.m. in the Municipal Building Courtroom with Mayor Robert L. Evans presiding. Present for the meeting were Commissioners Joe Kue, Joe Hillard, John Baker, John Moore and Charlotte Batton; Town Attorney Bill Lewis; Town Manager Richard N. Hicks and Town Clerk Amy B. Johnson.

Mayor Evans called the meeting to order at 7:30 p.m.

Pastor Rocky Stone of the Farmville Presbyterian Church offered the invocation which was followed by the pledge of allegiance to the flag.

Mayor Evans stated there were no citizen presentations at this time.

Town Manager Hicks stated he had no comments.

Finance Director, Amy B. Johnson gave the financial report for the month of February, 2009.

Paul Ellis, Donnie Greene and Dean Corbett gave their quarterly departmental reports.

Town Manager Hicks stated he had the following changes/additions/deletions to the evening's agenda:

- Add Agenda item #19A- Re-Establish Date for Public Hearing

Commissioner Batton made a motion to accept the above changes to the evening's agenda. The motion carried unanimously.

Public Hearings

1. Public Hearing on Proposed Speed Limit Changes

Mayor Evans declared the public hearing on the Proposed Speed Limit Changes open at 7:44 p.m.

Chief Donnie Greene clarified the recommended speed limit changes.

Chris Burti, a resident who lives on Church Street, asked the Board to reconsider the recommendation of the speed limit change on Church Street by Chief Greene. He stated he preferred for the speed limit to remain at 25 mph.

Robert May, who resides at 4668 NC Highway 121 in Farmville, expressed his agreement with the recommendations of Chief Greene.

Steven Hardy-Braz, who resides at 3340 North Greene Street in Farmville, expressed his concern of high speed limits and bicycle riding safety.

There being no further comments, Mayor Evans closed the public hearing at 8:03 p.m.

Commissioner Kue made a motion to adopt the recommended speed limit changes by Chief Greene, with the exception of the West Church Street change.

Commissioner Hillard made a substitute motion to adopt the speed limit recommendations made by Chief Greene. The motion carried 3 to 2, with Commissioners Hillard, Batton and Baker voting in the affirmative and Commissioners Kue and Moore voting in the negative.

Items for Consent

2. Approval of Minutes

To approve the minutes from the following session(s):

- March 3, 2009 (regular meeting)
- March 3, 2009 (closed meeting)

3. Request to Use Community Center- Dilda's Chapel FWB Church

To approve the use of the community center for Dilda's Chapel Free Will Baptist Church for their annual Christmas Banquet on December 5, 2009.

4. Adoption of Ordinance Amending 2008/2009 Budget

To adopt an ordinance amending the 2008/2009 budget to utilize some of the drug forfeiture funds.

5. Approval of Funding Agreement

Agenda item moved under "Items for Decision"

On motion by Commissioner Hillard, the Board approved the following, with the exception of moving Agenda item #5 to "Items for Decision":

- *Approved the minutes from the March 3, 2009 regular and closed session meetings*
- *Approved the request for Dilda's Chapel FWB Church to use the community building*
- *Adopted Ordinance (2009) 642, An Ordinance Amending the FY 2008-2009 Budget Ordinance- General Fund*

The motion carried unanimously.

Items for Decision

5. Approval of Funding Agreement

Town Manager Hicks presented a copy of a funding agreement with the Southeastern Power Administration. Hicks stated by approving the agreement, it allows the Southeastern Power Agency to transfer a portion of their revenues from our payments to the Corp of Engineers to complete the proposed work item listed in the agreement, which will have no impact on our rates. Hicks added that Ken Raber, from Electricities, is recommending for each city to approve the agreement.

Commissioner Hillard made a motion to table the issue to allow the Town Attorney to review before the next meeting. The motion carried unanimously.

6. Proposed Memorandum of Understanding with Progress Energy

Town Manager Hicks provided the Board with a copy of the proposed Memorandum of Understanding between Progress Energy and the Town of Farmville related to the movement of the transmission switch behind Larry Williford's residence. Hicks stated Progress Energy is proposing to move the switch approximately 200 feet from the location of the existing switch, which would include a second H-frame pole structure to be erected to accommodate the new switch. He asked the Board for their feelings of whether this move would be a reasonable solution to the problem.

After a lengthy discussion, Commissioner Hillard made a motion to table the agenda item in order to schedule another meeting with Progress Energy, Pitt & Greene and Larry Williford to get a second opinion. The motion carried unanimously.

7. Presentation on DOT Speed Limit Ordinance Amendment- Mary Moore

Mary Moore, from the Department of Transportation, elaborated on the request from DOT to approve a speed limit modification for state controlled streets. Ms. Moore explained that there was no action needed but she requested adoption of Agenda item #11.

11. Adoption of Ordinance Amending Wilson Street Speed Limit

Chief Donnie Greene stated he talked with Steve Hamilton concerning the changing of the speed limit on West Wilson Street from 25 mph to 35 mph, and Mr. Hamilton stated the change would not be an issue due to trucks not traveling West Wilson Street except for deliveries and most of the area is open.

Commissioner Hillard made a motion to adopt Ordinance (2009) 643, Certification of Municipal Ordinance Declaring Speed Limit Modifications and Request for Concurring Ordinance by Department of Transportation. The motion carried unanimously.

8. Sewer Service for Pine Street Baptist Church

Town Manager Hicks stated the Pine Street Baptist Church had purchased a parcel of land across from the High School a few years ago in order to build a new church. He said at that time, the Board agreed to pay up to \$10,000 towards the cost of a small booster pump station to get sewer to the property line. Hicks explained that due to the economy, Mr. Ed Murphrey is in no huge hurry to complete his subdivision which will delay the completion of the proposed sewer line. Hicks informed the Board of a short term solution, which would consist of installing a septic tank, if approved by Pitt County. He stated Pastor Coggins wants to know if the Town is willing to pay the cost of \$6-7,000 for the temporary septic tank.

Town Engineer Van Lewis stated the Church needs to coordinate with them to make sure the church floor elevations are adequate to utilize the proposed sewer line.

Commissioner Hillard made a motion to instruct Pine Street Baptist Church to proceed with their building plans, with working out the details with the Town's

Engineer and for the Town to supply the Church their needs accordingly. Commissioner Hillard also asked for the Church to acquire a septic tank permit. The motion carried unanimously.

Mayor Evans called a brief recess at 9:23 p.m. The meeting reconvened at 9:33 p.m.

9. Request for Use of Gazebo – American Cancer Society/ Relay for Life

Town Manager Hicks provided the Board with a letter from Gayle Brock who is requesting use of the gazebo to display “The Tree of Hope” until the Farmville Relay for Life event is over. Hicks reminded the Board of past decisions to not allow the use of the gazebo for events that are not sponsored by the Town.

Commissioner Batton made a motion to approve the request from Gayle Brock to display “The Tree of Hope” in the gazebo. The motion carried unanimously.

10. Proposed Amendment to Availability Fee

Town Manager Hicks stated that on two different occasions, Paul Ellis, Amy Johnson, Mayor Evans, Commissioners Hillard and Moore and himself have met with Danny Griffis, Frank Styers and David Stowe, to discuss possible improvements to the availability charge. He said after some lengthy discussions, it was the Committee’s recommendation that the Town Board consider amending the policy on the availability fee. Hicks explained the proposed amendment would be to begin charging the availability fee after a piece of improved property was vacant for a period of at least 6 months, which would give the property owners time to fix up the property, clean, paint, etc. and market the property as being available for rent or sale. Hicks further explained under the proposed amendment, all properties currently being charged would see no change until such time as it is occupied and later unoccupied, which is when the 6-month time clock would start. Hicks stated the Town’s software provider has added an option to allow a list to be printed upon demand of all properties that have had no service for the previous six months.

Hicks also stated prior to the adoption of the availability charge, the Town had a landlord rate, which included a charge and the person then paid for the water and electrical usage. He said the cost was less expensive than the availability fee. Hicks expressed there seemed to be some consensus that during the initial 6 months, the property owner have the option of choosing the landlord rate to allow the utilities to be left on for cleaning, painting, repairs, etc. and showing the property.

Commissioner Moore made a motion to accept the proposed amendment as written with the exception of allowing the landlord rates. The motion carried unanimously.

12. Request to Submit COPS Grant Application

Chief Greene requested authorization to submit an application under the COPS Hiring Recovery Program. He stated there are some requirements on the retention of the position once the grant funding is expended.

Commissioner Kue made a motion to authorize the filing of the grant application. The motion carried 4 to 1, with Commissioners Kue, Batton, Baker and Moore voting in the affirmative and Commissioner Hillard voting in the negative.

13. Adoption of Red Flag Identity Theft Policy

Town Manager Hicks stated the Federal Trade Commission requires the Town to be in compliance with the Fair and Accurate Credit Transactions Act by May 1, 2009. Hicks presented a proposed policy for the Town of Farmville that was developed in conjunction with LOGICS, our software provider.

Commissioner Hillard made a motion to adopt the Red Flag Identity Theft Policy. The motion carried unanimously.

14. Request to Lease Industrial Park Property

Town Manager Hicks stated Jimmy and Johnny Lewis have requested the Town Board consider allowing them to plant crops on the Town's new industrial park property. He said Mr. Lewis is proposing to plant the crops and maintain the land as farmland, with no lease payments being made to the Town. Hicks stated if the Town sold all or a portion of the property, we would have the right to remove the crops if necessary within a reasonable period of time with no payment to them for the crop damage. Hicks also stated the arrangement would keep the Town from having to mow and maintain the property.

Commissioner Moore made a motion to authorize Town Manager Hicks to accept bids between now and April 17th at 12 noon, and to award to the highest bidder, with the understanding if the land is sold, the crops are lost. The motion carried unanimously.

15. Adoption of Water Shortage Response Plan

Town Manager Hicks stated after reviewing the Town's Annual Water Supply Plan, he realized the Water Shortage Response Plan submitted a few years ago was never approved by the Town Board. He provided the Board with an updated plan which meets stated guidelines and asked for adoption.

Commissioner Batton made a motion to adopt the Water Shortage Response Plan. The motion carried 4 to 1, with Commissioners Batton, Kue, Baker and Moore voting in the affirmative and Commissioner Hillard voting in the negative.

16. Adoption of Revised Code of Ordinances- Chapter 2: Elections

Town Manager Hicks presented a copy of the proposed changes to the Town Ordinance, Chapter 2- Elections. Hicks stated the current chapter is Chapter 9, which if approved will become the new Chapter 2.

Commissioner Moore made a motion to adopt Chapter 2- Elections of the Town of Farmville, Code of Ordinances. The motion carried unanimously.

17. Adoption of Revised Code of Ordinances- Chapter 3: Public Safety

Town Manager Hicks presented a copy of the proposed new Code of Ordinances, Chapter 3- Public Safety. Hicks stated this will be a combination of the current Chapters 18- Police, 17- Civil Defense and Emergencies and 10- Fire Protection and Regulation.

Commissioner Hillard made a motion to adopt Chapter 3- Public Safety of the Town of Farmville, Code of Ordinances. The motion carried unanimously.

18. Update on Street Sweeper Repairs

Town Manager Hicks stated the work on the engine has been completed at a final cost of \$10,676.97. He also stated the truck has been taken back to the manufacturer for repairs to the sweeper which could be as high as \$20,000. Hicks said he was still awaiting a final estimate.

19. Approval of Proposal for Columbarium Desing

Town Manager Hicks provided the Board with a copy of the Proposal from the Hayter Firm for the final design of the columbarium project, with plans and specifications that will be ready for bid acceptance. Hicks added upon completion of the plans, the Town will publicly bid the project to give local firms a chance to build the project. He said the Hayter firm will assist as needed during construction, but the project management will be done by the Town.

Commissioner Moore made a motion to authorize Town Manager Hicks to execute the agreement between the Hayter Firm and the Town of Farmville for the final design of the columbarium project. The motion carried unanimously.

19A.Establish Date for Public Hearing- CDBG

Town Manager Hicks stated the Board had previously established a public hearing date for this evening but due to mix-up with the advertising date in the newspaper, the Board must establish another Public Hearing date for the CDBG grant concerning the Interns. Hicks requested April 20, 2009 to be the new public hearing date.

Commissioner Moore made a motion to establish a public hearing date for the CDBG grant on April 20, 2009 at 6:00 p.m. The motion carried unanimously.

20. Citizen Presentations

Mayor Evans asked if there were any citizens who wished to comment at this time.

There were no comments.

21.Closed Session

On motion by Commissioner Hillard, the Board adjourned into closed session at 10:17 p.m. pursuant to G.S. 143-318.11(a)(1) to prevent the disclosure of information that is privileged or confidential pursuant to the laws of this State or of the United States, or not considered a public record within the meaning of Chapter 132 of the General Statutes. The motion carried unanimously.

April 7, 2009

On motion by Commissioner Batton, the Board returned into regular session at 12:31 p.m. The motion carried unanimously.

On motion by Commissioner Hillard, the meeting was adjourned at 12:32 p.m.

Robert L. Evans, Mayor

Attest:

Amy B. Johnson, Town Clerk