

Town of Farmville
Board of Commissioners
December 1, 2009

The Farmville Board of Commissioners met in regular session on Tuesday, December 1, 2009 at 7:30 p.m. in the Municipal Building Courtroom with Mayor Robert L. Evans presiding. Present for the meeting were Commissioners 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 Tim Leggett of the Spring of Living Waters Church in Farmville offered the invocation which was followed by the pledge of allegiance to the flag.

On motion by Commissioner Hillard, the Board approved the minutes from the November 3, 2009 regular session meeting. The motion carried unanimously.

Mayor Evans made kind remarks to outgoing Commissioners Batton and Hillard. He presented both of them with their name plate and a plaque recognizing their years of service to the Town of Farmville as Commissioner.

Mayor Evans recognized The Honorable John B. Lewis, Jr. to administer the oaths of office.

The Honorable John B. Lewis, Jr. administered the oaths of office to Commissioners Jamin Dixon and David Shackelford and Mayor Robert L. Evans.

Mayor Evans called a recess at 7:44 p.m. for a reception honoring the newly elected Commissioners. Mayor Evans invited anyone who wished to attend. He reconvened the meeting at 8:06 p.m.

Mayor Evans stated this evening was another chapter in Farmville's History. He welcomed Commissioners Dixon and Shackelford. Mayor Evans expressed with new Board members a new Board is formed unlike any other. He further expressed every decision will not be understood or appreciated; however, we hope to operate in a manner that deserves your respect and trust. Mayor Evans further stated the new Board is facing tough economic times and the hiring of a new Town Manager after twenty years.

Commissioner Dixon thanked everyone for their involvement and expressed the hope that the good involvement continues from this point forward.

Commissioner Shackelford thanked everyone and expressed that he would make decisions for the betterment of the Town of Farmville.

Commissioner Baker expressed that the Board had several tough decisions to make and not everyone was going to agree; but he hopes that all call unify together and make it work.

Commissioner Moore stated the Board is faced with decisions the Town has not faced in twenty years. He expressed that hearing things "first hand" was the best thing and not

when it traveled and be misconstrued. Commissioner Moore invited everyone to come to as many meetings as they can and bring someone with them.

Mayor Evans opened the floor for nominations for Mayor Pro Tempore.

Commissioner Moore made a motion to nominate Commissioner David Shackelford for Mayor Pro Tempore. The motion carried unanimously.

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

Hicks stated if the Board drives by Fields Street they will notice that the American Elements Building is almost completely demolished.

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

Glenn Letchworth and Jeff Polaski gave their quarterly departmental reports.

Town Manager Hicks stated he had the following addition to the evening's agenda:

- Add Agenda item #16A- Adoption of Resolution- Pedestrian Planning Grant

Commissioner Moore made a motion to add the above. The motion carried unanimously.

Public Hearings

1. Public Hearing on Parks and Recreation Trust Fund Grant Application

Recreation Director Jeff Polaski stated one of the conditions of submitting a grant application for the Parks and Recreation Trust Fund Grant, is to hold a public hearing. Polaski stated he had prepared the grant as discussion before but offered a few changes which would require the closing of Ryon Drive. He stated if the Board wished to pursue the changes and close Ryon Drive, he must know in order to change the grant before the deadline submission date of January 31, 2010.

Mayor Evans opened the public hearing on the Parks and Recreation Trust Fund Grant at 8:29 p.m.

David Vendemia, who resides at 4189 Dale Drive, explained the new design which would close Ryon Drive and place the concession area between all three ball fields to make a clover.

Ricky Langley stated he agreed with David and if the Board allowed the closing of the road, there would be no need to apply for the current grant; it would need to be altered.

There being no further comments, Mayor Evans closed the public hearing at 8:37 p.m.

After a general discussion, the Board instructed Recreation Director Polaski to talk with the property owners of the practice fields to obtain approval to close the street and for Polaski to have ready both grant scenarios. The Board agreed to discuss the grant at the next board meeting.

Items for Consent

2. Request from May Museum

To approve the request from the May Museum to serve wine at their Christmas Tea event on Sunday, December 13, 2009.

3. Adoption of Resolution Appointing Advisory Board Member- Housing Authority

To adopt a resolution appointing J.A. Wooten, Jr. to serve another 3-year term on the Farmville Housing Authority Board.

4. Adoption of Ordinance Amending 2009/2010 Budget

To adopt an ordinance amending the 2009/2010 budget. The Library Board recommended the approval of \$1,300 from the Devisconti Trust to purchase a set of encyclopedias. The Library Board also recommended an expenditure of \$1,002 from the Davis Trust to reimburse the Friends of the Public Library for books purchased.

5. Adoption of Ordinance Amending 2009/2010 Budget

To adopt an ordinance amending the 2009/2010 budget to show receipt of funds from the insurance company, due to lightning destroying one of the flow meters at the Wastewater Treatment Plant, and allocation of those funds to the expenditure account for the replacement of the unit.

On motion by Commissioner Baker, the Board approved/adopted the following:

- *Approved the request from the May Museum*
- *Adopted Resolution (2009) 1060, Appointing Advisory Board Member- Housing Authority Commission (J.A. Wooten, Jr.)*
- *Adopted Ordinance (2009) 660, An Ordinance Amending the FY 2009-2010 Budget Ordinance*
- *Adopted Ordinance (2009) 661, An Ordinance Amending the FY 2009-2010 Budget Ordinance*

The motion carried unanimously.

Items for Decision

6. Establish Selection Process for Filling Vacant Board Seat

Town Manager Hicks stated it was suggested by the previous Board of Commissioners that an open process be utilized to fill the vacant seat on the Board of Commissioners. Hicks added this decision does not restrict the new Board from determining a completely different process for the selection. He further stated if the Board wishes to accept applications or letters of interest; they need to be submitted to the Town Clerk. Hicks suggested a deadline of December 11, 2009 at 12 noon for

applications to be submitted, to review the applications on December 15, 2009 at a special meeting and to interview possible candidates on December 22, 2009.

Mayor Evans asked for comments.

Commissioner Baker stated he believed the Board should prepare to take applications.

Commissioner Moore stated he believed in democratic system and the Board should allow the third highest vote getter from the November 2009 election to receive the vacant seat.

Commissioners Dixon stated he wanted to stay with the open process that the previous Board established.

Commissioner Shackelford stated he wished to follow the wishes of the Kue family and what the previous Board decided on.

Commissioner Shackelford made a motion to follow the open process established by the previous Board, with the dates provided by Hicks. The motion carried 3 to 1, with Commissioners Dixon, Shackelford and Baker voting in the affirmative and Commissioner Moore voting in the negative.

7. Establish Date to Review 2008/2009 Audit

Town Manager Hicks stated the 2008/2009 Audit was completed and submitted to the Local Government Commission on November 30, 2009. Due to new Board members, Hicks suggested having a special meeting on December 15, 2009 at 7:30 p.m., to have a more detail review of the audit and allow more time for questions.

Commissioner Baker made a motion to establish the date for the 2008/2009 Audit review on December 15, 2009 at 7:30 p.m. The motion carried unanimously.

8. Request to Discuss Planter's Walk Waterline Bore

Town Manager Hicks stated at the previous Board meeting, the Town Board was made aware of a problem with the waterline bore that was to be installed under Planter's Walk Subdivision. Hicks continued by saying the bore had to be abandoned and the contractor has been unable to retrieve some of his equipment. He stated the sub-contractor that was working on the bore, R-Com has requested to appear before the Town Board to discuss possible options.

Van Lewis, from McDavid Associates, asked the Board to consider the impact on previous expectations established with current property owners and the impact on existing utilities. Lewis suggested asking the contractor for a five year bonded warranty if the Board decides to allow the contractor to try and retrieve his equipment.

Joe, the sub-contractor from R-Com, addressed the Board and pleaded his case. He asked the Board to allow him to dig the hole on the Town's easement to retrieve his

\$50,000 worth of equipment. He also stated he had spoken with Phil Lewis about the dig to obtain permission. Joe stated that Phil seemed like he was okay with the idea but had to check with the other property owner.

After a lengthy discussion, Commissioner Dixon made a motion to deny the request by the contractor to retrieve their equipment/materials. The motion carried unanimously.

Mayor Evans called a brief recess at 10:06 p.m. The meeting reconvened at 10:17 p.m.

9. Request and Presentation by Farmville Economic Council

Town Manager Hicks requested adoption of a Resolution of Support for the Farmville Economic Development Council, Inc. and the Farmville Grows Economic Investment, Inc. for support of an expansion to the existing Small Business Incubator and New LEED certified Small Business Incubator.

Commissioner Baker made a motion to adopt Resolution (2009) 1061, Resolution of Support for the Farmville Economic Development Council, Inc. and Farmville Grows Economic Investment, Inc. for support of an expansion to the existing Small Business Incubator and New LEED certified Small Business Incubator. The motion carried unanimously.

10. Approval of Interlocal Agreement for Inspection of Schools

Town Manager Hicks stated for the past several years, the Town has allowed the Pitt County Inspections Department to perform the necessary inspections of the schools within Farmville due to the Town not currently having a Level III Inspector, which is required, and most of the inspections being annual fire and safety. Hicks continued by saying with the proposed renovations to Farmville Central High School, the County has requested that the Town enter into a written agreement for these services, as opposed to the previous verbal agreement.

Commissioner Moore made a motion to authorize the Mayor to execute the agreement between Pitt County Inspections Department and the Town of Farmville. The motion carried unanimously.

11. Request for One-Stop Voting Center- Pitt County Board of Elections

Town Manager Hicks informed the Board he had received an email from David Davis, the Director of the Pitt County Board of Elections, requesting the use of a facility for a possible one stop voting site in Farmville for the upcoming 2010 elections. Hicks stated he suggested the Farmville Community Center.

Commissioner Shackelford made a motion to approve the use of the Farmville Community Center as a one stop voting site in Pitt County. The motion carried unanimously.

12. Appointment to Library Trustees/ Appearance Commission

Town Manager Hicks stated with the election of the new Board, there are two Advisory Boards that include a liaison from the Town Board. He said it includes the Library Board of Trustees and the Community Appearance Commission. He also mentioned that in the past, there has been a Board representative on the May Museum Advisory Board. Hick stated none of these appointments are required by Ordinance but the Library Board has requested for a replacement.

Commissioner Moore indicated his interested in serving on the Library Board.

Commissioner Baker made a motion to appoint Commissioner Moore to serve on the Library Board. The motion carried unanimously.

13. Adoption of Ordinance Amending 2009/2010 Budget

Town Manager Hicks stated the Town received a \$5,000 contribution from John H. Kerr, III's residual campaign funds in honor of Edith Warren. Hicks said the suggestions from the Board for distribution of the funds were the Library and Parks and Recreation. He reminded the Board that Recreation was receiving the funds from the sale of surplus property.

Commissioner Baker made a motion to allocate all monies to the Library and adopted Ordinance (2009) 662, An Ordinance Amending the FY 2009/2010 Budget Ordinance. The motion carried unanimously.

14. Adoption of Ordinance Amending 2009/2010 Budget

Town Manager Hicks stated the Town of Farmville has currently received \$62,525 from the sale of surplus property that was authorized by the Town Board. Hicks added the sales commission and closing costs have already been deducted from the receipts. He stated \$7,000 was already included in the 2009/2010 budget and was deducted from the \$62,525 plus an additional amount of \$1,900 was deducted for the survey of the land around Well 17 on Stantonsburg Road. Hicks said it leaves a balance of \$53,625 to transfer to the Recreation Fund. He requested adoption of a budget amendment to transfer the money into contingency, which would require Board approval to spend.

Commissioner Moore made a motion to adopt Ordinance (2009) 663, An Ordinance Amending the FY 2009/2010 Budget Ordinance. The motion carried unanimously.

15. Re-Appointments to Fire Department Negotiation Team

Town Manager Hicks stated several months ago, the Town Board appointed Commissioners Hillard and Baker to handle the negotiations of the proposed merger of the Farmville Fire Department and the Farmville Rural Fire Association. He further stated these negotiations are ongoing and have reached a higher level of urgency due to the recent failure by the North Carolina Department of Insurance. Hicks stated Commissioner Hillard is off the Board, but the Town requests Commissioner Baker and he continue their role in the negotiations.

Commissioner Shackelford made a motion to approve the current negotiation team of Commissioner Baker and Joe Hillard, with the addition of Commissioner Dixon. The motion carried unanimously.

16. Establish Dates for Annual Retreat

Town Manager Hicks requested for the Board to establish the dates and times for the Annual Retreat.

Commissioner Moore made a motion to establish January 25, 2009 at 4:00 p.m. through January 27, 2009, with the location being held in the Town Hall Court room. The motion carried unanimously.

16A. Adoption of Resolution- Pedestrian Planning Grant

Town Manager Hicks requested adoption of a Resolution Endorsing the Application for Pedestrian Planning Grant.

Commissioner Shackelford made a motion to adopt Resolution (2009) 1062, Resolution Endorsing the Application for Pedestrian Planning Grant by the Town of Farmville. The motion carried unanimously.

17. Citizen Comments

Mayor Evans asked if there were any citizen comments at this time.

There were no comments.

On motion by Commissioner Baker, the meeting was adjourned at 10:51 p.m.

Robert L. Evans, Mayor

Attest:

Amy B. Johnson, Town Clerk