

NAVASSA REGULAR COUNCIL MEETING

March 17, 2011

7:30 P.M.

MEMBERS PRESENT

Mayor Eulis Willis
Councilman Antonio Burgess
Councilman Jerry Merrick

Councilman Michael Ballard
Councilman Milton Burns

MEMBERS ABSENT

Councilman Craig Suggs

STAFF PRESENT

Charlena Alston, Clerk
Claudia Bray, Administrator
Al Beatty, Zoning Administrator

Chief Taylor, Police
Wendell Graham, Detective

CITIZENS & VISITORS

Larry Sackett
Bun Bethel
Frank Willis
Barbara Thomas
Richard Watson

Jason R. Nelson, School of Govt.
William White
Louis Brown
Dorsey Jones, Jr
Leon Bowman, Sr.

Mayor called the meeting to order.

COUNCILMAN BALLARD MADE A MOTION SECONDED BY COUNCILMAN BURNS TO AMEND THE AGENDA TO ADD MONICA THOMAS TO THE VENDORS WITH TOWN BUSINESS AND MOVE THE HARTIGAN MANAGEMENT INVOICE TO UNFINISHED BUSINESS SECTION. ALL VOTED IN FAVOR.

APPROVAL OF MINUTES

Correction of February Minutes

- **COUNCILMAN BALLARD MADE MOTION SECONDED BY COUNCILMAN BURGESS TO ADJOURN LAST MONTH MEETING.**

COUNCILMAN BALLARD MADE A MOTION SECONDED BY COUNCILMAN BURNS TO APPROVE THE PREVIOUS MINUTES WITH THE NOTED CORRECTION. ALL VOTED IN FAVOR.

PUBLIC COMMENT PERIOD

- Frank Willis asked if the Mayor's authority would be restored since he was cleared of the forgery charges.
- Bun Bethel expressed concern about the following:
 - ✓ Mayor authority being restored
 - ✓ The trucks traveling from the Envirocon site on Cedar Hill RoadGave a compliment that the water and sewer project was going well in the Phoenix area
- Chief Taylor offered an apology to Mayor Willis regarding the forgery investigation that initially came from him.
- Louis Brown stated that the board should apologize to the Mayor.
- Barbara Thomas stated that the board should apologize and restore the authority to the Mayor.

VENDORS DOING BUSINESS WITH THE TOWN

Monica Thomas asked for financial support for the town's baseball team to purchase twenty-seven uniforms in the amount of \$592.13 for the current players. The team will pay the entry fee in the amount of \$200.

COUNCILMAN BURNS MADE A MOTION SECONDED BY COUNCILMAN BALLARD TO PURCHASE THE TWENTY-SEVEN UNIFORMS IN THE AMOUNT OF \$592.13. ALL VOTED IN FAVOR.

Jason Nelson from School of Government informed the board that funding for the current project will end August 31, 2011. A proposal for an interlocal agreement between Bolton, Navassa, and Northwest will be drafted to continue the project with the three municipalities splitting the cost. The estimate cost for each municipality is \$20,000. A meeting will be scheduled in the future with the three municipalities to discuss agreement and final cost.

Marc Pages with Brunswick County Planning presented the 2011 Multi-Jurisdictional Hazard Mitigation Plan.

The Zoning Administrator recommends adoption of the Hazard Mitigation Plan.

CONSENT AGENDA

COUNCILMAN MERRICK MADE A MOTION SECONDED BY COUNCILMAN BURGESS TO DO THE 2010-2011 BUDGET AMENDMENTS AS STATED. ALL VOTED IN FAVOR.

UNFINISHED BUSINESS (ADMINISTRATOR UPDATE)

CDBG Water Improvements (M. Brown Lane)

Once the approval is given for East Coast Contracting Remobilization fee the contract will be completed.

Phoenix CDBG Infrastructure

The meters boxes are installed and once tests are completed on the water lines by Raleigh services will be connected.

Phoenix Sewer Extension

Still working on twelve local easements and others have been sent a certified notification. Attorney Randy Rhodes will be sending an engagement letter that will require the board approval to proceed with the condemnation.

Multipurpose Center

The advertisement for RFP has been done receiving six proposals that has to go through the evaluation process. Administrator ask that town meeting be recessed so recommendation can be made at next meeting once evaluation process is complete.

Davis Creek Phase II

Stormwater permits have been submitted, awaiting DENR approval.

Audit Status

No status has been given from the auditor. The board discusses the problems with the audit.

Hartigan Management Invoice

COUNCILMAN MERRICK MADE A MOTION SECONDED BY COUNCILMAN BALLARD THAT THE HARTIGAN MANAGEMENT INVOICE BE DISCUSSED AT THE RECESS MEETING. ALL VOTED IN FAVOR.

NEW BUSINESS

Resolution to amend Charter

- Councilman Merrick explain the reason he ask for the resolution to amend charter from Mayor-Council-Administrator to Council-Manager form of government.
- The Town's attorney explains the steps of changing the Town's Charter.
- **COUNCILMAN BALLARD MADE A MOTION SECONDED BY COUNCILMAN BURNS TO DISCUSS AT THE RECESS MEETING. ALL VOTED IN FAVOR.**

Stipend for Councilman Ballard-TAC Board

- Councilman Merrick explains the reason for the request regarding the stipend for Councilman Ballard.
- **COUNCILMAN BURNS MADE A MOTION SECONDED BY COUNCILMAN BURGESS TO DISCUSS A STIPEND FOR COUNCILMAN BALLARD REGARDING HIS TAC BOARD POSITION AT THE RECESS MEETING. ALL VOTED IN FAVOR.**

Approval of East Coast Contracting Remobilization Fee of \$5,333.60

COUNCILMAN BALLARD MADE A MOTION SECONDED BY COUNCILMAN

MERRICK TO APPROVE THE EAST COAST CONTRACTING MOBILIZATION FEE. ALL VOTED IN FAVOR.

Repeal Speed Limit 45 Ordinance 1002384-SR1435

COUNCILMAN MERRICK MADE A MOTION SECONDED BY COUNCILMAN BURNS TO REPEAL SPEED LIMIT 45 ORDINANCE 1002384-SR 1435. ALL VOTED IN FAVOR.

PLANNING BOARD REPORT

Zoning Administrator gave the following report:

- The Planning Board has voted to recommend that the Town Council adopt a list of text amendments to the Subdivision and Zoning Ordinances. The proposed text to be amended has been forwarded to the council for review. The Planning Board requests that the Town Council set the date of April 21st for a public hearing on the text amendments. Staff will be required to publish the announcements of the public hearing pursuant to NC General Statutes.
- The Planning Board has voted to recommend that the Town Council adopt amendments to the town's Zoning and Subdivision Fee Schedule as well as to adopt a Stormwater Permit Fee Schedule. The proposed changes in fees have been forwarded to the council for review. The Planning Board requests that the Town Council set the date of April 21st for a public hearing on the fee schedule amendments. Staff will be required to publish the announcements of the public hearing pursuant to NC General Statutes.
- The Planning Board requests that the Town Council appointment members to the Board of Adjustment as required by Article 16 of the Zoning Ordinance. The Mayor must be a member.
- The Multi-Jurisdictional Hazard Mitigation Plan has been approved by FEMA and the Town Council is requested to hold the required public hearing regarding the adoption of this plan. The date of the public hearing has been properly published and must be held at this month's council meeting. Marc Pages with Brunswick County Planning is here to provide a brief summary of the plan and to answer any questions. After the public hearing is held, the Town Council is requested to approve a resolution adopting the plan.
- The Planning Board has been reviewing the Indian Creek PUD and has been working to finalize a conditional approval of the rezoning request. The Planning Board intends to ask the council to set a date to review the rezoning case at the next council meeting after the conditional approval has been finalized.
- The next scheduled Planning Board meeting is Wednesday, April 13th at 7:30 pm.
- Staff has been meeting with Mark Zeigler on the CAMA Land Use Plan.
- Staff has received 11 applicants for the Planning Intern position and will be interviewing the top 5 applicants over the next few weeks.
- The Environmental and Stormwater Committee has voted to recommend that the Town Council approve for Ella Beatty and Councilman Ballard to attend the "Emerging Trends in Sustainability" conference in Raleigh on April 26-27th. The committee request that the town pay for the cost of \$59 per ticket and provide the town representatives with a per diem expense at whatever the council feels is an appropriate sum.

- The Parks and Recreation Committee met this month and are working on approving some committee bylaws and will be reviewing the results of the parks and recreation surveys. The next schedule meeting is on Thursday, April 14th at 7:00 pm.
- Mayor Willis reported that the Parks and Recreation surveys were still being collected. Also, a problem list from each park is being collected.

LEGISLATIVE ACTION

Board of Adjustment Appointments

COUNCILMAN BALLARD MADE A MOTION SECONDED BY COUNCILMAN MERRICK TO DISCUSS BOARD OF ADJUSTMENT APPOINTMENTS AT APRIL 21ST MEETING. ALL VOTED IN FAVOR.

Resolution to Adopt Hazard Mitigation Plan

COUNCILMAN BALLARD MADE A MOTION SECONDED BY COUNCILMAN BURNS TO ADOPT THE HAZARD MITIGATION PLAN. ALL VOTED IN FAVOR.

Public Hearing April 21st --Text Amendments, Fee Schedule Amendments, and Storm Water Fee Schedule Amendments

COUNCILMAN BALLARD MADE A MOTION SECONDED BY COUNCILMAN BURGESS TO HOLD A PUBLIC HEARING ON APRIL 21ST FOR TEXT AMENDMENTS, FEE SCHEDULE AMENDMENTS, AND STORMWATER FEE SCHEDULE AMENDMENTS. ALL VOTED IN FAVOR.

COUNCILMAN BURNS MADE A MOTION SECONDED BY COUNCILMAN BURGESS TO PAY REGISTRATION COST FOR ELLA BEATTY AND COUNCILMAN BALLARD TO ATTEND EMERGING TRENDS IN SUSTAINABILITY TRAINING AND DISCUSS LODGING AND GAS AT THE RECESS MEETING. ALL VOTED IN FAVOR.

COUNCILMAN BURNS MADE A MOTION SECONDED BY COUNCILMAN BALLARD TO INCREASE THE NSF FEES TO WHATEVER THE BANK IS CHARGING PLUS \$5 ADMINISTRATION FEE. ALL VOTED FAVOR.

COUNCIL MEMBER'S REPORTS

Councilman Ballard reported that DOT is working on Old Mill Road and Main Street. Also, made the following remarks;

“Ten years he has served on the board and notice that some citizens only come to the board meetings when they think the board is trying to do something under handed or back door someone. He stated that only one side of the town shows up and when the Navassa Sand Company was opening in District 3 he did not see one soul helping that district fight against that company. The Platte Company and their mess he saw no one helping that district deal with that issue. It took 10 years to get water in Phoenix area and no one was fussing with them on that

project. Yet when we come here as a board trying to do things right we get kick in the teeth and I'm tried. It's up to you whether you re-elect me or not if want to play fair, lets play fair. Navassa consist of three district not just district one anymore. Stop picking and choosing as to what battles you're going to come participate in or escalate. If we're going to be fair lets be fair. I have a problem with that, I don't make back door deals and will not make back door deals. I try to stand for what is right and if you are not satisfied with me, you don't have to re-elect me."

Mayor reported that Kerr-McGee site has been sold again. The new company will schedule a meeting with the board regarding their plans for the 292 acres.

Councilman Ballard reported that I-140 By Pass will be completed 2017 DOT and Staff met for a redesign of Davis Way and Wide Way without moving the town's existing water lines.

Doresy Jones the CAC Rep informed the board that he accepted to serve on the CAC board another term. Councilman Ballard informed the board that Mr. Jones was recommended to continue as the town's representative.

EXECUTIVE SESSION

COUNCILMAN MERRICK MADE A MOTION SECONDED BY COUCILMAN BURNS TO GO INTO EXECUTIVE SESSION. ALL VOTED IN FAVOR.


COUNCILMAN BURNS MADE A MOTION SECONDED BY COUNCILMAN BURGESS TO COME OUT OF EXECUTIVE SESSION. ALL VOTED IN FAVOR.

NO ACTION TAKEN IN EXECUTIVE SESSION.


RECESS

COUNCILMAN BURNS MADE A MOTION SECONDED BY COUNCILMAN BURGESS TO RECESS THE TOWN MEETNG UNTIL MARCH 28TH AT 6:30 PM. ALL VOTED IN FAVOR.

ATTEST:



Mayor Pro Tem



Town Clerk