

NAVASSA REGULAR COUNCIL MEETING

April 21, 2011
7:30 P.M.

MEMBERS PRESENT

Mayor Eulis Willis
Councilman Antonio Burgess
Councilman Jerry Merrick

Councilman Michael Ballard
Councilman Milton Burns
Councilman Craig Suggs

STAFF PRESENT

Charlena Alston, Clerk
Claudia Bray, Administrator

Elton Daniels, Economic Development
Wendell Graham, Detective

CITIZENS & VISITORS

William White
Ella Beatty
Richard Watson
Cassandra Simmons
Herbert Willis

Willa Bessant
Bun Bethel
Pam Merrick
Frank Willis
Mildred Beatty

Mayor called the meeting to order.

COUNCILMAN MERRICK MADE A MOTION SECONDED BY COUNCILMAN SUGGS TO AMEND THE AGENDA TO ADD THE FOLLOWING, ALL VOTED IN FAVOR.

- RESOLUTION AUTHORIZING TOWN ADMINISTRATOR TO PERFORM ADDITIONAL ADMINISTRATIVE DUTIES
- THE HARTIGAN MANAGEMENT INVOICE
- ADVERTISEMENT FOR CONTRACTOR FOR THE ADMINISTRATOR CDBG FUNDS
- CHARLES DAVIS AMENDED CONTRACT

APPROVAL OF MINUTES

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

PUBLIC COMMENT PERIOD

Ella Beatty presented to council two petitions regarding having District three de-annexed from the Town. Spoke briefly about the reasons they are seeking de-annexation.

Pam Merrick is concerned about the sewer odor that is coming into her house now that she has hooked onto the sewer system.

Cassandra Simmons stated that another speed bump is needed at the end of Park Ave. and No Littering signs are needed throughout the town that will be enforced.

Richard Watson is concerned about the Community Center and the Town Hall combined together. Wanted to make sure the children would be able to use the center.

Frank Willis addressed the comment made by Councilman Ballard at last months meeting regarding citizens coming to the meetings taking out their frustration on council. He stated that he comes to see what is going on and wanted to know why citizens have to speak first on the agenda and when will the Mayor's power be restored.

Willa Bessant expressed concern about the ditches needing maintenance and that there are no speed bumps in District Three areas. Also, spoke about her driveway being damaged.

William White asked about a job that was advertised in December and wanted to know if that person is still working temporary. Also, stated that another speed bump is needed at the end of Park Avenue.

Herbert Willis wanted to know if his property could be repaired where it was damaged from them putting in the water and sewer lines on the easement.

Mildred Beatty expresses concern about the trucks traveling on Cedar Hill Road coming from the Envirocon Site and the motorcycles that speed on the street.

Bun Bethel stated he was encouraged by the progress made regarding the water and sewer in District Three (Phoenix Area) not satisfied with the de-annexation. Stated if District Three would come together and keep council on their job, District Three would see more progress.

Mayor presented to Gwendolyn Andrews a Resolution of the North Carolina League of Municipalities for Nathaniel Andrews. Mrs. Andrews thanked Mayor, Council, and others for the resolution honoring her deceased husband.

PUBLIC HEARING

Mayor closed regular meeting and opened Public Hearing for Storm Water Application Fees and Zoning & Subdivision Ordinance.

COUNCILMAN BALLARD MADE A MOTION SECONDED BY COUNCILMAN BURGESS TO COME OUT OF REGULAR TOWN MEETING AND GO INTO PUBLIC HEARING. ALL VOTED IN FAVOR.

Town Planner gave a brief about Storm Water Application Fees stating that the Town is still lower than most municipalities regarding fee amounts.

Mayor opens the comment section of the fee schedule.

- William White wanted to know what fees are increasing.
- Ella Beatty wanted to know if this would affect the old citizens or just the incoming citizens.
- Darlene Jones asked if the information would be published on the website.

Town Planner explained that all zoning fees are increasing because the current fees do not cover administrative cost. The adoption of the storm water new fee schedule is needed because the town does not currently have one.

Mayor closed public comment for fee schedule.

Town Planner brief about the text amendments to the Zoning & Subdivision Ordinance stating that they are making them consent.

Mayor opens the public comment section of Zoning & Subdivision Ordinance.

- Darlene Jones stated the Zoning & Subdivision Ordinance will be used to make sure the standards are the same, who will be making that decision.
- Willa Besant wanted to know if a permit would be needed to put up a fence.

Mayor closed Public hearing on Zoning & Subdivision Ordinance.

COUNCILMAN SUGGS MADE A MOTION SECONDED BY COUNCILMAN BURNS TO COME OUT OF THE PUBLIC HEARING AND GO BACK INTO REGULAR MEETING. ALL VOTED IN FAVOR.

VENDORS DOING BUSINESS WITH THE TOWN

Councilman Burgess briefed about Navassa Drum and Drill needing equipment.

COUNCILMAN BURGESS MADE A MOTION SECONDED BY COUNCILMAN BALLARD TO ALLOCATE UP TO \$2,000 TO THE DRUM AND DRILL WITH THE PROPER DOCUMENTATION FOR DRUMS AND ACCESSORIES. ALL VOTED IN FAVOR.

UNFINISHED BUSINESS AND ADMINISTRATOR UPDATE

The Administrator gave the following updates:

CDBG Water Improvements

- The paving is finished on M. Brown Lane
- Awaiting the completion of Laura Willis house

CDBG Infrastructure Project in Phoenix Area

- The water line has been installed, also in process of installing the master meter. Once completed will do pressure test on the lines and water test that have to be sent to the State. After results are received will begin hooking up citizens.

Councilman Ballard asked to be excused for an emergency.

COUNCILMAN MERRICK MADE A MOTION SECONDED BY COUNCILMAN BURNS TO EXCUSE COUNCILMAN BALLARD FROM MEETING DUE TO AN EMERGENCY. ALL VOTED IN FAVOR.

Phoenix Sewer Extension

- Easement are slowly incoming.
- Town Administrator asked Attorney to give update regarding condemnation.
 - ✓ Attorney explained that the town is in the beginning of the condemnation of the .22 acres. Willie Shaw grandson will be contacted.
 - ✓ Notices will be sent to the proper people.
 - ✓ Notification will be sent to the newspaper.
 - ✓ Once notification is given, the project qualifies for a quick take condemnation.

Multipurpose Center

- The Wooten Company will do the redesign.
- Johnny Quick is the Project Manager for the grant.
- April 13th a meeting was held.
- Environmental review must be done.
- Contractor for Administrator for the funding must be advertised.

Davis Creek Phase II

- Receive the Storm water permit.
- Ronald Sparks the Engineer is preparing the grant agreement and the notices to proceed.

Audit

- Auditors are working on audit now that tax season is over with no completion date given.

Steve Pagley has received his Class B Water License. This will save the town \$5,400 a year also; Pagley and Willie Byrd will go next month to take the test for Waste Water License. Once license are obtained we can maintain our own sewer lift station.

The Town has been utilizing the WIA Program through the Employment Security which is free labor for the town. The town currently has one person in the Police Station and two people working with Public Works. The program is for 10 weeks.

UNFINISHED BUSINESS

The Mayor reported that the Local Government Commission will be here this coming Monday to review the financial situation.

Charles Davis Amended Contract

- Mayor expressed his concerns about entering into contract.
- Councilman Merrick stated his reasons why the town should enter into contract.
- COUNCILMAN MERRICK MADE A MOTION SECONDED BY COUNCILMAN SUGGS TO ENTER INTO AGREEMENT WITH CHARLES DAVIS TO PROVIDE SERVICES IN THE AMOUNT OF \$650 MONTHLY. 3-YEAS, 1-NAY.
- COUNCILMAN MERRICK MADE THE REVISED MOTION SECONDED BY COUNCILMAN SUGGS THAT IF THERE ARE ANY CORRECTIONS TO BE MADE WITH THE AGREEMENT IT BE DONE SO AFTER NOTIFYING CHARLES DAVIS. **(THIS AGREEMENT WHICH IS LOCATED IN THE AGREEMENT BOOK IS HEREBY INCORPORATED INTO THE MINUTES OF THIS MEETING.)**

Hartigan Invoice

- The attorney reported to the board that the payment is due when the first draw is made according to documentation.

Resolution Authorizing Town Administrator to Perform Additional Administrative Duties

- Councilman Burns was not in favor of Resolution.
- Councilman Merrick stated he received the Resolution this afternoon but, it had been discussed two months prior.
- Councilman Burgess stated he has no problem with the Resolution but all old projects should be completed before exchanging hands.

- Councilman Suggs stated he is not opposed to the change but, asked what would be the time frame.
- The Administrator stated that she was unaware about the resolutions.
- Elton Daniels offered his assist to the Town.
- **COUNCILMAN SUGGS MADE THE MOTION SECONDED BY COUNCILMAN MERRICK TO ACCEPT THE RESOLUTION AUTHORIZING TOWN ADMINISTRATOR TO PERFORM ADDITIONAL ADMINISTRATIVE DUTIES EXCLUDING PARAGRAPH TWO. 3-YEAS, 1-NAY (THIS RESOLUTION LOCATED IN THE RESOLUTION BOOK IS HEREBY INCORPORATED INTO THE MINUTES OF THIS MEETING.)**

Appointment of Board of Adjustment Members

- **COUNCILMAN MERRICK MADE A MOTION SECONDED BY COUNCILMAN SUGGS TO APPOINT THE COUNCIL TO THE BOARD OF ADJUSTMENT WITH COUNCILMAN BURNS AS THE ALTERNATE. ALL VOTED IN FAVOR.**

NEW BUSINESS

Advertisement for Contract Administrator—CDBG

- **COUNCILMAN MERRICK MADE THE MOTION SECONDED BY COUNCILMAN BURGESS FOR THE ADMINISTRATOR TO ADVERTISE FOR CONTRACT ADMINISTRATOR FOR CDBG FUNDS. ALL VOTED IN FAVOR.**

PLANNING BOARD REPORT

Town Planner 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 Ordinance. The required public hearing and notification have been met and the Planning Board request action by Council.
- 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 Storm Water Permit Fee Schedule. The required public hearing and notification requirements have been met and the Planning Board request action by Council.
- The Planning Board has voted to recommend that the Town Council give conditional approval to Indian Creek PUD rezoning application. Staff is working on updating the staff report to be provided to the council at the beginning of next week. The Planning Board request that the Town Council set the date of May 10th for the public hearing on the text amendments because staff will be out of the office the week of the regular council meeting. Staff will be required to publish the announcement of the public hearing pursuant to NC General Statues. Action is required by Council.
- The Planning Board has voted to recommend that the Town Council give conditional approval to the River Bend PUD rezoning application. Staff is working on updating the staff report to be provided to the council at the beginning of next week. The Planning Board requests that the Town Council set the date of May 10th for a public hearing on the text amendments because staff will be out of the office the week of regular council meeting. Staff will be required to publish the announcement of the public hearing pursuant to NC General Statues. Action is required by Council.
- The next scheduled Planning Board meeting is Wednesday, May 11th at 7:30 p.m.
- Staff has been meeting with Mark Zeigler on the CAMA Land Use Plan.
- The Parks and Recreation Committee and staff has been working on the Comprehensive Parks and Recreation Master Plan and encourages the public to attend the meetings to provide valuable input as to what recreational opportunities they want to see in the Town. The next schedule

meeting is on Thursday, May 12th at 7:00 p.m. Greg Bryant serves as Chairman and Ernest Mooring as Vice Chairman.

LEGISLATIVE ACTION

Approval of Storm Water Application Fees

- COUNCILMAN SUGGS MADE A MOTION SECONDED BY COUNCILMAN MERRICK TO ADOPT THE STORM WATER APPLICATION FEES AND ZONING AND SUBDIVISION FEES. ALL VOTED IN FAVOR. (THIS FEE SCHEDULE LOCATED IN THE RESOLUTION BOOK IS HEREBY INCORPORATED INTO THE MINUTES OF THIS MEETING.)

Approval of Text Amendments to Zoning & Subdivision Ordinance was tabled until next month.

There will be a hearing on May 9th at 6:00 for the following items:

- Indian Creek PUD rezoning application.
- River Bend PUD rezoning application.
- Naming unnamed ROE to L. Shaw Drive.

Waiver of water fees on CDBG Home

- COUNCILMAN MERRICK MADE A MOTION SECONDED BY COUNCILMAN BURGESS TO WAIVE THE WATER AND SEWER FEES ON CDBG HOME FOR LAURA WILLIS. ALL VOTED IN FAVOR.

COUNCIL MEMBER'S REPORTS

Councilman Burgess stated that two speed bumps will be added to Magnolia Drive and one on Dorsey Lane.

Councilman Suggs asked if the speed limit could be lower in the areas where the speed bumps are located.

Councilman Burns thanked public works for working on the ditches in District Two.

EMPLOYEES REPORTS

Town Planner briefed the board about SOD Non-Attachment area Boundary Option G. Asking council to recommend Boundary Option G.

COUNCILMAN MERRICK MADE A MOTION SECONDED BY COUNCILMAN BURNS TO ACCEPT RECOMMENDATION TO ADOPT BOUNDARY OPTION G. ALL VOTED IN FAVOR.

ANNOUNCEMENTS

Candidate filing begins July 25th noon thru August 12th noon

EXECUTIVE SESSION


COUNCILMAN MERRICK MADE A MOTION SECONDED BY COUNCILMAN SUGGS TO GO INTO EXECUTIVE SESSION TO DISCUSS PERSONNEL. ALL VOTED IN FAVOR.

The Mayor requested only Town Clerk and the Attorney.

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

COUNCILMAN SUGGS MADE A MOTION SECONDED BY COUNCILMAN BURNS TO MOVE ON THE ACTION TAKEN IN EXECUTIVE SESSION TO REINSTATE CLERK FOR THREE DAYS SHE RECEIVED. ALL VOTED IN FAVOR.

ATTEST:



Mayor Pro Tem



Town Clerk