

**Town of Farmville
Board of Commissioners
January 4, 2011**

The Farmville Board of Commissioners met in regular session on Tuesday, January 4, 2011 at 7:30 p.m. in the Municipal Building Courtroom with Mayor Robert L. Evans presiding. Present for the meeting were Commissioners Jamin Dixon, John Baker, John Moore, Jake Barrow and David Shackelford; Town Manager James Smith; Town Attorney Christopher Edwards; Town Clerk Amy B. Johnson.

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

Reverend Ronnie Wilkes, from the Bibleway Holiness Church in Farmville, offered the invocation which was followed by the pledge of allegiance to the flag.

Mayor Evans mentioned outgoing Town Manager Richard Hicks for all his work, and introduced new Town Manager Jim Smith.

Chief Donnie Greene introduced Samuel Paldino as a new police officer.

Town Clerk Amy Johnson administered the oath of office to Paldino.

Mayor Evans asked the Town Manager for any comments at this time.

Town Manager Smith stated he had no comments at this time.

Finance Director Amy Johnson gave the financial report for the month of November, 2010.

Paul Ellis and Donnie Greene gave their quarterly departmental reports.

Town Manager Smith requested the following changes to the evening's agenda:

- Add Agenda item 3A– Adoption of Resolution Appointing Advisory Board Member- Farmville Housing Authority (Chief Donnie Greene)
- Add Agenda item 27A- Amendment to Repair the Dale Well-house

Commissioner Baker made a motion to approve the changes to the agenda. The motion carried unanimously.

Public Hearings

None

Items for Consent

1. Approval of Minutes

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

- November 30, 2010 (Regular & closed meetings)
- December 14, 2010 (Special meeting)

2. Adoption of Ordinance Amending 2010/2011 Budget- Tank Inspections

To adopt Ordinance Amending the 2010/2011 Budget to cover the costs of the tank inspections. Prior to June 30, 2010, as a part of their construction contract, the Town received \$7,500 from Caldwell Tanks to pay for the inspection of both new water

tanks at the end of the one year warranty period. Since the funds were received in the previous budget year and the expenses are occurring in this budget year, a budget amendment is needed to cover the costs.

3. Adoption of Ordinance Amending 2010/2011 Budget- Fire Department

To adopt Ordinance Amending 2010/2011 Budget to show the receipt and expenditure of additional funding provided by Pitt County to the Farmville Fire Department for radio maintenance. Chief Keel asked that the funds be included in the Fire budget to allow them to complete some additional maintenance on the Fire Department Radios.

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

To adopt Resolution Appointing Advisory Board Member, Chief Donnie Greene, to the Farmville Housing Authority.

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

- *Approved the minutes from the following meetings:*
 - *November 30, 2010 (Regular & Closed meetings)*
 - *December 14, 2010 (Special meeting)*
- *Adopted Ordinance (2011) 703, Ordinance Amending the FY 2010/2011 Budget Ordinance- Water Fund*
- *Adopted Ordinance (2011) 704, Ordinance Amending the FY 2010/2011 Budget Ordinance- General Fund*
- *Adopted Resolution (2011) 1107, Resolution Appointing Advisory Board Member- Farmville Housing Authority (Chief Donnie Greene)*

The motion carried unanimously.

Items for Decision

4. Update on Mid-East Commission- Tim Ware

Tim Ware, the Executive Director of the Mid-East Commission, provided the Board with an update on the services being provided by the Commission.

5. Proposal to Re-New Wastewater Treatment Plant Contract- Gary Stainback

Gary Stainback, from United Water, presented a proposed contract renewal for the operations for the Wastewater Treatment Plant for an additional five years.

On motion by Commissioner Dixon, the Board authorized the Mayor to execute the Wastewater Treatment Plant Contract. The motion carried unanimously.

6. Update on Main Street Pond/Park- Paul Ellis

Developmental Services Director Paul Ellis stated Martin Jones has begun clearing the area around the pond on Main Street. Ellis stated he met with a representative of the U.S. Army Corp of Engineers and determined that the Town will be able to clear and clean up an area much larger than originally anticipated. He shared his thoughts

of installing a driveway and a parking area and providing some landscape. Ellis asked the Board for their thoughts.

The Board instructed Ellis to continue with the clean up of the Main Street Pond/Park and once complete, then to turn it over to the Park & Recreation Committee to decide what needs to further be done with the park.

7. Update on Belcher Street Contamination- Van Lewis

Van Lewis, from McDavid Associates, provided an update on the Belcher Street Contamination. He stated that the Town is still considered a potential responsible party and a letter has been sent to the Attorney General's Office recommending that the State pursue all potential responsible parties. Lewis stated that former Town Manager Richard Hicks has advised the Town to hire Legal Counsel as this moves forward. Lewis provided a proposed letter of engagement from Glenn Dunn with Poyner & Spruill to represent the Town.

Town Manager Smith expressed his thoughts of hiring Jim Hopf, from a firm in Greenville, to represent the Town. Smith explained that Hopf had helped with similar issues and worked with him in Washington and did a great job.

On motion by Commissioner Dixon, the Board agreed to explore the hiring of Jim Hopf, from a Greenville firm, to represent the Town and for Town Manager Smith to bring back a proposal to the Board. The motion carried unanimously.

8. Adoption of Resolution for Owner's Approval on Plans and Specification and Authorize to Advertise for Bids- 24" Sanitary Sewer Outfall Replacement

Charles Joyner, from McDavid Associates, stated USDA has approved the funding and the Plans and Specifications for the replacement of the 24" Sewer Outfall Line that crossed Moye-Turnage Road. He requested adoption of a Resolution of Owner's Approval of Plans and Specifications and Authorization to Advertise for Bids.

Commissioner Moore made a motion to adopt Resolution (2011) 1108, Owner's Approval of Plans and Specifications and Authorization to Receive Bids- Contract No. 1- 24" Sanitary Sewer Outfall Replacement. The motion carried unanimously.

9. Adoption of Resolution Amending Project Scope of Work on 24" Sanitary Sewer Outfall Replacement

Charles Joyner stated due to the 24" Sanitary Sewer Outfall Replacement project being funded with USDA loan and grant funds, as well as a grant from the North Carolina Rural Economic Development Center, there may be excess funds available at the conclusion of the project. He requested adoption of a resolution authorizing the scope of the project to be amended that would allow excess funds to be used in replacing the influent pumps at the Wastewater Treatment Plant.

Commissioner Moore made a motion to adopt Resolution (2011) 1109, Amending Project Scope of Work- 24" Sanitary Sewer Outfall Replacement. The motion carried unanimously.

10. One Year Inspection Report on Caldwell Tanks (Site 163, Site 247)

Van Lewis provided the Board with an update on the inspections completed on the new water tank at Site 247 (Langs Crossroads). Lewis stated intercoat adhesion failure between the finish and intermediate coats had occurred in limited areas on the floor of the tank interior. Lewis reported that Caldwell will return to the site and repair the areas as part of their one year warranty obligation stipulated in the contract documents. He also reported that the repairs would be postponed until March 2011 due to the current weather not being conducive to painting operations. Lewis stated that all other repairs found were common and would be repaired in accordance with standard industry practices.

11. Adoption of Capitol Project Budget Ordinance- Middle Swamp Sanitary Sewer Evaluation

Van Lewis stated the contractor has been authorized to begin the TV camera work on the remaining portion of the Middle Swamp Sewer Outfall Line, which is mainly funded from the Clean Water Management Trust Fund. He requested adoption of an Ordinance Adopting the Capital Project Budget Ordinance. He also requested adoption of an Ordinance Amending the 2010/2011 Budget to transfer funds into the new project fund.

Commissioner Shackelford made a motion to adopt the following:

- *Ordinance (2011) 705, Adopting Capital Project Budget Ordinance- Clean Water Management Trust Fund Project 2008-823- Middle Swamp Sanitary Sewer Evaluation*
- *Ordinance (2011) 706, Project Budget- Clean Water Management Trust Fund Project- Middle Swamp Sanitary Sewer Evaluation*
- *Ordinance (2011) 707, An Ordinance Amending the FY 2010/2011 Budget Ordinance*

The motion carried unanimously.

12. Request for Approval of Change Order 2- Phase 1D- Contract 7 T.A. Loving

Van Lewis stated after several meetings with T.A. Loving Company regarding liquidated damages on Contract 7, the Town is recommending that liquidated damages be assessed in the amount of \$115,000. He requested adoption of a Resolution Amending the Capital Project Budget Ordinance.

Commissioner Moore made a motion to adopt Resolution (2011) 1110, Amending Capital Project Budget Ordinance for Water System Improvements- Phase 1D. The motion carried unanimously.

13. Request for Authorization to Issue Work Directive for SCADA Changes

Van Lewis stated in order to help with the operation of the Toddy Booster Pump Station, which services the Town of Fountain, McDavid Associates requested a proposal from T.A. Loving Company to revise the current SCADA system. Lewis explained this would allow the Booster Pump Station to send a signal to the 258 Well

so that when the pump station would run, so would the 258 Well. He said this is performed manually on a daily basis and can be a hit or miss depending on timing. Lewis stated the cost of this change would be \$10,307.82.

Lewis stated the other change requested was to install signal input and outputs at the Booster Pump Station beside the Chinquapin Well that would assist the operators in managing the chemical feeds at the Booster Pump Station and hopefully provide a better product as the water comes into Town. Lewis further stated the cost on this addition would be \$29,209.67.

Lewis explained that the funds for the above changes/additions would have to come from the anticipated \$73,590.23 in funds that is anticipated to be left over at the end of the water project.

Commissioner Barrow made a motion to deny the request for authorization to issue work directive for SCADA changes. The motion carried unanimously.

14. Request for Approval of Construction Inspection Plan Amendment

Van Lewis stated with the approval of a previous change order by the Board, A.C. Shultes was assessed liquidated damages in the amount of \$99,750 on Phase 1B of the GUC Waterline Project. He explained the work has not been completed by the negotiated timeframe, so additional inspection will be necessary on the project. Lewis requested adoption of a Resolution Establishing a Capital Project Budget Ordinance to cover the additional receipt of funds and expenditures.

Commissioner Barrow made a motion to adopt Resolution (2011) 1110A, Establishing Capital Project Budget Ordinance for Alternative Water Supply- Phase 1B- Non-USDA Eligible. The motion carried unanimously.

15. Proposed Amendments to Phase 1A Operation and Maintenance Agreement

Van Lewis stated former Town Manager Hicks and himself have been working the past several weeks on developing an electronic invoice for Greene County as operations of the new water system begin. He explained under the current agreement, the Town will maintain and operate the system and bill Greene County on a monthly basis for their portion of the expenses. He further explained the current contract states the costs will be based on the volume of water used by each entity but it was discovered that some of the items being billed are not dependent on the volume of water that flows each way but occur each month, even if no water is flowing. Lewis requested adoption of Amendment No.1 to the Phase 1A Operation and Maintenance Agreement, which lists those items individually and would change the expenses to a 50/50 cost sharing arrangement.

Commissioner Dixon made a motion to approve Amendment No. 1 Agreement Between County of Greene and Town of Farmville for the Joint Construction, Operation and Maintenance Potable Water Supply Transmission System Allowing the Delivery of an Alternative Water Supply from Greenville Utilities Commission. The motion carried unanimously.

16. Proposal to Maintain Meter Building and Booster Pump Stations

Van Lewis stated Steve Barnes was one of the contractors working for Ralph Hodge Construction Company in the building of the meter buildings at Site 163 and Site 247 and the Booster Pump Station at Site 163. Lewis further stated with him being totally familiar with the design and construction of all the buildings, he requested the opportunity to present a proposal to perform a quarterly cleaning of all the buildings associated with the project. Lewis presented a copy of the proposal and expressed his opinion that with limited staff and their workload, it would probably be to the Town's advantage to have someone periodically come in and clean the building.

Commissioner Barrow made a motion to ask McDavid Associates to come up with a scope of work to maintain the meter building and the two Booster Pump Stations, and then to make a formal presentation to the Board. The motion carried unanimously.

17. Adoption of Resolution on Mosquito Control Grant Administration

Town Manager Smith stated that former Town Manager Richard Hicks was designated as the Town's designated official to sign papers and otherwise represent the Town Board in connection with mosquito control. Smith requested adoption of a Resolution Designating an Official for the Town and requested for the Board to consider Developmental Services Director Paul Ellis as the designated official.

Commissioner Moore made a motion to adopt Resolution (2011) 1111, Resolution to be Adopted by the Board of Commissioners Designating Official to Sign Papers and to Otherwise Represent the Board in Connections with Mosquito Control, with the designated official being Developmental Services Director Paul Ellis . The motion carried unanimously.

18. Appointment of Representative to North Carolina Eastern Municipal Power Agency

Town Manager Smith requested for the Board to appoint who is serve on the NCEMPA Board and an alternate for the position. Smith suggested Electric Supervisor Brian Shackelford for the alternate position.

Commissioner Dixon made a motion to appoint Town Manager Smith to serve on the NCEMPA Board and to appoint Brian Shackelford as the alternate. The motion carried unanimously.

19. Appointment of Representative to Mid-East Commission

Town Manager Smith requested for the Board to appoint who is serve on the Mid-East Commission and an alternate for the position.

Commissioner Dixon made a motion to appoint Town Manager Smith to serve on the Mid-East Commission and to appoint Commissioner Moore as the alternate. The motion carried unanimously.

20. Appointment of Representative to Lower Neuse River Association and Neuse River Compliance Association

Mayor Evans requested for the Board to appoint a representative and an alternate to serve on the Lower Neuse Basin Association and the Neuse River Compliance Association.

Commissioner Moore made a motion to appoint Water Supervisor Jeff Stancil to serve on the Lower Neuse Basin Association and the Neuse River Compliance Association, with Town Manager Smith serving as the alternate. The motion carried unanimously.

21. Authorization for Manager to Update and Implement Wellhead Protection Plan

Developmental Services Director Paul Ellis stated for the past few months, the Town has been working with the North Carolina Rural Water Association on updating our Wellhead Protection Plan since the last plan was approved on November 15, 1999. Ellis further stated a copy of the proposed plan has been submitted to the state agency for their review and consideration. Ellis continued by stating the Town will begin a 30-day public comment period prior to final approval and once complete and the State Agency approves, Town Manager Smith will need to update and implement the plan. Ellis requested for the Board to authorize the Town Manager to update and implement Wellhead Protection Plan.

Commissioner Baker made a motion to authorize Town Manager Smith to update and implement the Wellhead Protection Plan. The motion carried unanimously.

22. Proposal for Pre-Paid Metering System

Town Manager Smith presented a copy of the proposed agreement with Excleron for the PAMS Software Program that would allow the Town to provide pre-paid metering services. Smith explained after the end of the 6th month term, the Town's cost per month would be \$2,000 per month with no additional charges.

Commissioner Shackelford made a motion to authorize the Town Manager to execute the agreement with Excleron. The motion carried unanimously.

23. Adoption of Ordinance Amending 2010/2011 Budget- Sale of Lot to Lewis Chapel

Town Manager Smith requested adoption of an ordinance amending the 2010/2011 budget to show receipt of the projected funds from the sale of the lot to Lewis Chapel church.

Commissioner Baker made a motion to adopt Ordinance (2011) 709, An Ordinance Amending the FY 2010/2011 Budget Ordinance. The motion carried unanimously.

24. Adoption of Ordinance Amending 2010/2011 Budget- Debt Service Reserve

Account

Town Manager Smith stated one of the conditions of the USDA Loans for the GUC Waterline Project is that each year the Town has to place in reserve at least 10% of the annual debt service payment into a reserve. Smith explained this is to continue for 10 years or until such time as the Town has in reserve at least one annual debt service payment on each project. Smith requested adoption of an ordinance amending the 2010/2011 budget to make the reserve payments.

Commissioner Moore made a motion to adopt Ordinance (2011) 710, An Ordinance Amending the FY 2010/2011 Budget Ordinance. The motion carried unanimously.

25. Adoption of Ordinance Amending 2010/2011 Budget- Booster Pump Stations

Electric Service

Van Lewis stated the project budgets included funds for the contractors to pay the Town of Farmville for the installation of the electric service to the Booster Pump Stations and the Ammonia Feed Huts at the wells. He said the work has been completed and the contractors have been billed for Phase 1B and Phase 1D. Lewis requested adoption of an ordinance amending the 2010/2011 budget. Lewis explained the materials were paid from the Electric Distribution Budget and the budget amendment is to cover those expenditures and to show the receipt of the payments for the work.

Commissioner Baker made a motion to adopt Ordinance (2011) 711, An Ordinance Amending the FY 2010/2011 Budget Ordinance. The motion carried unanimously.

26. Establish Time to Meet with May Museum Advisory Board

Mayor Evans informed the Board that the May Museum Advisory Board and the Economic Development Council has asked to speak to the Board on January 25, 2011 at the annual retreat.

The Board indicated they had no interest in meeting with May Museum or EDC at this time. The Board indicated they would send any discussion items they wish to discuss at the retreat to Town Manager Smith by Friday, January 7, 2011.

27. Consider Date and Time for Reception for New Town Manager

Mayor Evans stated it has been suggested that a reception be held in the new Town Manager's honor to introduce him to the citizens of Farmville and give them opportunity to meet him.

Town Manager Smith expressed his appreciation for the suggestion but felt his time would be better spent going to the people and the organizations and meeting them rather than doing it all in one night where he may not remember all that he meets.

27A. Amendment to Repair Dale Wellhouse

Development Services Director Paul Ellis informed the Board that the Dale well needs renovating. He requested for the Board to authorize to move forward with

January 4, 2011

repairs to Dale well and to adopt a budget amendment to cover the costs associated with the repairs.

Commissioner Dixon made a motion to adopt Ordinance (2011) 712, An Ordinance Amending the FY 2010/2011 Budget Ordinance. The motion carried unanimously.

28. Citizen Comments

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

There were no comments.

On motion by Commissioner Dixon, the meeting was adjourned at 10:35 p.m.

Robert L. Evans, Mayor

Attest:

Amy B. Johnson, Town Clerk