

**Town of Farmville
Board of Commissioners
March 1, 2011**

The Farmville Board of Commissioners met in regular session on Tuesday, March 1, 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 Bill Lewis; Town Clerk Amy B. Johnson.

I. Call to Order

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

II. Nondenominational Invocation & III. Pledge of Allegiance

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

IV. Silent Roll Call

V. Approval/Amendments to Agenda

Mayor Evans requested the following additions/amendments to the evening's agenda:

- Add Agenda item #11. Local Government Commission Response Letter
- Add Agenda item #12. Approval of 2010 Unpaid Taxes Report
- Add Agenda item XII-A. Adoption of Resolution Appointing Advisory Board Member

Commissioner Shackelford made a motion to approve the amendments to the agenda. The motion carried unanimously.

VI. #1-Approval of Minutes

Mayor Evans requested approval of the minutes from the following meetings:

- February 1, 2011 regular meeting
- February 11, 2011 special meeting
- February 11, 2011 closed session
- February 21, 2011 special meeting

On motion by Commissioner Baker, the Board approved the above meeting minutes as written. The motion carried unanimously.

VII. Scheduled Presentations from the Public

A. John Spruill- Citizen

Mr. Spruill asked the Board not to forget about the Splash Park for the kids at Bennett Park.

Mayor Evans responded that the splash park is a part of the CDBG grant and the Town is awaiting funds and grant approval.

B. James Stella, ElectriCities- Retail Commercial Development

Mr. Stella updated the Board on retail commercial development and opportunities he can provide or assist the Town with.

VIII. Public Hearings

None

IX. Consent Agenda

#2. Discount rate for use of the Farmville Community Center

Mayor Evans stated the Town has received a request from a member of the labor union representing the workers at Alliance One International for multiple uses of the Community Center. He stated they are asking for rental price concessions.

Commissioner Dixon made a motion to deny the request. The motion carried unanimously.

#3. Saint Patrick's Day "Music on Main"

Mayor Evans stated the Farmville Chamber of Commerce and Downtown Partnership are requesting permission to hold a Saint Patrick's Day "Music on Main" celebration with live music, beer garden, sidewalk and themed raffle event.

Commissioner Moore made a motion to allow the Saint Patrick's Day "Music on Main" celebration to proceed as directed and organized by the committee. The motion carried unanimously.

X. Correspondence and Special Reports from Town Boards and Committees

XI. Financial Report on General and Enterprise Funds- Amy Johnson

XII. Appointments

A. Planning Board Commission Appointment

Mayor Evans requested adoption of the resolution appointing Ray Baldree to the Planning Board Commission.

Commissioner Dixon made a motion to adopt the following appointment:

- *Resolution (2011) 1118, Appointing Advisory Board Member- Planning Board Commission (Ray Baldree)*

The motion carried unanimously.

XIII. Old Business

A. None

XIV. New Business

#4- July 4th Fireworks Show- Polaski

Recreation Director Polaski stated the guy that usually shoots our fireworks show has not gotten his license this year and he does not have a shooter at this time. Polaski explained the actual fireworks have been purchased already but we are in need of someone licensed to shoot them. Polaski said Bob from Zambelli said the issue is that our show is not big enough to attract other shooters to come here. Bob provided three recommendations:

1. To increase the price of our show to \$5,000-\$7,500

2. To move the date to July 2nd or 3rd
3. To get someone licensed to shoot our show

Polaski stated he was going to see if any Firemen might be interested in getting licensed for shooting fireworks and to see if Alliance One might be interested in increasing their contribution.

Commissioner Barrow made a motion to table the request until the April meeting and for Polaski and the Chamber to work together for a solution. The motion carried unanimously.

#5- Ball Field Project- Polaski

Recreation Director Polaski asked the Board to approve additional funds of \$5,200 to be placed into the Recreation Fund for the Phase 1 project at the Municipal Athletic Facility. Polaski explained the additional monies would be for the brick backstop, backstop mats and the overage for the fenced due to a few changes.

Commissioner Moore made a motion to approve the \$5,200. The motion carried unanimously.

#6- Chapter 3 Domesticated Animals Revisions- Ellis

Developmental Services Director Paul Ellis stated the Ordinance Review Committee and the Planning and Zoning Board are recommending changes to Chapter 3, Control of Domesticated Animals. Ellis explained these changes are to allow the sale of baby chicks, ducklings and other fowl in certain areas provided the conditions of the ordinance are met. Ellis further explained the changes also include making it a violation to allow dogs onto JY Monk Park, Bennett Park, RT Monk Park and the Municipal Athletic Park. He said the stated fees for violations would change to reflect the fees already in place for code violations.

Mayor Evans opened the public hearing at 8:51 p.m.

Laurie, Farmville Chamber member, asked Chief Donnie Greene how many dog bites have happened within the last 6 months.

Rod Lancaster, owner of Farmville Hardware, commented that individuals should be able to buy only the number of chicks they needed and not have a set number.

Joyce Lewis, who resides at 3594 East Wilson Street, suggested the placement of dog disposal signs with waste bags, which would encourage citizens to clean up behind their pets. She also stated the responsible dog/pet owners are being punished for the few irresponsible pet owners.

Bobbi Smith, who resides at 3305 North Pitt Street, reminded everyone that sometimes for elderly people; their only companion is a dog.

John Sheppard, who lives at 4184 Grimmersburg Street, expressed that we need to follow the laws we already have. He stated we don't need more laws, there just needs to be better communication and awareness of laws.

Meredith Wright, who resides at 3559 East Wilson Street, stated the current ordinance needs to be upheld and enforced. She commented that the other towns in the area allow animals in there parks.

Adam Smith, who resides at 3600 E. Wilson Street, stated he moved to Farmville for the small town life. He expressed that many couples/people have pets to fill voids for kids and that pets are family to many people.

David Monroe, who resides at 3273 North Walnut Street, stated the Board needs to reconsider the thought process and try to keep Farmville as an enjoyable place to live.

Rick Langley, Recreation Board member, spoke in support of ordinance as pertains to the safety aspect of the ball fields and trying to improve fields and keep them looking good.

There being no further comments, Mayor Evans closed the pubic hearing at 9:19 p.m.

Commissioner Shackelford made a motion for the ordinance to go back to the ordinance review committee.

Commissioner Dixon made a substitute motion to approve the ordinance changes except for changes made to Section #s 2.2.2 and 2.2.3. Dixon directed those sections to do back to the Ordinance Review Committee for further discussion. The motion carried unanimously.

#7- Chapter 27 Zoning Revisions- Ellis

Developmental Services Director Paul Ellis stated the Ordinance Review Committee and the Planning and Zoning Board are recommending changes to Chapter 27, Section 20 which will allow banners/signage for commercial and non-profit events for advertising purposes.

Mayor Evans opened the public hearing at 9:45 p.m.

There being no further comments, Mayor Evans closed the public hearing at 9:47 p.m.

Commissioner Dixon made a motion to deny the change to the ordinance. The motion carried 4 to 1, with Commissioners Dixon, Barrow, Shackelford and Baker voting in the affirmative and Commissioner Moore voting in the negative.

#8- Fee for picking up Household item- Ellis

Developmental Services Director Paul Ellis stated at the present time, the Town is not charging a fee for picking up household items left for curbside pickup. Ellis explained the Town does charge \$15 for the first load and \$50 for each additional load to pickup yard waste that will not fit into the waste containers. He asked the Board for permission to charge the same rate as the yard waste for the household items.

Commissioner Baker made a motion to adopt Ordinance (2011) 713, Ordinance Amending Chapter 20, Sanitation and Health Ordinance. The motion carried 4 to 1, with Commissioners Dixon, Barrow, Baker and Moore voting in the affirmative and Commissioner Shackleford voting in the negative.

#9- Consideration of a parking lease Davis Enterprises- Smith

Town Manager Smith requested for the Board to authorize him to execute a five-year lease with Davis Enterprises for 22 parking spaces located on South Walnut Street and 27 parking spaces located on West Church Street at a monthly rental rate of \$10 per space.

Commissioner Moore made a motion to authorize Town Manager Smith to execute the 5 year lease agreement with Davis Enterprises. The motion carried unanimously.

#10-Performance based analysis by Roberts Segal, CPA- Smith

Town Manager Smith stated that Robert Segal, CPA has a unique CPA practice independently auditing expenses and revenues on a no risk basis. Smith explained there is no charge if there are no findings but if they do produce savings or earnings they receive 50% over the succeeding 24 month period. Smith said they were currently reviewing the City of Greenville. He asked the Board if they were interested in this service.

Commissioner Barrow made a motion to authorize the Town Manager to enter into a letter of agreement with Robert S. Segal, CPA, PA. The motion carried unanimously.

#11-Local Government Commission Response Letter- Smith

Town Manager Smith presented a response letter to the Local Government Commission regarding their concerns with the audit ending June 30, 2010, regarding the General Fund balance and the percentage of Electric Fund transfers.

Commissioner Dixon made a motion to approve the response letter to the LGC. The motion carried unanimously.

Mayor Evans requested adoption of a Resolution Opposing the Passage of House Bill 117.

Commissioner Dixon made a motion to adopt Resolution (2011) 1119, Resolution of the Board of Commissioners of North Carolina Eastern Municipal Power Agency

Opposing the Passage of House Bill 117. Commissioner Barrow seconded the motion. The motion carried unanimously.

#12-Approval of 2010 Unpaid Taxes Report

Mayor Evans presented a list of unpaid taxes for 2010. He asked for approval of the report.

Commissioner Barrow made a motion to approve unpaid 2010 taxes. The motion carried unanimously.

XV. Any Items from City Manager

None.

XVI. Any Business from the Mayor or Other Commissioners

None.

XVII. Citizen Comments

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

There were no comments.

XVIII. Closed Session

On motion by Commissioner Dixon, the Board adjourned into closed session at 10:07 p.m. pursuant to G.S. 143-318.11(a)(3) to preserve the attorney-client privilege between the attorney and the public body. The motion carried unanimously.

On motion by Commissioner Dixon, the Board returned into regular session at 10:12 p.m. The motion carried unanimously.

Commissioner Dixon made a motion to authorize the Town Manager to hire Jim Hopf as the environmental attorney. The motion carried unanimously.

XIX. Adjourn- Until Tuesday, March 1, 2011 at 7:30 pm, in the Town Hall

On motion by Commissioner Shackelford, the meeting was adjourned at 10:18 p.m.

Robert L. Evans, Mayor

Attest:

Amy B. Johnson, Town Clerk