

Town of Farmville
Board of Commissioners
June 5, 2012

The Farmville Board of Commissioners met in regular session on Tuesday, June 5, 2012 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, Richard Hicks, John Moore and David Shackelford; Town Attorney Christopher Edwards; Interim Town Manager Samuel Noble and Town Clerk Amy B. Johnson.

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

Dr. John P. Dunstan of the First Christian Church, in Farmville, offered the invocation which was followed by the pledge of allegiance to the flag.

Brad Johnston, Principal of Farmville Central High School, introduced a few students which prepared a video for their "senior improvement project." He thanked the Board for letting the students share the video which stated their school was not about the "numbers" but stood for much more.

Rod Lancaster, owner of Farmville Hardware, thanked the Board for their support of the back alley fundraiser for Relay for Life. He stated it was a success and hopes to hold it again and receive the same support from the Town.

Finance Director, Amy B. Johnson gave the financial report for the month of April, 2012.

Public Hearings

1. 2012/2013 Budget Ordinance

Mayor Evans declared the public hearing on the proposed FY 2012/2013 budget open at 7:51 p.m.

Andy Martin, representative of the Farmville Development Partnership, addressed the Board and stated they did not want the requested \$20,000 contribution from the Town this year and they were branching out on their own. He stated they would be moving out of the May Museum effective July 1, 2012 and would not be doing the various events like the Christmas parade and the fourth of July as they have in the past.

Lila Garris, representative of the Farmville Arts Council, thanked the Board for considering their request for contribution again this year.

There being no further comments, Mayor Evans closed the public hearing at 7:55 p.m.

Commissioner Hicks presented a proposed increase to Town employees of a 2% COLA or a one-time 2.5% merit to 50% of employees. He stated he had looked over the budget and presented a way to fund the pay raises which included the \$20,000 given back from the FDP.

2. Request for Annexation

Interim Town Manager Noble stated a public hearing is being held on the question of annexing the Pitt County parcel #33094 adjoining 4004 Allen Street owned by Frederick Earl Umphlett consisting of .10 acre.

Mayor Evans declared the public hearing on the request for annexation of property open at 8:15 p.m.

There being no further comments, Mayor Evans closed the public hearing at 8:15 p.m.

Commissioner Hicks made a motion to adopt Ordinance (2012) 757, An Ordinance to Extend the Corporate Limits of the Town of Farmville. The motion carried unanimously.

3. 2012 CDBG SBEA Application

Mike Barnette, from McDavid Associates, stated a public hearing must be held to submit an application on behalf of Transco. He explained Transco proposes to expand their current location in Farmville and create nine new jobs.

Mayor Evans declared the public hearing on the CDBG SBEA Application open at 8:18 p.m.

There being no further comments, Mayor Evans closed the public hearing at 8:18 p.m.

Commissioner Dixon made a motion to authorize McDavid Associates to submit the 2012 CDBG SBEA Application on behalf of Transco. The motion carried unanimously.

4. Internet Cafes

Developmental Services Director Paul Ellis reminded the Board of an issued moratorium made on internet cafes on April 6, 2012 to await the review and legality of such businesses by the North Carolina General Assembly. Ellis informed the Board that it has now been determined that internet cafes are legal in the State of North Carolina. He further informed them it is unconstitutional for a town to not allow some place in the zoning district for this type business. Ellis reported the Planning and Zoning Board received several requests to add internet cafes as a permitted use in the HBD and voted May 8, 2012 to add them as a special exception.

Mayor Evans declared the public hearing on the Internet Cafes open at 8:23 p.m.

Janice Thompson, owner of the US Cellular store in Farmville, addressed the Board concerning opening an internet café and how it will generate business for Farmville and asked for consideration when establishing the license fees.

There being no further comments, Mayor Evans closed the public hearing at 8:30 p.m.

Commissioner Hicks made a motion to adopt Ordinance (2012) 758, Ordinance Amending Chapter 27, Zoning Ordinance. The motion carried unanimously.

Ellis requested for the Board to set the fees. He recommended an annual privilege license fee of \$2500 with an additional \$500 per machine charge.

Commissioner Dixon made a motion to approve the fees recommended by Developmental Services Director Ellis.

Commissioner Hicks made a substitute motion to approve the fees as recommended but to give a 6-month break and pay ½ the fees January 1, 2013 instead of July 1, 2012. The motion failed 1 to 4, with Commissioner Hicks voting in the affirmative and Commissioners Dixon, Moore, Baker and Shackelford voting in the negative.

Mayor Evans called for a vote on the original motion made by Dixon. The motion carried 4 to 1, with Commissioners Dixon, Moore, Baker and Shackelford voting in the affirmative and Commissioner Hicks voting in the negative. With this motion the Board adopted Ordinance (2012) 759, Ordinance Amending the Privilege License Tax Schedule of the Town of Farmville.

Items for Consent

5. Approval of Minutes

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

- May 1, 2012 Regular & closed sessions
- May 8, 2012 Budget Workshop session
- May 15, 2012 Special & closed sessions

6. Ordinance Amending 2011/2012 Budget- Hurricane Irene

To adopt an ordinance amending the 2011/2012 budget to cover repairs made to the Library, Town Hall, Fire Department, Community Center, Warehouse Complex, and Public Works shelter due to damage from Hurricane Irene. Insurance has reimbursed the Town for incurred expenses.

7. Ordinance Amending 2011/2012 Budget- Dodge Charger Accident

To adopt an ordinance amending the 2011/2012 budget to cover repairs made to the 2008 Dodge Charger due to an accident. Insurance has reimbursed the Town for incurred expenses.

8. Ordinance Amending 2011/2012 Budget- Take Home Program

To adopt an ordinance amending the 2011/2012 budget to cover the cost of starting up the Take Home Program for the Police Department. Funds will cover the cost of purchasing a 2006 Chevy Tahoe, a 2003 Crown Vic, a 2005 Crown Vic, a 2007 Crown Vic and the equipment.

9. Ordinance Amending 2011/2012 Budget- 2007 CDBG IF Program

To adopt an ordinance amending the 2011/2012 budget to cover payment to be made to the NC Department of Commerce due to their request for the return of \$9,023 remaining in the grant fund balance according to the Town's single audit. The

auditor booked \$12,360.45 of sales tax refunds in the project and the Community Investment and Assistance Division has refused to allow the Town to treat these funds as program income. Therefore, the Town must issue payment to return the unused funds.

10. Ordinance Amending 2011/2012 Budget

To adopt an ordinance amending the 2011/2012 budget to cover any over-expenditure made in the FY 2011/2012 budget. Accounts have been adjusted based on predicted June 30, 2012 balances.

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

- *Approved the minutes from the May 1, 2012 regular and closed sessions, the May 8, 2012 budget workshop session and the May 15, 2012 special and closed sessions*
- *Adopted (2012) 760, An Ordinance Amending the FY 2011/2012 Budget Ordinance*
- *Adopted (2012) 761, An Ordinance Amending the FY 2011/2012 Budget Ordinance*
- *Adopted (2012) 762, An Ordinance Amending the FY 2011/2012 Budget Ordinance*
- *Adopted (2012) 763, An Ordinance Amending the FY 2011/2012 Budget Ordinance*
- *Adopted (2012) 764, An Ordinance Amending the FY 2011/2012 Budget Ordinance*
- *Adopted (2012) 765, An Ordinance Amending the FY 2011/2012 Budget Ordinance*

The motion carried unanimously.

Items for Decision

11. Adoption of the Library's Collection Department Development and Circulation Policies

Library Director David Miller requested approval/adoption of the new Library's Collection Development Policy and the amended Circulation Policy. Miller explained the amendment allows individuals who own property or a business in Farmville or Pitt County but who may live outside of Pitt County lines, as well as Town of Farmville employees who may live outside of Pitt County lines, be eligible for a library card. Miller stated the Library Board approved both policies at their May 14, 2012 meeting.

Commissioner Dixon made a motion to adopt the Library's Collection Development Policy and approve the amended the Circulation Policy. The motion carried unanimously.

12. Approve Economic Development Policy

Interim Town Manager Noble presented the value of the past 10 years commercial permits. He asked for adoption of the Economic Development Policy.

Commissioner Dixon made a motion to adopt Ordinance (2012) 766, An Ordinance Establishing an Economic Development Investment Policy. The motion carried unanimously.

13. Farmville Wastewater Treatment Facility USDA Application for Improvements

Rich Moore, from McDavid Associates, requested adoption of a resolution authorizing the filing of an application to USDA- Rural Development to address the deficiencies at the wastewater treatment plant.

Commissioner Hicks made a motion to adopt Resolution (2012) 1167, Authorizing Application to USDA- Rural Development, Wastewater Treatment Facility Infrastructure Improvements. The motion carried unanimously.

14. Farmville Alternative Water Supply- Phase 1B, Non-USDA Capital Project Budget Ordinance Amendment

Andrew Parker, from McDavid Associates, stated a new expense account has been added to the Alternative Water Supply- Phase 1B Non USDA budget to reflect the 50% of projected excess funds to be paid to McDavid Associates as compensation for engineering and inspection services for the period from December 20, 2010 through March 21, 2012. He requested adoption of a resolution to amend the Budget Ordinance.

Commissioner Hicks made a motion to adopt Resolution (2012) 1168, Capital Project Budget Ordinance Amendment for Alternative Water Supply- Phase 1B Non USDA Eligible. The motion carried unanimously.

15. McDavid Associates, Inc. Proposal for Engineering Services FY 2012:2013

Interim Town Manager Noble presented a proposal for engineering services for FY 2013 (July 2012 – June 2013) from McDavid Associates. Noble stated the total retainage package is \$4,800 per year at a rate of \$400 per month.

Commissioner Dixon made a motion to approve the proposal for engineering services from McDavid Associates. The motion carried unanimously.

16. Elimination/Establish Recreation Advisory Committee

Interim Town Manager Noble reported the Executive Board for Recreation and Parks has made a recommendation to eliminate the Master Recreation Commission and have the Board of Commissioners appoint a seven (7) member Recreation Advisory Committee. Noble stated the Master Recreation Commission has experienced problems in obtaining a quorum for meetings due to having 17 members.

Commissioner Moore made a motion to approve the amendment to Chapter 19- Recreation and Parks of the Farmville Code of Ordinances. The motion carried unanimously.

17. Appoint Advisory Boards

Interim Town Manager Noble requested appointment and re-appointment to various Advisory Boards.

Commissioner Baker made a motion to adopt the following Resolutions:

- *Resolution (2012) 1169, Appointing Advisory Board Member- Tree and Community Appearance Commission (Ann Benthall)*
- *Resolution (2012) 1170, Appointing Advisory Board Member- Tree and Community Appearance Commission (Carolyn Ward)*
- *Resolution (2012) 1171, Appointing Advisory Board Member- Tree and Community Appearance Commission (Carrie Baker)*
- *Resolution (2012) 1172, Re-Appointing Advisory Board Member- Planning Board (Randy Erwin)*
- *Resolution (2012) 1173, Re-Appointing Advisory Board Member- Planning Board (Prince Barnett)*
- *Resolution (2012) 1174, Re-Appointing Advisory Board Member- Planning Board (Dan Wilder)*
- *Resolution (2012) 1175, Re-Appointing Advisory Board Member- Planning Board (Tim Reida)*
- *Resolution (2012) 1176, Re-Appointing Advisory Board Member- May Museum and Park Commission (Bob Newton)*
- *Resolution (2012) 1177, Re-Appointing Advisory Board Member- May Museum and Park Commission (Sally Martin)*

The motion carried unanimously.

18. Request for Permission to Use Hicks Frame Shop

Interim Town Manager Noble stated Finance Director Amy Johnson was requesting permission to use Hicks Frame Shop to get a few pictures framed to hang in the Finance Department. He stated the oil prints were found stored in the Community Center and were not being used. Noble said Ms. Johnson went to Hicks Frame due to them being a local frame shop.

Commissioner Moore made a motion to approve the request for permission to use Hicks Frame Shop. The motion carried unanimously, with Commissioner Hicks abstaining.

Citizen Presentations

Mayor asked if there were any citizen presentations at this time.

Carolyn Ward stated she was in favor of the 2% pay raise for all employees.

Ann Baker agreed with charging for privilege license fee for internet cafes upfront.

Salem asked exactly where the property was annexed.

Closed Session

On motion by Commissioner Moore, the Board adjourned into closed session at 9:19 p.m. pursuant to G.S. 143-318.11(a)(6) to discuss matters relating to personnel. The motion carried unanimously.

On motion by Commissioner Dixon, the Board returned into regular session at 10:06 p.m. The motion carried unanimously.

Mayor Evans recessed the meeting at 10:08 p.m. to reconvene on Tuesday, June 12, 2012 at 6:00 p.m.

Robert L. Evans, Mayor

Attest:

Amy B. Johnson, Town Clerk