

**Minutes
Town of Chadbourn, North Carolina
Chadbourn Council Regular Meeting**

June 5, 2012

The regularly scheduled meeting of the Chadbourn Town Council was held Tuesday, May 1, 2012, at 7:00 p.m., in the Council Meeting Room.

Members Present: Mayor, Kenneth Waddell; Mayor Pro Tem, Fax Rector; Councilmembers: Rashad Roberts, Brian Edwards, Phillip Honeycutt and Edwin Roberts

Members Absent: None

Others Present: Stevie Cox, Town Manager; Patricia Garrell, Town Clerk; Robert Mumblow, Police Captain; Michael Foss, Public Works Director

CALL TO ORDER AND ROLL CALL

Mayor Pro Waddell called the meeting to order at 7:00 p.m. Patricia Garrell, Town Clerk, took roll call.

INVOCATION

Councilmember Brian Edwards led the assembly in prayer.

PLEDGE OF ALLEGIANCE

Mayor Waddell led the assembly in the Pledge of Allegiance.

APPROVAL OF AGENDA

Councilmember Rector made a motion to approve the agenda. The motion was seconded by Councilmember Edwards to approve the Agenda. The motion carried with a unanimous vote of 5 - 0.

Approval of Minutes of Town Council Meetings

1. Regular Meeting Minutes – May 1, 2012
2. Budget Workshop Minutes – May 7, 2012

Councilmember Honeycutt made a motion to approve the Regular Meeting Minutes and the Budget Workshop Minutes. The motion was seconded by Councilmember Rashad Roberts. The motion carried with a unanimous vote of 5 - 0.

PUBLIC COMMENTS AND CITIZEN REQUEST

Anyone seeking to speak under Public Comments must complete a comment card and submit it to the Town Clerk prior to the start of the Town Council Meeting. When you come up to speak, you will need to state your name, address, what organization that you represent and your topic of concern.

Dwetta Burt-Ellison: Chadbourn, NC

- Stated that a City Limit sign had been moved and is requesting that the hole be fixed.

Russell Gause: Chadbourn, NC

- Stated he is upset with the article in the News Reporter on May 3, 2012 regarding a statement in the paper about speaking at Town meetings.
- In his view, Freedom of Speech is being impeded by the Local Government.
- Upset with his item not being placed under the Action Agenda for June.
- Stated that Council needs to read the Ethics Codes.
- Requested to Council to be able to review the CDBG applications.
- Questions about Ms Annie Mae Brown's water bill.
- Stated that his water meter is never read.

Bettye Wilson: Chadbourn, NC

- Concerned with what items could be discussed under the Public Comments Section.
- Asked where the Rules of Governing Public Comments are stated.
- She would like the rules about Public Comments updated.

Eugene George: Chadbourn, NC

- Asked if the public can speak on all topics or specific topics during the Public Comments.
- Stated that the Public Comment Card needs to be amended.
- Requested a copy of the CDBG applications.

Dwetta Burt-Ellison: Chadbourn, NC

- Stated that she was confused if she was in the Town's City Limits or the County.
- Stated that the ditches and drainage around her property need to be addressed.
- Requested that Public Works put a drain tile at her property, but there was a stump that had to be removed.

Jimmy Sue Ward: Chadbourn, NC

- Stated that the Public Comment Card needs to be changed and revised.

Mayor Waddell closed the Public Comments session.

(Clerk's Note: A copy of the comment cards filled out are hereby attached and therefore made a part of these minutes)

CONSENT AGENDA

All items listed below are considered to be routine and will be enacted by one introduction/motion/second/roll call vote. There will be no separate discussion of these items unless a Council Member so requests, in which event the item will be removed from the Consent Agenda and considered separately.

1. **Budget Amendment for Special Appropriations – BA-11/12/40.**
2. **Budget Amendment for the Water Reserve Fund– BA-11/12-38.**
3. **Budget Amendment for the Waste Water Treatment Plant - BA-11/12/36.**
4. **Budget Amendment for the Police Department – BA-11/12/35.**
5. **Budget Amendment for the Street Department – BA-11/12/39.**
6. **Budget Amendment for the Street and Water Departments – BA-11/12/37.**
7. **Code Enforcement Update.**
8. **Budget Amendment for the Waste Water Treatment Plant - BA-11/12/34.**
9. **Budget Amendment for the Police Department – BA-11/12/33.**

Councilmember Rector made a motion to approve the Consent Agenda items listed above together as one. The motion was seconded by Councilmember Edwards. Councilmember Edwards made a motion to

approve the Consent Agenda items listed above. The motion was seconded by Councilmember Rector. The motion carried with a unanimous vote of 5 - 0.

(Clerk's Note: A copy of the Budget Amendment Memos and Code Enforcement update are hereby attached and therefore made a part of these minutes)

ACTION AGENDA

1. Award of the Solid Waste Collection Contract

Presented by: Town Manager, Stevie Cox

Town Manager Cox stated that the Town Council approves the negotiation for the solid waste collection contract to the lowest and most responsible bidder.

After much discussion by Council, a motion was made by Councilmember Rector to award and negotiate the final contract with Waste Management. Councilmember Edwin Roberts seconded the motion. The motion carried with a vote of 4-1. Councilmember Honeycutt opposed.

2. Award of the Radio Read Meter and SCADA System Contracts

Presented by: Town Manager, Stevie Cox and Todd Steel with Engineering Services, PA

Town Manager Cox stated that Staff recommends that Town Council approve the award of contracts for Division "A" and Division "B" of the Phase 1 Water System Improvements project to the lowest responsible bidders.

Todd Steel stated that the lowest bids have been approved by Engineering Services to be responsible contracts. He, also, stated that the material and labor had a one year warranty.

A motion was made by Councilmember Honeycutt to award the contracts to Atlantic Utilities and Custom Controls Unlimited. Councilmember Edwards seconded the motion. The motion carried with a unanimous vote of 5 - 0.

3. Approval of Site Plan for the Proposed ABC Store

Presented by: Tony Freeman

Tony Freeman requested that Council approve the site plan for the proposed ABC Store on Joe Brown Highway North.

After discussion by Council, a motion was made by Councilmember Rector to approve the site plan for the proposed ABC Store on Joe Brown Highway North. Councilmember Rashad Roberts seconded the motion. The motion carried with a unanimous vote of 5 - 0.

4. Approval to Lower the Speed Limit on NC 130 / NC 410 from US 76 in the Chadbourn City Limits

Presented by: Town Manager Stevie Cox and Tony Freeman

Town Manager Cox requested Council's approval of lowering of the speed limit on NC 130 / NC 410 from US 76 in the Chadbourn City Limits from 55 MPH to 45 MPH pursuant to the recommendation from the North Carolina Department of Transportation.

After discussion by Council, a motion was made by Councilmember Edwards to approve the lowering of the speed limit on NC 130 / NC 410 from US 76 Northward to the corporate limits of Chadbourn from 55 MPH to 45 MPH. Councilmember Rashad Roberts second the motion. The motion carried with a unanimous vote of 5 - 0.

5. Update on Preparing for the Hurricane Season and Drainage Plan

Presented by: Public Works Director, Michael Foss

Mike Floss stated that in 2007 the Corp of Engineers did a study of the drainage. He stated that the Town could pay \$100,000 to \$200,000 cleaning ditches, but it would not clear up the problem. He stated that the Town will always have issues until the outfall ditches are cleaned and maintained, because the water has no where to go.

Mike Floss stated that to replace about 4,400 feet of storm drains would cost around \$8.00 per foot. He, also, stated that several years ago they hired a contractor to cut roots and remove all the sand from the storm drains, and that worked well. The cost for this type of service would be around \$175 to \$225 per hour, and it would take about 32 hours. He, also, stated that the outfall ditches were not wide enough when extreme weather occurs per the Corp of Engineers study.

After much discussion by Council, Mike Floss and Stevie Cox were instructed by Council to find out why the water on the 600 block on Brown Street is not flowing to the outfall ditches. Council instructed them to have a plan and the estimates to fix the drainage problems on Highway 410, Institute, 3rd, 4th Howard, Wilson, Pine and Thomas Street before the next Council meeting. Council, also, stated that they needed to seek assistance from NCDOT for the water issues on Highway 410.

6. High Water Ordinance and Drainage Grant Program

Presented by: Councilmember Brian Edwards

Councilmember Edwards requested that a plan needs to be put in place for heavy rainfall. Councilmember Edwards requested that the Planning Board look at drafting an ordinance to restrict access to streets with high water and or reduce speed. He, also, requested that a protocol be put in place by the Public Works and the Police Department to put out sand bags and closing streets with extremely high water during heavy rain.

After discussion by Council, a motion was made by Councilmember Edwards that a protocol for businesses on Brown Street to have sand bags distributed to flood areas when heavy rain is expected. He, also, requested that the Planning Board draft an Ordinance to limit access or reduce speed on streets with high water. Councilmember Honeycutt seconded the motion for the protocol and the Ordinance. The motion carried with a unanimous vote of 5 - 0.

(Clerk's Note: Copies of the Action Agenda items are hereby attached and therefore made a part of these minutes)

OTHER ITEMS

Mayor Waddell asked if anyone had any announcements or comments.

Town Manager Stevie Cox stated that Town Hall Day was June 6, 2012 and Mayor Waddell, Councilmember Edwin Roberts and himself would be attending. Mayor Waddell requested to be put on record that it will not cost the Town any money for attending Town Hall Day.

Town Manager Stevie Cox requested that Council set a time and day for the next Budget Meeting.

After discussion by Council, the next Budget Workshop Meeting would be Thursday, June 7th at 6 p.m.

CLOSED SESSION

1. Discussion of Personnel Issues—Pursuant to North Carolina General Statutes 143-318.11

(a) (b)

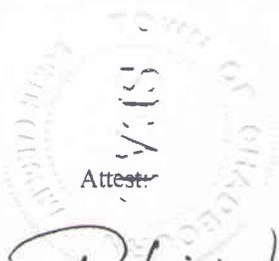
Mayor Waddell asked if Council would make a motion to go into closed session. Councilmember Edwin Roberts made a motion to go into closed session to discuss personnel issues, pursuant to North Carolina General Statutes 143-318.11 (a) (6). The motion died due to a lack of a second.

ADJOURNMENT

Councilmember Edwin Roberts requested that the picture in the lobby of the Council be replaced or removed.

Councilmember Edwin Roberts had concerns about where he is seated at the Council meetings.

With no further business, Mayor Waddell adjourned the meeting at 9:15 p.m.



Attest:

Patricia Garrell
Patricia Garrell, Town Clerk

Kenneth N. Waddell
Kenneth N. Waddell, Mayor