



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

January 7, 2014

The Regular Council Meeting of the Chadbourn Town Council was held Tuesday, January 7, 2014 at 7:00 p.m., in the Council Meeting Room.

Members Present: Mayor Fax Rector; Mayor Pro Tem Donald Ray Bass; Councilmembers: Rashad Roberts, Brian Edwards, Edwin Roberts, and David Worley.

Members Absent: None

Others Present: Stevie Cox, Town Manager; Patricia Garrell, Town Clerk; Mike Foss, Public Works Director; Robert Mumblow, Interim Chief of Police; and Harold Pope, Town Attorney.

CALL TO ORDER AND ROLL CALL

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

INVOCATION

Councilmember Worley led the assembly in prayer.

PLEDGE OF ALLEGIANCE

Mayor Fax Rector led the assembly in the Pledge of Allegiance.

APPROVAL OF AGENDA

Mayor Rector asked Council to make a motion on the agenda.

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

Approval of Minutes of Town Council Meeting

1. Regular Minutes – December 3, 2013
2. Closed Minutes – December 3, 2013

Councilmember Bass made a motion to approve the Regular Meeting minutes on December 3, 2013, with the change of the date of Pearl Harbor Day to the 7th of December and the Closed Minutes on December 3, 2013, with the removal of one comment from a Councilmember. The motion was seconded by Councilmember Brian Edwards to approve the minutes. The motion carried with a unanimous vote of 5 - 0.

COMMENTS FROM THE MAYOR AND ANNOUNCEMENTS

Mayor Rector stated that the Basketball program registration was slow and if more children did not sign-up, that he was going to ask Council to pull the program this year.

Mayor Rector stated that child safe wood chips have been added to "Our Park" and the work is continuing to improve the park.

Mr. Cox stated that the Dr. Martin Luther King, Jr. Day was on January 20th, but information about the march has not been released at this time.

Mayor Rector stated that Patricia Garrell has been attending Leadership Columbus for the past six months and her Graduation was January 23rd.

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.

Mayor Rector opened the floor for Public Comments from the comment cards he received.

No Public Comments cards were received.

Mayor Rector closed the Public Comments.

PUBLIC HEARING

1. Proposed Rezoning: Case No.: RZ-03-13

This request is for public comments on the proposed rezoning of the property located at 109 E. Kirkland Street. The applicant desires to remove Ben's Market Fresh from the Chadbourn Fire District. The Planning Board is requesting that the Town Council hold a Public Hearing to receive public comments on this rezoning request.

The Public Hearing Notice was advertised in The News Reporter on December 26th, 2013 and January 2nd, 2014.

Mayor Rector opened the Public Hearing session at 7:07 p.m.

No Public Comments.

Mayor Rector asked if Council had any questions concerning the Rezoning.

Mayor Rector closed the Public Hearing session at 7:09 p.m.

ACTION AGENDA

1. Selection of Authorized Signers

Presented by: Stevie Cox, Town Manager

Mr. Cox stated that staff is requesting Council to make a motion to appoint the Mayor, Town Manager, Finance Officer and another member of Town Council to be authorized signers for certain Town Documents.

Councilmember Brian Edwards made a motion to have Mayor Rector, Mayor Pro Tem Bass, Town Manager, Stevie Cox and Town Clerk/Finance Officer Patricia Garrell to be the authorized signers for certain Town Documents. Councilmember Worley seconded the motion. The motion carried with a unanimous vote of 5 - 0.

**2. Ruling on Case No.: RZ 03-13 -- Removal of a Property from the Chadbourn Fire District.
Presented by: Stevie Cox, Town Manager**

Mr. Cox stated that in 2009 the county fire inspector stated that no building permits would be issued in the business district without the special designation, which has more restrictive construction rules. The area included all of downtown, including Brown, Railroad, Kirkland and Thompson Streets, as well as, several blocks of First and Second Avenues. Mr. Cox stated that the Planning Board suggested everything on Kirkland from East Railroad Street to the west side of Pine Street be included in the change.

Councilmember Brian Edwards made a motion to approve the removal of 109 E. Kirkland Street and everything on Kirkland from East Railroad Street to the west side of Pine Street. Councilmember Bass seconded the motion. The motion carried with a unanimous vote of 5 - 0.

(Clerk's Note: Copies of the Action Agenda item RZ 03-13 Removal of a Property from the Chadbourn Fire District request.)

CLOSED MEETING

**1. Closed session to discuss possible litigation under North Carolina General Statues 143-318.11
(a) (3)**

Mayor Rector asked Council for a motion to go into closed meeting.

Councilmember Bass made a motion to go into closed session at this time to consult with the Town Attorney in order to pursue the attorney-client privilege regarding a claim against the Town and likely litigation, pursuant to North Carolina, General Statues 143.318.11 (3). Councilmember Edwin Roberts second the motion. The motion carried with a unanimous vote of 5 - 0.

Council moved to Closed Session at 7:19 p.m.

ADJOURNMENT

Council returned from Closed Session at 8:24 p.m.

Councilmember Worley made a motion for the town attorney, Harold Pope, to investigate the matters of possible litigation under North Carolina General Statues 143.318.11 (3) in closed session. Councilmember Bass second the motion. The motion carried with a unanimous vote of 5 - 0.

With no further business, Mayor Rector adjourned the meeting at 8:25 p.m.



Fax Rector, Mayor

Attest:



Patricia Garrell, Town Clerk

