Minutes
Town of Chadbourn, North Carolina
Chadbourn Council Regular Meeting
August 2, 2016

The Regular Council Meeting of the Chadbourn Town Council was held Tuesday, August 2, 2016 at 7:00 p.m., in the Council Meeting Room.

Members Present:	Mayor Phillip Britt; Councilmembers: Rashad Roberts, Donald Ray Bass, James Green, Colene Kelly and David Worley
Members Absent:	None
Others Present:	Patricia Garrell, Interim Town Manager; Linda Gaddy, Deputy Town Clerk; Steven Price, Public Works Director; Darrell Trivette II, Chief of Police and Harold Pope, Town Attorney.

CALL TO ORDER AND ROLL CALL

Mayor Britt called the meeting to order at 7:01 p.m. Linda Gaddy, Deputy Town Clerk took roll call.

INVOCATION

Mr. Wes Wrenn led the assembly in prayer.

PLEDGE OF ALLEGIANCE

Mayor Britt led the assembly in the Pledge of Allegiance.

APPROVAL OF AGENDA

Mayor Britt asked Council to make a motion to approve the agenda.

A motion was made by Councilmember Bass to approve the agenda.

Motion by: Bass
Motion Seconded by: Worley
Votes: Ayes - 5
Nays – 0
Abstained - 0

APPROVED

APPROVAL OF MINUTES OF TOWN COUNCIL MEETINGS

1. Regular Meeting Minutes – July 12, 2016
2. Closed Session Meeting Minutes – July 12, 2016

Mayor Britt asked Council to make a motion to approve the minutes listed above.

A motion was made by Councilmember Roberts to approve the minutes as one.

Motion by: Roberts
Motion Seconded by: Worley
Votes: Ayes - 5
Nays – 0
Abstained – 0

APPROVED

ANNOUNCEMENTS

3. **Mayor Britt read the announcements:**

- Community Watch and Meet and Greet with the Town Council and the Police Department on August 8th at 6:30 pm at Town Hall.
- H.E.A.R.T.S. Foundation Back to School Event on August 6th from 3 pm to 7 pm.
- There have been several donations in recognition of the Police Officers. Staff appreciates all the donations, flowers and the bow that were donated.
- Town Hall will be closed on Monday for Labor Day on September 5th.

Additional announcements:

- Interim Manager Garrell stated that the Grant was moving forward.
- Mayor Britt stated that Schley W. Waddell (father of Rep. Ken Waddell) passed on August 1, 2016. Visitation will be held on Wednesday, August 3, 2016 from 6-8 pm at Worthington Funeral Home in Chadbourn. Final rites will be held at 3:00 pm on Thursday, August 4, 2016 at Fair Bluff Baptist Church, Fair Bluff NC.
- Russel Gause stated that there would be a voter registration drive on Saturday, August 6, 2016 starting at 11:00 am.

Mayor Britt closed the Announcements

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

Mr. Tyrone Faulk, Chadbourn, NC

- Mr. Faulk talked in opposition to the petition that was presented to Town Council at their July, 2016 meeting. Mr. Faulk stated that it was not fair to have the coaches and other volunteers names slandered. Mr. Faulk stated that this was a slap in the face and things contained in the petition were lies.

The Johnson Family, Chadbourn, NC

- Mr. Mark Johnson spoke on behalf of the Johnson Family in opposition to the petition presented to Town Council at their July 2016 meeting. Mr. Johnson stated that he was personally offended that the petition implied that they were criminals and the petition was slanderous in reference to the volunteers and coaches involved in the Parks and Recreation Program this year. Mr. Johnson asked who fact checked the contents of the petition before it went to the press.

Ms. Lanette Scott, Chadbourn, NC

- Ms. Scott spoke in opposition to the petition presented to Town Council at their July 2016 meeting. Ms. Scott spoke on petition Item #6 in reference to the misuse of funds. Ms. Scott stated that

everything went through the approval of Robert Jones, who was the Town Manager at that time.. Ms. Scott stated that in her opinion, someone was trying to sabotage the program and much information contained in the petition was slanderous and false.

Charles Williams

- Mr. Williams stated that he was out there for the kids and was very offended that someone implied that the kids were in an unsafe environment. Mr. Williams said that he had no problem with anyone doing a background check on him at any time; but, the thing that really bothered and upset him was for someone to say that he had kids in an unsafe environment.

Ms. Amber Lee, Chadbourn, NC

- Ms. Amber Lee stated that at all the Parks and Recreation events she attended, she never saw any child in any danger. Ms. Lee further stated that she never saw any kid with a frown and she never saw any smoking or anything bad going on around the kids. Ms. Lee stated that she thought the Parks & Recreation was a good program to help keep kids out of trouble and busy doing good activities.

Mayor Britt closed the Public Comments.

PUBLIC HEARINGS

4. **Public Hearing on Re-Adopting the Town of Chadbourn's Zoning Ordinance, Flood Prevention Ordinance, Subdivision Ordinance and adopting a Consistency Statement.** Staff is requesting comments from the public on re-adopting these Ordinances and adopting a Consistency Statement.

Mayor Britt opened the floor for the Public Hearing at 7:31 p.m.

Mr. Russell Gause stated that if the Town re-adopted the zoning ordinance, he was told in earlier years that his block on Brown Street (500 Block) would be the only block rezoned to Commercial/Residential and everything else would be zoned Commercial, if any re-zoning was to take place.

Ms. Pattillo, Planning Board Chairperson, explained that when the UDO was rescinded, these ordinances as part of the UDO were also rescinded and, therefore, needed to be re-adopted along with the adoption of a Consistency Statement by Town Council.

Mayor Britt closed the Public Hearing at 7:33 p.m.

CONSENT AGENDA

5. **Approval of the 2016 Tax Scroll.** Staff is requesting Town Council's approval or disapproval of the 2016 Tax Scroll.

6. **Approval of the Tax Collector for 2016/2017.** Staff is requesting Town Council's approval to appoint Wendy Johnson as the Tax Collector.

A motion was made by Councilmember Kelly to approve Consent Agenda Items 5 and 6 listed above as one.

Motion by: Kelly
Motion Seconded by: Roberts
Votes: Ayes - 5
Nays – 0
Abstained – 0

APPROVED

ACTION AGENDA

7. **Discussion and Approval/Disapproval of Re-Adopting the Zoning Ordinance (Chapter 86), Flood Prevention Ordinance (Chapter 34), Subdivision Ordinance (Chapter 70) and the adoption of a Consistency Statement for the Town of Chadbourn.**
Presented by: LaTanya Pattillo, Planning Board Chairperson

Ms. Pattillo stated that when the Town rescinded the UDO (Unified Development Ordinance) these Ordinances were rescinded and needed to be re-adopted by Town Council along with the adoption of a Consistency Statement.

A motion was made by Councilmember Bass to approve re-adopting the Zoning Ordinance (Chapter 86), Flood Prevention Ordinance (Chapter 34), and Subdivision Ordinance (Chapter 70) along with the adoption of a Consistency Statement.

Motion by: Bass
Motion Seconded by: Worley
Votes: Ayes - 5
Nays – 0
Abstained – 0

APPROVED

8. **Approval or Disapproval to re-appoint Phillip Edwards to the Chadbourn Planning & Zoning Board.**
Presented by: Patricia Garrell, Interim Town Manager

A motion was made by Councilmember Roberts to re-appoint Mr. Phillip Edwards to the Town of Chadbourn Planning and Zoning Board for a period of three years. Term ending August, 2019.

Motion by: Roberts
Motion Seconded by: Worley
Votes: Ayes - 5
Nays – 0
Abstained – 0

APPROVED

9. **Approval or Disapproval to re-appoint Ms. Hattie Kelly to the Chadbourn ABC Board.**
Presented by: Patricia Garrell, Interim Town Manager

A motion was made by Councilmember Worley to re-appoint Ms. Hattie Kelly to the ABC Board. Term ending August, 2019.

Motion by: Worley
Motion Seconded by: Roberts
Votes: Ayes - 5
Nays – 0
Abstained – 0

APPROVED

10. ***Discussion of the Contract for Code Enforcement with N. Focus Planning & Design, Inc.***
Presented by: Patricia Garrell, Interim Town Manager

Town Council discussed entering into a contract with N. Focus Planning & Design, Inc., for code enforcement in the Town of Chadbourn.

A motion was made by Councilmember Roberts to approve the contract with N. Focus Planning & Design, Inc., subject to review and approval of the contract by Town Attorney, Butch Pope.

Motion by: Roberts
Motion Seconded by: Worley
Votes: Ayes - 4
Nays – 1 James Green
Abstained - 0

APPROVED

11. **Discussion of a Committee for Economic Development.** Staff is requesting Council to discuss putting a committee together to move forward on Economic Development Planning with the NC Department of Commerce.

Mr. Mark Zeigler, Economic Development Planner, would guide and conduct the committee. Staff suggests that the committee be comprised of two business owners, two Councilmembers, two Town Staff, two citizens and one person from the press.

After much discussion, Town Council tabled the discussion until their next Council meeting. Board members were requested to have recommendations of citizens to sit on the committee.

TABLED

12. **Discussion and Approval/Disapproval of a new vendor for fuel for the Town.** Staff is requesting Town Council's approval or disapproval of a new vendor for fuel.
Presented by: Mr. Wes Wrenn with Colonial Fuels

Mr. Wes Wrenn with Colonial Fuels gave a presentation to Town Council. Staff stated that Colonial Fuels could provide a 1,000 or 2,000 gallon tank with Pump and Plusi Card reader system at no cost, as well as, a 1,000 gallon tank with a pump for diesel. The Plusi card reader system would allow for more accountability of which employee and vehicle is using the fuel.

A motion was made by Councilmember Worley to approve purchasing oil for the Town from the new vendor, Colonial Fuel of Wilmington, NC.

Motion by: Worley
Motion Seconded by: Bass
Votes: Ayes - 5
Nays – 0
Abstained - 0

APPROVED

13. ***Discussion and Approval/Disapproval of the fees for Zoning with the Cape Fear Council of Governments (CFCOG).***
Presented by: Pat Garrell, Interim Town Manager

Ms. Garrell stated that Mr. Allen Serkin would be the COG Planning Consultant for the Town and that the Cape Fear Council of Governments would charge the Town for help with planning and zoning issues on a per hour basis. Also, Staff would only use Mr. Serkin's services as needed.

A motion was made by Councilmember Worley to approve the contract with Cape Fear Council of Governments for planning and zoning services on an as needed basis.

Motion by: Worley
Motion Seconded by: Roberts
Votes: Ayes - 5
Nays – 0
Abstained - 0

APPROVED

14. **Discussion and Approval or Disapproval of the Body Worn Camera Policy.** Staff is requesting Town Council's approval or disapproval for the Body Worn Camera Policy.
Presented by: Darrell Trivette, II, Chief of Police

Chief Trivette presented a Body Worn Camera Policy as recommended by the North Carolina Chiefs of Police Association to be adopted by the Chadbourn Police Department for Town Council to review. Council requested that Chief Trivette update and make the appropriate changes to the policy and present it for their review and adoption at their September 2016 Council meeting.

After discussion, Town Council instructed Chief Trivette to move forward with ordering the body cameras for the Chadbourn Police Department. However, the cameras were not to be used until Council approved a Body Worn Camera Policy.

NO MOTION

15. Approval or Disapproval to Surplus Two Fire Arms.
Presented by: Darrell Trivette, II, Chief of Police

A motion was made by Councilmember Roberts to approve to surplus two firearms in the Police Department: One Beretta .40 caliber serial number: BER062879 with three magazines and One Beretta .40 caliber serial number: BER061970 with two magazines, which will permit their sale as specified by law.

Motion by: Roberts
Motion Seconded by: Kelly
Votes: Ayes - 5
Nays – 0
Abstained - 0

APPROVED

Closed Meeting Agenda

16. **Closed session to protect the attorney-client privilege and to consider and give instructions concerning a potential or actual claim under General Statute 143-318.11 (a) (3), and to consider the qualifications, competence, performance, conditions of appointment of a public officer or employee or prospective public officer or employee under General Statute 143-318.11 (a)(6).**

Mayor Britt requested Council to make a motion to go into Closed Session at 8.39 p.m.

Councilmember Roberts made a motion to go into Closed Session for General Statues 143-318.11(a) (3) and General Statutes 143-318.11 (a)(6). Councilmember Kelly seconded the motion.

Council moved to Closed Session at 8.40 p.m.

Mayor Britt asked Council to make a motion to go back into Open Session at 8:58 p.m.

Councilmember Bass made a motion to go back into open Session.

Motion by: **Bass**
Motion Seconded by: **Roberts.**
Votes: **Ayes –5**
Nays – 0
Abstained – 0

APPROVED

ADJOURNMENT

Mayor Britt stated that Council was back in open session and that no action was taken in closed session.

With no further business, Councilmember Roberts made a motion to adjourn the meeting at 9:01 p.m.

Motion by: Roberts
Motion Seconded by: Worley
Votes: Ayes –5
Nays – 0
Abstained – 0

APPROVED

Phillip C. Britt, Mayor

Attest:

Linda Gaddy, Deputy Town Clerk

TOWN OF CHADBOURN
SEAL
NORTH CAROLINA