

**ELM CITY BOARD OF COMMISSIONERS  
TUESDAY, FEBRUARY 21, 2012  
ELM CITY TOWN HALL  
CONFERENCE ROOM**

**MINUTES**

**1. Call to Order**

Mayor Grady Smith (hereinafter "Mayor Smith") called to order the regular meeting of the Elm City Board of Commissioners (hereinafter "Board") at 7:30 pm on February 21, 2012.

**2. Roll Call**

Mayor Smith conducted a roll call. The following were present:

Commissioner, Melvin Cooke (hereinafter "Comm. Cooke")  
Commissioner, Lewis Crockett (hereinafter "Comm. Crockett")  
Commissioner, Marsha Wells (hereinafter "Comm. Wells")  
Commissioner, Gil Wheeler (hereinafter "Comm. Wheeler")  
Town Administrator, Jonathan Russell (hereinafter "Admin. Russell")  
Town Clerk, Dena Cordell

**3. Approval of Minutes from Last Meeting**

Mayor Smith gave the Board opportunity to review the proposed minutes from the January 10, 2012, meeting.

*MOTION* – Comm. Crockett made motion to approve the Minutes of the January, 10, 2012, Elm City Board of Commissioners Meeting; seconded by Comm. Wheeler. Motion passed by unanimous vote.

**4. Wanda Ennis, Senior Account Manager, Logics**

Wanda Ennis with Logics was present at the meeting to offer a credit of \$4,000 to upgrade to Eagle, the newest product by Logics. Much information was offered regarding the program.

## 5. **Admin. Russell's Report**

Admin. Russell reported to the Board, from the written report he submitted within the February 14, 2012 Agenda Packet. The following were actions taken by the Board as related to Admin. Russell's report:

### A. **Resolution for Annexation:**

Part of the procedural requirements for the voluntary annexation, is that the Board approve to verify the sufficiency of the annexation requests, as well as a public hearing at the March meeting, for the annexation to be completed.

*MOTION* – Comm. Crockett made motion that the Board verify the sufficiency of the annexation; seconded by Comm. Wheeler. Motion passed by unanimous vote.

A public hearing will be scheduled for the March 13<sup>th</sup> meeting.

### B. **Railroad Street Property Bid Request:**

Cathy Barnes, an Elm City citizen, has made an offer of \$500 on a piece of Town-owned property adjacent to hers along N. Railroad Street. The parcel number is 3735-70-7668.000 with a tax value of \$4,000. This property is small and can't be built upon.

*MOTION* – Comm. Wheeler made motion that the Town give public notice that the lot is available for purchase; seconded by Comm. Crockett. Motion passed by unanimous vote.

Admin. Russell will have an inventory of Town-owned lots at the March 13 meeting for the Town to use for advertisement, if in the event someone else would be interested in purchasing one of them.

### C. **Spray Field Inspection:**

Matt Fleahman, with the North Carolina Department of Environment and Natural Resources, was on site to inspect both the old and new spray fields. There were concerns regarding the ongoing issues of road relocation and rutting in the new spray field. Wells Brothers is aware of the warranty issues. It may be advantageous for the Town to write a letter to both Steve Scruggs and Wells Brothers outlining what is expected. Matt has given the Town 60 days with an effort to make the changes needed.

**D. Park and Playground Update:**

Admin. Russell recently met with Dan McSweeney, with Carolina Parks and Play, to discuss design and use options for several pieces of property throughout Town, as well as funding options. The company buys from three vendors. Admin. Russell would like to have designs available for the upcoming budget cycle.

**E. RBEG Sidewalk Update:**

The contract for the sidewalks was put out to bid on Saturday, February 11, 2012, with a closing date of Friday, March 9, 2012 at 2 pm. The bids will be opened at that time and reviewed at the next council meeting on March 13.

**F. Inflow and Infiltration Update:**

The Town is still in the process of certifying all easements for the project, in order to put it out for bid. The Rural Center extended the deadline to have a contract in place from February 29 to March 31, 2012. This extension was at their request, to allow adequate time to select the most qualified contractor.

**G. Website Update:**

The new website template is available for viewing. It can be accessed at <http://elmcitync.com/home/>.

**H. Additions to Report:**

1. Tommy Hawkins, Mayor of Saratoga, has invited Mayor Smith, the Board, and Admin. Russell to attend a meeting regarding Sanderson Farms coming to the area. The meeting will take place on Thursday, the 23<sup>rd</sup> at the Stantonsburg Town Hall at 7 pm.
2. Admin. Russell has received a schedule of the deputies that are assigned to the Town for purposes of locking the park in the evenings. The unlocking of the park would need to be covered by the Town or Envirolink employees.



6. **Invoices**

Admin. Russell presented Mayor Smith and the Board with the monthly Town invoices in the agenda packet.

*MOTION* – Comm. Cooke made motion to pay bills; seconded by Comm. Crockett. Motion passed by unanimous vote.

7. **Comments from Public Floor**

There were no comments from the public.

8. **Commissioner Concerns**

Comm. Wells mentioned that there was a gentleman from Texas interested in selling cemetery lots from the Cedar Grove Cemetery. It will be offered for him to advertise using the Town bulletin board outside of the conference room, as well as mentioning the ability to advertise in the Wilson Times.

9. **Town Attorney Comments**

Mr. Rand updated the Board regarding the foreclosure located on S. Parker Street. He chose not to bid on the property. He mentioned that the County was willing to let the Town do the demolition work, and if the property sold at a later date, they would split the proceeds. The Town is making progress.

Regarding the Inflow and Infiltration work, Mr. Rand has to certify title work on the water / sewer lines. Some properties do have easements. It is not needed to certify the whole system, but only where work is going to be done. Mr. Rand would like to map the exact location to see if the Town has easements on the properties. Because the lines are so old, some were laid without easements. In those events, the Town will have to go to the owners of the properties to obtain voluntary conveyance of easements.

Mr. Rand mentioned that there was a criminal action that has been filed regarding the Padgett property and car. These charges affect the Town. Due to the actions being filed against an agent of the Town with sanction, the Town is liable for actions of the individual. The Town is at risk for a law suit and acrimony down the road. This action has made it difficult to do anything to help the Town, and it is portrayed as the people are being picked on. The Padgetts were not in violation because the car had been moved.

Mr. Rand recommends that he and Admin. Russell speak with Jack, at Swaringens Auto Repair, to find exactly what it will take to have the car running. After doing so, he feels it advantageous to speak with the Padgetts about exactly what it will take to have the car running. He also feels it is important to convey to

the Padgetts that the Board does not condone what happened, and wasn't part of, or in agreement with it.

Mr. Rand fears that the Board's actions are taking up too much time in regard to one area, when there are larger things to accomplish with the brown water and sewer moratorium issues.

Mr. Rand also suggested that before any Board members takes action upon themselves, that they are sure the entire Board has cleared the actions being taken.

The movement of the car at the Padgett property gives the appearance that the Board authorized the moving.

*MOTION* – Comm. Crockett made motion that the record reflect that the Board did not authorize the action or movement of the car back to the Padgett property; seconded by Comm. Cooke. Motion passed by unanimous vote.

#### 10. **Adjournment**

Mayor Smith adjourned the meeting at approximately 8:50 pm, February 21, 2012, upon motion of Board.

*MOTION* – Motion was made to adjourn by Comm. Crockett; seconded by Comm. Wheeler. Motion was passed by unanimous vote.

Minutes submitted by: Dena H. Cordell, Town Clerk