

## **MINUTES**

### **Snow Hill Board of Commissioners Regular Meeting**

**Monday, August 14, 2006—7:00 p.m.**

#### **Snow Hill Town Hall**

**201 North Greene Street, North Carolina 28580**

The Snow Hill Board of Commissioners regular meeting convened at 7:00 p.m. on Monday, August 14, 2006 in the Snow Hill Town Hall with the following members present: Mayor Don Davis; Commissioners Phyllis Burruss, Percy Edwards, Geraldine Shackelford, Allison Thomas; Town Clerk-Finance Officer Mauren Baker; Town Administrator Bob Clark.

1. Call to Order—Mayor Davis sounded the gavel and called the meeting to order
2. Prayer—Commissioner Edwards offered prayer
3. Pledge of Allegiance—Mayor Davis led the Pledge of Allegiance
4. Roll Call—Commissioner Washington was excused by consent of the Board. A quorum was declared, as all other members were present.
5. Consider Approving Meeting Agenda—Motion was made by Commissioner Edwards, seconded by Commissioner Shackelford and carried unanimously to approve the August 14, 2006 Meeting Agenda as drafted.
6. Consider Approving Meeting Minutes:
  - a. July 26, 2006 regular meeting minutes—Motion was made by Commissioner Edwards, seconded by Commissioner Thomas and carried unanimously to approve the July 26, 2006 Meeting Minutes.
  - b. July 10, 2006 regular meeting minutes—Motion was made by Commissioner Edwards, seconded by Commissioner Thomas, and carried unanimously to approve the July 10, 2006 Meeting Minutes with the following correction: delete “Commissioner Edwards offered prayer” from Item 3 and add “Mayor Davis led the Pledge of Allegiance”.
  - c. July 17, 2006 special joint meeting between Snow Hill Council and Greene County Board of Commissioners—Motion was made by Commissioner Edwards, seconded by Commissioner Shackelford and carried unanimously to approve the July 17, 2006 Special Joint Meeting Minutes of the Boards of Commissioners of Snow Hill and Greene County.

## 7. Report of Officers:

### a. Mayor:

1. Recommendations for appointments to Town boards, committees, and Commissions—Mayor Davis presented recommendations for appointments to Town boards, committees and commissions (copy is hereby incorporated by reference and made a part of these minutes). He also recommends that all expired terms should occur in the month of May of each year.

2. Discuss other extraterritorial area appointments—Mayor Davis raised the question about ETJ representatives on committees, and commissions, stating that Town residents are the people who benefit from committee/commission recommendations. He also explained that Bobby Taylor has moved into the Town, and is therefore not qualified to represent the ETJ on the Planning Board. With the consent of the Board, the Mayor will request that the County Commissioners allow Mr. Taylor to complete this appointed term.

3. Recommendation to approve a resolution requesting appointments to the Snow Hill Planning Board and Board of Adjustment by the County of Greene—Mayor Davis presented a Resolution requesting appointments to the Snow Hill Planning Board and Board of Adjustment by the County of Greene as per NCGS (copy is hereby incorporated by reference and made a part of these minutes).

### b. Town Administrator:

1. Report on upset bid of a CASE 580E backhoe for \$7,500—Sale of the Case Backhoe was advertised. There were several people that looked at the backhoe, but none offered upset bids. Mr. Clark recommends that the Board authorize the sale of the Case Backhoe to Dick Smith Equipment Company of Goldsboro for \$7500.00.

2. Snow Hill was not awarded 2006 North Carolina Parks and Recreation Trust Fund Grant for enhancements to the Community Center located on Harper Street —Mr. Clark attend the PARTF meeting in Elizabethtown on behalf of the Town. Greene County was awarded funds for the second phase of the “Paxar” recreation park.

3. Discuss a proposed amendment to the 2006 Cemetery Fee Schedule—After hearing some citizen feedback on the new cemetery fee schedule, Mr. Clark presented an amendment to the fee schedule which is hereby incorporated by reference made a part of these minutes.

4. Discuss setting a date for a mixed beverage election—Mr. Clark and the Mayor presented NCGS18B-601.f and 163-287 (both hereby incorporated by reference and made a part of these minutes) that governs special elections and allows cities and towns to 1) request an election; 2) the Elections board sets the date for the special election; and 3) there is a 60 to 120 day window after the request for the election, during which time the Elections Board must set a date for the election.

5. Discuss quarterly work session—Mayor Davis requested that Mr. Clark coordinate this work session for the Board.

6. Recommend the Town Clerk investigate the voluntary annexation petition for the Tide Tamer property—Mr. Clark advised the Board of the petition for annexation by Mr. F. H. Shackelford for the Tide Tamer property and of the necessity for the Town Clerk to investigate the property and present a Certificate of Satisfaction for annexation to the Board.

7. Recommend the Town Clerk investigate the voluntary annexation petition for the Worth Product property-- Clark advised the Board of the petition for annexation by Mr. and Mrs. Kenneth Letchworth for the Worth Products property and of the necessity for the Town Clerk to investigate the property and present a Certificate of Satisfaction for annexation to the Board.

8. Recommend approval of an agreement between the Town of Snow Hill with the North Carolina Rural Development Center, Inc. for \$100,000 in support of the Tide Tamer and Worth Product Project—Mr. Clark advised the Board that it was necessary for them to accept the North Carolina Rural Center Building Reuse Grant and to authorize Mayor Davis to execute the proper documents for this grant.

9. Recommendation of authorizing Budget Amendment FY 2006-07-#001—This item was tabled by consent of the Board until the August 30, 2006 meeting of the Board.

c. Planner: Around-the-Town Report—This item was tabled by consent of the Board.

8. Report of the Boards, Commissions, Committees and/or Taskforces:

Planning Board:

a. Recommends to set a public hearing in regards to an ordinance of the Board of Commissioners amending the abandoned structures provisions—a copy of this proposed amendment is hereby incorporated by reference and made a part of these minutes. The Planning Board recommends the inclusion of the ETJ in this

amendment. The Planning Board recommends September 11, 2006 for the Public Hearing.

b. Recommends setting a public hearing in regards to an ordinance of the Board of Commissioners amending the zoning code-- a copy of this proposed amendment is hereby incorporated by reference and made a part of these minutes. The Planning Board recommends the inclusion of the ETJ in this amendment. The Planning Board recommends September 11, 2006 for the Public Hearing.

c. Recommends setting a public hearing in regards to an ordinance of the Board of Commissioners amending the code of ordinances of the Town of Snow Hill to include minimum housing standards-- a copy of this proposed amendment is hereby incorporated by reference and made a part of these minutes. The Planning Board recommends the inclusion of the ETJ in this amendment. The Planning Board recommends September 11, 2006 for the Public Hearing. The Planning Board struck Item # as it does not apply.

d. Recommends approval of a Final Plat for a Division of Property for County of Greene, Tracts A, B, C and D and N. Perry Drive Dedication. Barrow & Barrow, P.A. of Snow Hill, N.C. prepared the plat—The Planning Board recommends that the Town approve the Final Plat for Division of Property for County of Greene, Tracts A, B, C, D, and North Perry Drive Dedication contingent on a letter of commitment or posting of bond by the County of Greene to insure that North Perry Drive is completed.

e. Recommends approval of a Map for Record, Division of Property for Robert Lee Taylor and wife, Mary G. Taylor being a Proportion of the Third Tract as described in DB 518, Page 452, Greene County Registry. J. Charles Cauley & Associates, Wilson, NC prepared the plat—The Planning Board recommends approval of this request. Mr. Bobby Taylor excused himself from the table for this Planning Board item of business. This division creates a new tract of 5.0039 acres and is zoned commercial.

9. Unfinished Business and General Orders: N/A

10. New Business:

a. Consider appointments to Town boards, commissions and committees— Motion was made by Commissioner Edwards, seconded by Commissioner Burrus and carried unanimously to open the floor for nominations to boards, committees and commissions.

Mayor Davis opened the floor for nominations for Historic Commission appointments three times. There were no additional nominations. The nominations as presented by memo (copy is hereby incorporated by reference and made a part of these minutes) were appointed by acclamation.

Mayor Davis opened the floor for nominations for Planning Board. Al Hamm was nominated by Commissioner Thomas. Mayor Davis called for other nominations and there were none. Voting for Nancy Cannon were Commissioners Burruss, Edwards and Shackelford; Voting for Al Hamm was Commissioner Thomas. There were no votes for Nancy Radford. Nancy Cannon and Al Hamm were appointed as new members of the Planning Board.

Mayor Davis opened the floor for nominations for the Board of Adjustment three times. There were no nominations from the floor. Joan Atkinson, David Smith (alternate) and Jill Whitson were appointed by acclamation.

Mayor Davis opened the floor for nominations for Neighborhood Affairs Committee three times. There were no nominations from the floor. Diane Davis, Claudie Reid, and Becki Scarborough were appointed by acclamation. Kenny Barrow will continue to serve one more year by consent of the Board.

Mayor Davis opened the floor for nominations for Recreation Commission three times. There were no nominations from the floor. Robert Edwards, Jeanette Loftin, Karen Mulcahy and Ian Whitson were appointed by acclamation. Claudie Reid will continue to serve one more year by consent of the Board.

Mayor Davis opened the floor for nominations for Development Commission three times. There were no nominations from the floor. Bert Diener, Gail Edwards, Al Hamm, Bettie Hooker, Allison Thomas, Sandra Warren, and Brenda Braswell were appointed by acclamation.

Mayor Davis opened the floor for nominations for the Snow Hill Tomorrow Steering Committee three times. There were no nominations from the floor. Stacy Stallings (member-at-large) was appointed by acclamation.

Mayor Davis opened the floor for nominations for Tree Board three times. There were no nominations from the floor. George Dixon, Stephen Ginn, Margaret Shackelford, Francis Sugg, and Laura O'Brien were appointed by acclamation.

All completed terms of office will expire in May of each year by consent of the Board.

All of the terms of office of the above new appointments are retroactive to May, 2006, by consent of the Board.

b. Consider any action regarding other ETJ appointments—As this appointment is not required by NCGS to be from the ETJ, by consent the Board removed the ETJ requirement from the Neighborhood Affairs Committee membership.

c. Consider recommendation of the Town Administrator to approve a resolution requesting appointments to the Snow Hill Planning Board and Board of Adjustment by the County of Greene—Motion was made by Commissioner Thomas, seconded by Commissioner Shackelford and carried unanimously to approve a resolution requesting appointments to the Snow Hill Planning Board and Board of Adjustment by the County of Greene.

d. Consider awarding the bid of \$7,500 for a CASE 580E backhoe—Motion was made by Commissioner Thomas, seconded by Commissioner Edwards, and carried unanimously to sell the Case 580E Backhoe to Dick Smith Equipment of Goldsboro for \$7,500.00.

e. Consider amending the cemetery policy—Motion was made by Commissioner Thomas, seconded by Commissioner Shackelford and carried unanimously to amend the 2006 Cemetery Fee Schedule by inserting the following clarification —“including tax paying non-resident property owners, without an outstanding property tax balance,”.

f. Consider action in regards to a mixed beverage election—By consent the Board takes the position that all citizens within the Town of Snow Hill have the right to vote on any issue. By consent the Board will not call for a special election for mixed beverage, they would like for the issue to be included on the 2007 municipal ballot.

g. Consider setting time and date for quarterly work session—By consent of the Board, Mr. Clark will arrange the time and date for the quarterly work session.

h. Consider the recommendation from the Town Administrator for the Town Clerk to investigate the voluntary annexation petition for the Tide Tamer property—Motion was made by Commissioner Thomas, seconded by Commissioner Shackelford and carried unanimously to instruct the Town Clerk to investigate the voluntary annexation petition for Tide Tamer Property.

i. Consider the recommendation from the Town Administrator for the Town Clerk to investigate the voluntary annexation petition for the Worth Product property—Motion was made by Commissioner Shackelford, seconded by Commissioner Burruss and carried unanimously to instruct the Town Clerk to investigate the voluntary annexation petition for Worth Products Property.

j. Consider approval of an agreement between the Town of Snow Hill with the North Carolina Rural Development Center, Inc. for \$100,000 in support of the Tide Tamer and Worth Product Building Reuse Grant Project—Motion was made by Commissioner Burruss, seconded by Commissioner Thomas and carried unanimously to approve an agreement between the Town of Snow Hill and the North Carolina Rural Development Center, Inc. for \$100,000 in support of the Tide Tamer and Worth Product Building Reuse Grant Project.

k. Consider approving Budget Amendment #1 FY 2006-07-#001—Tabled by consent of the Board until August 30, 2006.

l. Consider the recommendation from the Planning Board to set a public hearing in regards to an ordinance of the Board of Commissioners amending the abandoned structures provisions—Motion was made by Commissioner Shackelford, seconded by Commissioner Burruss and carried unanimously to set a public hearing for Monday, September 11, 2006 at 7:00 pm or as soon thereafter as possible in the Town Hall regarding an ordinance of the Board of Commissioners to amend the abandoned structures provisions.

Consider the recommendation from the Planning Board to set a public hearing in regards to an ordinance of the Board of Commissioners amending the zoning code—Motion was made by Commissioner Thomas, seconded by Commissioner Burruss and carried to set a public hearing for Monday, September 11, 2006 at 7:00 pm or as soon thereafter as possible in the Town Hall regarding an ordinance of the Board of Commissioners to amend the Town of Snow Hill Zoning Code.

m. Consider the recommendation from the Planning Board to set a public hearing in regards to an ordinance of the Board of Commissioners amending the code of ordinances of the Town of Snow Hill to include minimum housing standards—Motion was made by Commissioner Shackelford, seconded by Commissioner Thomas and carried unanimously to set a public hearing for Monday, September 11, 2006 at 7:00 pm or as soon thereafter as possible in the Town Hall regarding an ordinance of the Board of Commissioners to amend the code of ordinances of the Town of Snow Hill to include minimum housing standards.

n. Consider the recommendation from the Planning Board to approve a Final Plat for a Division of Property for County of Greene, Tracts A, B, C and D and N. Perry Drive Dedication. Barrow & Barrow, P.A. of Snow Hill, N.C. prepared the plat—Motion was made by Commissioner Edwards, seconded by Commissioner Shackelford and carried unanimously to approve a Final Plat for Division of

Property for County of Greene, Tracts A, B, C and D and N. Perry Drive Dedication (copy of said final plat available in the Office of the Town Planner).

o. Consider the recommendation from the Planning Board to approve a Map for Record, Division of Property for Robert Lee Taylor and wife, Mary G. Taylor being a Proportion of the Third Tract as described in DB 518, Page 452, Greene County Registry. J. Charles Cauley & Associates, Wilson, NC prepared the plat—Motion was made by Commissioner Edwards, seconded by Commissioner Shackelford and carried unanimously to approve a Map for Record, Division of Property for Robert Lee Taylor and wife, Mary G. Taylor being a Proportion of the Third Tract as described in DB 518, Page 452, Greene County Registry (copy of said map available in the Office of the Town Planner).

p. Consider entering a closed session to negotiate a contract pursuant to NCGS 143-318.11(5)—Motion was made by Commissioner Edwards, seconded by Commissioner Shackelford and carried unanimously to enter closed session to negotiate a contract pursuant to NCGS 143-318.11(5).

Motion was made by Commissioner Edwards, seconded by Commissioner Burruss to reconvene open session of the Town of Snow Hill Board of Commissioners meeting for this date.

Motion was made by Commissioner Edwards, seconded by Commissioner Burruss to purchase the parking lot property located off of the alley behind downtown (101 SE Third Street) owned by Gary Christman for \$15,000.00.

#### 11. Program:

a. Update on Lion's Park enhancement project—The status of the property on which the Lion's Park is located has been established. There is no agreement between Lion's Club and the Lasitter Family for the use of this property. Mayor Davis indicated that he was in the process of talking with the Lasitter Family and would report his findings soon.

b. Presentation on group homes development—Mr. Clark reported that he and the Mayor attended the community meeting at the City Club to speak on Town Regulations in reference to Group Homes. Ms. Becki Scarborough reported that the meeting was for community information and that the citizens meeting was not an effort to shut down group homes in the area. She reported that the citizen concerns include: 1) a pro-patient group to insure that patients have the very best of care as per NCGS; 2) Review the local Ordinances for improvement; 3) Enforcement of the Local Ordinance and 4) Form a Citizen Neighborhood Crime Watch. The Mayor stated that since the meeting the Town has: 1) contacted the sheriff about enforcing the Local Ordinance; 2) contacted the group home owners



to hear their case; 3) visited the sites and discovered some ordinance violations that will be corrected. The Mayor suggested that the citizens group pull together a meeting with the group home owners to work on some of the concerns. Mayor Davis stated, "I will strictly enforce the Town's Ordinances."

12. Announcements and Public Comments—There were none.

13. Adjournment—Motion was made by Commissioner Edwards, seconded by Commissioner Shackelford and carried unanimously to adjourn this session of the Town Council of Snow Hill.