

MINUTES
SNOW HILL BOARD OF COMMISSIONERS
MONDAY, NOVEMBER 14, 2011
201 NORTH GREENE STREET, SNOW HILL, NC 28580

1. **Call to order** – Mayor Liles called the meeting to order at 6:30 p.m. The prayer was offered by Commissioner Scarborough. The pledge was led by Mayor Liles.
2. **Roll Call** - The roll was called by Clerk, Cathy Webb. All members were present. A quorum was declared.
3. **Consider Agenda Approval** - A motion was made by Commissioner Scarborough, seconded by Commissioner Taylor, and carried unanimously to approve the agenda as presented.
4. **Consider Minutes Approval** - A motion was made by Commissioner Taylor, seconded by Commissioner Scarborough, and carried unanimously to approve the October 26, 2011 minutes as presented.
5. **Closed Session – Personnel Matters** - A motion was made by Commissioner Scarborough, seconded by Commissioner Taylor to go into closed session to discuss personnel matters. The session began at 6:40 p.m. The session ended at 7:45 p.m.

A motion was made by Commissioner Whitson, seconded by Commissioner Shackelford, and carried unanimously to reconvene to regular session.

6. **Report of Officers** –

Mayor –

- a. **Veterans Day Ceremony** – Mayor Liles announced that the Veterans Day Ceremony went very well and was enjoyed by all that attended.

Town Administrator –

- a. **Property Request** – Mr. Hill presented a revised request from Mr. Gene Riddle requesting that the Town donate the surplus property located on Hart and Welch Streets to the proposed community garden project named The Gardens of Snow Hill. This donation would occur once non-profit status is achieved. He said that this would be an action item at the next meeting and asked if anyone had any questions for Mr. Riddle. Commissioner Scarborough said that she still had the same concerns that she had from the beginning about the property concerned about fair market value and that she thought that the reason the property was put on the market was so that it could be sold for some dollar amount and also that they were looking for something to help the tax base. She said that the last time this was proposed that the idea

of leasing the land came up and she thought that this would be a good idea. She said that she thought that they needed to get the value of the land before they decided whether to lease it or donate it. Commissioner O'Brien asked, if the Board decided to donate the land if it could be written so that if the community garden ceased to operate, that the land be reverted back to the Town. Attorney Pridgen said that he thought this could be done. Mr. Riddle said that according to IRS Regulations, you would have to follow their rules, that the land would have to be sold and given to another non-profit. Attorney Pridgen said that he was familiar with the rules of non-profit but that he did not know that that would preclude you from putting a right of reversion in and that this was something that could be explored. Commissioner Scarborough asked Mr. Riddle why he was opposed in leasing the land for a nominal fee for a year or two and show the success and validity of the project. Mr. Riddle replied that he had talked to Russ Jones, who has valued the property at \$3000-\$750 for each lot. He said that when starting a non-profit it would be better not to lease, but to start off with some assets. Commissioner O'Brien asked if was possible to start the non-profit with a lease. Mr. Riddle said that he was not interested in doing that. He said that he had a letter from Dora Pasour, Interfaith, and said that she was very interested in seeing this project go through.. Commissioner Scarborough said that she had a conversation with Lee Albritton last week that had been trying to get a community garden started and that he had been a very lengthy, time consuming project. She said that there would have to be bathroom facilities, a place to store tools, etc. She said that she was in favor of the community garden but wanted to see a lease type situation and make sure all things were in order before land was donated. Mr. Riddle said that he had already addressed all of this in the plan that was done. Commissioner Scarborough said that she had not seen this plan. Mayor Liles asked if the Board could get a copy of the plan. Mr. Riddle said that the plan was not formalized, but was in a thick folder with a lot of handwritten notes. He said that he did not want a lease and if they did not want to vote for it, don't. He said that he would like to get an up or down vote to see what they wanted to do, and if not, he would go on to Plan B. Commissioner Whitson reiterated on the fact that Commissioner Scarborough said that Lenior County was having a hard time getting their Community Garden off the ground. He indicated that Pitt County had been very successful with theirs and that he believed Pitt County had donated the property. He asked Commissioner Scarborough if the Town did donate the property, how would that be a negative to this getting off the ground. Commissioner Scarborough said that it was all the things that had to be done to have a community garden. She said that all the other projects that had been done, there was a plan in place and that they had asked for some documents and she did not see why this project was any different. Commissioner O'Brien asked Mr. Riddle if he was

required to have restroom facilities. He said that he was not aware of this requirement. Mr. Riddle said that there were two parts to this project.

1) The large garden will provide fresh produce to over 200 Greene County families; 2) The other part would be a community garden, which would be much smaller. Commissioner Scarborough asked what was the vision, the mission, and the plan. He said that he was following the Community Garden Plan that was written by the N.C. Agricultural Extension. He said that there was an extremely long plan posted on the internet. Mr. Riddle said this garden was going to be more than just a garden-it was going to be a showplace. He announced that Master Gardening Classes will be held in Kinston beginning January 11, 2012.

b) Library Board Structure – Mr. Hill presented an e-mail from Justin Stout, Special Projects Manager, Neuse Regional Library. The Board has no representative that specifically represents Snow Hill. There are three options: 1) They can have no representative that specifically represents Snow Hill; 2) There is a designated Snow Hill representative but he/she is still appointed by the Greene County Board of Commissioners; 3) Greene County would have three appointments and Snow Hill would have one, but the structure of the Regional Board would have to be changed to include thirteen members rather than twelve.

c. Police Office Space - Mr. Hill asked the Board about having the meetings in the Museum building. He suggested constructing an office in the meeting area that is currently being used. He said that this would save a lot of money on utilities, telephones, and various other things.

Town Clerk/Finance Officer

a. Project Budget Amendment – The Clerk presented a budget amendment for the Community Center Project that had been an oversight in the past two years. This was a finding in the audit report.

7. Unfinished Business – NONE

8. Report of Boards – NONE

9. Public Comments –

1) **Sharon Ginn** - Mrs.Ginn gave a report on the upcoming events being sponsored by the Museum and asked everyone to attend if possible.

2) **Joseph Connors** – Mr. Connor asked the Board to consider changing the speed limit on Greene & Harper Streets to 20 mph.

10. Action Items –

- a. Consider Property Request** – This item was tabled until later.
- b. Consider Library Board Representation** - A motion was made by Commissioner Scarborough, seconded by Commissioner O'Brien and carried unanimously to add a 13th person to the Board, which would allow for a Snow Hill representative.
- c. Consider Adopting Project Budget Amendment**- A motion was made by Commissioner Whitson, seconded by Commissioner Shackelford, and carried unanimously to approve the Budget Amendment as presented.

- 11. Commissioners Comments – Commisisoner Taylor asked Attorney Pridgen if The Board could change the speed limits. Mr. Pridgen said that if it was a Town street that they could but it needed to be done as an Ordinance or as An Amendment to the Ordinance.
- 12. A motion was made by Commissioner Scarborough, seconded by Commissioner Whitson, and carried unanimously to recess the meeting and reconvene Wednesday, November 16, 2011 at 6:00 p.m.

MINUTES
SNOW HILL BOARD OF COMMISSIONERS
RECESSED FROM MEETING OF NOVEMBER 14, 2011
201 NORTH GREENE STREET, SNOW HILL, NORTH CAROLINA

1. Mayor Liles asked for a motion to reconvene from the recessed meeting of November 14, 2011. A motion was made by Commissioner Whitson, seconded by Commissioner Shackelford, and carried unanimously to reconvene the meeting.
2. A motion was made by Commissioner Taylor, seconded by Commissioner Scarborough, and carried unanimously to go into closed session to discuss personnel matters.
3. A motion was made by Commissioner Taylor, seconded by Commissioner Shackelford, and carried unanimously to reconvene to regular session.
4. Mayor Liles asked for a motion to offer the job of Police Chief to John Rea based on the interview process and upon completion of any pre-employment requirements.
5. Attorney Pridgen stated that it had been brought to his attention that there might be a conflict of interest with Commissioner Taylor on voting for this candidate. However, according to General Statute 160A-75, there no does appear to be a conflict of interest. This Statute states that no member shall be excused from voting except upon matters involving the consideration of the member's own financial interest or official conduct or on matters on which the member is prohibited from voting under G.S. 14-234, 160A-381 (d), or 160A-381 (e). The question of the compensation and allowances of members of the council is not a matter involving a member's own financial interest or official conduct.

Commissioner Taylor stated to the Board that Mr. Rhea was a member of his Tennis Club and that you had been friends with him for about 5 years. He said that they talked on a weekly basis.

6. A motion was made by Commissioner Whitson, seconded by Commissioner Shackelford, with 4 ayes and 1 nay to offer the position of Police Chief to John Rhea.
7. Adjourn – A motion was made by Commissioner Taylor, seconded by Commissioner Shackelford, and carried unanimously to adjourn. The meeting adjourned at 7:40 p.m.

Mayor

Clerk