

**Belhaven Town Council
Regular Session - Minutes – March 13, 2006**

Call to Order/Invocation/Pledge

The Town Council of the Town of Belhaven met in regular session on Monday, March 13, 2006 at 7:00 P.M. in the Boyette Civic Center at 257 W. Pungo Street. Adam W. O’Neal, Mayor, presided over the meeting with the following Council members present: Albert Baker, Steve W. Carawan, George R. Ebron, Jr., Mayor Pro-Tem and Cynthia M. Heath. Town Manager Tim M. Johnson, Town Attorney Keith B. Mason and Town Clerk Marie J. Adams were also present. Councilman Carawan gave the invocation and Mr. Melvin Gibbs lead the pledge of allegiance.

Approval of Minutes – February 13, 2006 Regular Session

Mayor O’Neal stated that the minutes of the February 13, 2006 meeting were open for review and approval. There being no corrections to the minutes, Councilman Ebron made the motion to approve the February 13, 2006 Regular Session minutes. Councilwoman Heath seconded the motion which carried unanimously.

Oath of Office – Councilman Dr. Charles O. Boyette

Mayor O’Neal stated that Town Clerk Marie Adams would administer the oath of office to Dr. Charles O. Boyette who was appointed to fill the unexpired term of Councilman James B. Hodges who resigned. Town Clerk Adams administered the oath of office to Dr. Charles O. Boyette. Councilman Boyette’s term will expire December 2007.

**Oath of Office
Town of Belhaven
Council Member**

“I, Dr. Charles O. Boyette, do solemnly swear that I will support and defend the Constitution of the United States and the Constitution and laws of North Carolina not inconsistent therewith, and that I will faithfully perform the duties of the office of Council Member, on which I am about to enter, according to my best skill and ability; so help me God.”

Dr. Charles O. Boyette
Councilman

ATTEST:

Marie J. Adams, CMC
Town Clerk

Ordinance Amendment Granting Sun Burn Communications a One Year Franchise Time Extension

Mayor O’Neal stated that Sun Burn Communications was requesting a one year franchise extension for the completion of the installation of the cable system. Mayor O’Neal asked

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if anyone would like to speak on behalf of Sun Burn Communications. No one spoke. Mayor O'Neal asked Town Manager Johnson to read information submitted to the Council on behalf of Sun Burn from Attorney Wayland Sermons. Town Manager Johnson read the following:

Memorandum

**To: Honorable Adam W. O'Neal
Members of the Belhaven Town Council**

From: Wayland J. Sermons, Jr.

Date: March 13, 2006

Re: Second Reading Sun Burn Extension

I regret that I will be unable to attend tonight's meeting. As you all are aware, I represent the Town of Bath and our regular meeting night is the second Monday of each month. Having attended your meeting last month, I simply cannot miss two meetings in a row.

However, I wish to urge upon you all of the same reasons we discussed last month in hopes you will agree to the second reading of the ordinance to extend Sun Burn's construction deadline by one year. I have endeavored to make sure all of the insurance is correctly in place, and have been assured by Farm Bureau that it is all in order. In addition, if anything more is needed other than the letter of credit we have in place, we will be happy to provide that immediately.

I am in receipt of a letter from Belhaven Cable TV's lawyer to the Town's lawyer for cable matters, Keith Johnson. I find it completely without merit that he is complaining about the Council being discriminating against him, when his own client is out of compliance with their franchise agreement. Further, he complains that the Town is requesting compliance documentation. This is just a further attempt by Belhaven Cable TV to unlawfully interfere with Sun Burn's franchise rights, and his claiming you are discriminating against his client by granting Sun Burn's extension is ludicrous. Belhaven Cable TV was given over two years to enlarge its system, and Sun Burn is building a completely new system. In addition, all the matters he raises in his letter have been

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completely dealt with and explained at our last meeting. There is no damage to the Town's equipment and assets, there are sufficient letters of credit in place, the insurance is correct, and his letter raises nothing new that we did not deal with last month.

In conclusion, my client has spent several hundred thousand dollars in building his system, and is approximately 75% complete. Your granting of this extension will in no way create any further liability for the Town, and I would ask that you approve this second reading of the extension ordinance.

Mayor O'Neal asked did anyone representing Belhaven Cable Television wish to speak concerning this issue. Mayor O'Neal recognized Mr. Harvey "Butch" Raynor, Attorney representing Belhaven Cable Television, who stated that the ordinance should be enforced and asked that the Council not grant the one year franchise time extension to Sun Burn.

Mayor O'Neal recognized Mr. Keith Johnson, Attorney with Poyner and Spruill representing the Town of Belhaven on the cable franchise extension issue. Attorney Johnson stated that the "question at hand" was whether or not to grant a franchise extension of time to Sun Burn Communications for the completion of the installation of cable. Attorney Johnson also informed the Council that Federal Cable Laws are pro-competitive. Attorney Johnson explained that originally Sun Burn Communications franchise stated that the system would be built within one year. Attorney Johnson further explained that Belhaven Cable had claimed that each cable company should be treated the same, showing no favoritism and with this remark he explained that the two cable companies could not be compared as they are (oranges and apples). To further clarify, Attorney Johnson, stated that Belhaven Cable was given two years in 1998, after their franchise renewal, to upgrade their system and that Sun Burn Communications was given one year to build the system. Attorney Johnson warned that the town would have significant exposure to possible legal issues if the franchise extension was not granted.

Mayor O'Neal asked that Attorney Johnson comment on the letter from Belhaven Television's Attorney Mr. Marcus Trathen. Attorney Johnson stated that the letter from Belhaven Cable Television Attorney, Marcus Trathen had a lot of points, but the real issue tonight was whether or not to grant the franchise time extension of one year. Attorney Johnson stated that Belhaven Cable seemed to be concerned that Sun Burn has two \$10,000 letters of credit instead of one \$10,000 letter of credit and one \$10,000 surety bond as stated in the franchise. Attorney Johnson explained that a letter of credit was better than a surety bond in that the letter of credit was "liquid".

Mayor O'Neal stated that he had many concerns with Sun Burn such as the damage to the utility poles, absence of surety bond as stated in the franchise, the previous lapse in letter of credit and insurances. Town Manager Johnson stated that the insurances and \$20,000 in letters of credit was in place for Sun Burn Communications.

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Councilman Carawan stated that he wanted a level playing field for both cable companies and felt that Sun Burn Communications was shown favoritism. Attorney Johnson explained that \$20,000 in letters of credit was more liquid than a surety bond and that Belhaven Cable Television had no security in place.

Mayor O’Neal questioned how a letter of credit was obtained. Attorney Johnson stated that the person obtaining the letter of credit would pay cash money for such. Mayor O’Neal explained that when a surety bond is issued that the company or person is reviewed as to whether or not they are a good risk, therefore, the surety bond is not as easy to obtain.

In closing, Attorney Johnson stated that the information given tonight, still did not change his preference as a letter of credit over a surety bond or to vote on the extension of the franchise agreement for Sun Burn Communications.

Councilman Baker made the motion to approve the ordinance amendment for a one year franchise extension for Sun Burn Communications (2nd reading). Councilman Ebron seconded the motion which carried, 4 to 1. Council members Boyette and Heath voted in favor of the motion, Councilman Carawan voted against the motion.

**AMENDMENT TO ORDINANCE GRANTING A CABLE COMMUNICATIONS
FRANCHISE TO SUN BURN COMMUNICATIONS, L.L.C.**

WHEREAS, effective February 7, 2005, the Town of Belhaven (the “Town”) council enacted an Ordinance granting a cable communications franchise (“Cable Ordinance”) to Sun Burn Communications, L.L.C. (“Sun Burn”); and

WHEREAS, pursuant to the terms of that Ordinance, Sun Burn was to complete construction of its cable system and make service available by February 7, 2006; and

WHEREAS, Sun Burn has requested a one year extension of that deadline, and the Town finds good cause for agreeing to that request.

NOW THEREFORE, BE IT ORDAINED BY THE BELHAVEN TOWN COUNCIL AS FOLLOWS:

1. Section XI(B) of the Cable Ordinance is replaced with the following:

The construction of the system will be completed and all subscribers will have the service available no later than 24 months from the effective date of this Franchise.

2. The original terms of the Cable Ordinance otherwise remain in effect.

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Finally adopted on second reading, ordained and agreed to this 13th day of March, 2006, by the Town Council on behalf of the Town of Belhaven.

Adam W. O'Neal, Mayor

ATTEST:

Marie J. Adams, Town Clerk

SUN BURN COMMUNICATIONS, L.L.C

BY: _____ (SEAL)
J. C. Singleton, Jr., Member/Manager

Date: _____

Resolution Adopting Local Water Supply Plan

Mayor O'Neal stated that the Town needed to consider adopting a Local Water Supply Plan for the Town. Mayor O'Neal asked Town Manager Johnson to explain further. Town Manager Johnson stated that the State of North Carolina mandates that the town have a plan and that the plan should be adopted as the North Carolina Water Resources. Town Manager Johnson further explained that the North Carolina Water Resources has given their approval of the plan. There being no further discussion, Councilwoman Heath made the motion to adopt the following resolution and authorize the Mayor to execute the document for the Town of Belhaven. Councilman Ebron seconded the motion which carried unanimously.

Town of Belhaven
Resolution Adoption Request for Local Water Supply Plan

WHEREAS, North Carolina General Statute 143 355 (I) requires that each unit of local government that provides public water services or plans to provide such services and each community water system shall, either individually or together with other such units of local government and community water systems, prepare and submit a local water supply plan; and

WHEREAS, as required by the statute and in the interests of sound local planning, a water supply plan for (The Town of Belhaven Water System, PWSID# 04-07-015), has been developed and submitted to the (North Carolina Water Resources) for approval; and

WHEREAS, the (North Carolina Water Resources) finds that the water supply plan is in accordance with the provisions of North Carolina General Statute 143 355 (I) and that it will provide appropriate guidance for the future development of water supplies for (Town of Belhaven Water System) as well as useful

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information to the Department of Environment and Natural Resources for the development of a state water supply plan as required by statute;

NOW, THEREFORE, BE IT RESOLVED by the (North Carolina Water Resources) of (Town of Belhaven Water System) that the water supply plan entitled, (Town of Belhaven) local water supply plan dated 2002 is hereby approved and shall be submitted to the Department of Environment and Natural Resources, Division of Water Resources; and

BE IT FURTHER RESOLVED that the (North Carolina Water Resources) intends that this plan shall be revised to reflect changes in relevant data and projections at least once every five years or as otherwise requested by the Department, in accordance with the statute and sound planning practice.

This the 13th day of March, 2006.

Adam W. O'Neal, Mayor
Town of Belhaven

ATTEST:

Marie J. Adams, CMC
Town Clerk

George R. Ebron, Jr. Industrial Park Subdivision Approval

Mayor O'Neal stated that the Belhaven Planning Board had submitted the Ebron Industrial Park preliminary plat for Council review and adoption. Mayor O'Neal introduced Mr. Wade Horne, Director of Beaufort-Hyde Construction. Mr. Horne explained the function of the Industrial Park with the Beaufort Hyde Construction (BHC) by stated they would utilize the 3.197 acre parcel for the BHC site. Mr. Horne further explained that the BHC was a \$4 million facility and would employ an estimated 112 employees with an average salary over \$29,000 per year. These employees will be trained through Beaufort County Community College in heating, air conditioning and construction. Mr. Horne stated that the goal of the jobs was to remove people off of government subsidies and teach them a trade to be gainfully employed.

Mayor O'Neal suggested that the preliminary plat lot lines be made liquid so that if some type of business would need a larger lot then they could be accommodated. Mr. Horne stated that would not be an issue.

Councilman Carawan questioned ownership of the Industrial Park and marketing for the property. Mr. Horne stated that the Industrial Park was owned by Community Developers of Beaufort-Hyde (CDBH) and the site would be sold through one of their funding agencies or by their specific guidelines.

Councilman Boyette made the motion to approve the preliminary plat for the George R. Ebron, Jr. Industrial Park. Councilman Baker seconded the motion which carried unanimously.

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Mayor O'Neal asked Mr. Horne for additional information concerning the construction plant. Mr. Horne stated that he could present a slide show of the construction plant. The Council concurred that they would like to have a presentation concerning BHC.

Ballot Box Survey

Mayor O'Neal stated that over a six week period he had displayed questionnaires in several high traffic areas for citizens to rate items that they felt were important. Mayor O'Neal reported that the top five items rated were: 1) Utility Advisory Committee, 2) Town Employees' Salaries, 3) Sewer System Conditions, 4) Downtown/Waterfront Development and 5) Drainage. Mayor O'Neal stated that he felt that these items were important and should be reviewed as per the 133 ballots that were completed.

Mayoral Utility Advisory Board Advisory Update

Mayor O'Neal stated that the Utility Committee had Mr. Ken Raber with Electricities attend their meeting which was very informative. Mayor O'Neal stated that two handouts were distributed to the Council and public prior to the beginning of the meeting, one on the electric rates and one on water and sewer rates. The handouts consisted of transfers from the electric funds to the General Funds of 32 towns with Belhaven being the highest @ 17.6%. Town Manager Johnson stated that these figures were not correct. There was much discussion, from the Mayor concerning the need to decrease transfers, decrease the budget, review salaries as some employees are underpaid and some employees are overpaid; and he stated that in some towns the positions of the town clerk and finance officer are combined. Mayor O'Neal stated that the population had decreased from 2,244 in 2002 to 1951 today. Mayor O'Neal stated that people are leaving Belhaven due to high utility rates. Mayor O'Neal stated that the town's water and sewer rates were 92% higher than average and that the town needed to find a way to get to average. Town Manager Johnson explained that you could not compare water rates here to water rates in the mountains as treatment for stream water is not as comprehensive as treating water pumped from wells.

Councilman Carawan made the motion to go forward with a town appointed Utility Advisory Board. Mayor O'Neal called for a second to the motion, there was no second to the motion, the motion failed.

Councilman Ebron made a motion to have Town Manager Johnson review rates for possible reduction. Following additional discussion, Councilwoman Heath seconded the motion. The motion carried unanimously. Councilwoman Heath suggested that Town Manager Johnson in his review of rates, figure what the difference would be in a utility bill if a position were cut.

Town Manager Johnson stated at a previous meeting that the Mayor asked that the Town include another position, as per auditors instructions, in order to segregate duties in the office.

United Citizens Against Crime

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Mayor O’Neal stated that he suggested that the proposed United Citizens Against Crime committee be composed of seven people from different areas of town, similar to a Crime Watch program. Mayor O’Neal stated that the purpose of this program was to improve police-citizens relationships and to make citizens more comfortable.

Mayor O’Neal recognized Police Chief George Hayden. Chief Hayden stated that Beaufort County Crime Stoppers was a great program in arresting criminals as rewards are given for information which leads to arrests. Chief Hayden stated that crimes would need to be reported directly to the Police Department and should not go through a “committee member”. Chief Hayden used a two minute conversation from witness to committee member, from committee member to police department communication to the officer out in the field, stating that a lot of time would be wasted. Chief Hayden stated that committees similar to this proposed committee have been started in other towns, some successful and some not. Chief Hayden warned the Council of citizens wanting to be on the committee to get confidential information on cases, etc. Town Manager Johnson stated that a committee appointed by the Council would have to adhere to the open meetings law and that their meetings would be open to the general public. Chief Hayden informed the Council that he had presented the proposal of a Community Watch program and when the Chief asked for questions from the public, the public used that time to ridicule and complain about the Police Department.

Councilman Boyette suggested that the Chief of Police give the Council crime statistics to review and for Chief Hayden to make a recommendation. Councilman Carawan made the motion that Chief Hayden review the proposed United Citizens Against Crime committee and bring back that information and crime statistics to the Council. Councilman Baker seconded the motion which carried unanimously.

Councilwoman Heath stated that with her contact with the local youth by teaching at Northside High School, she hears favorable comments concerning the Investigator and officers in the department and the officers had a good rapport with the youth.

Annual Mosquito Control Designee Resolution

Mayor O’Neal stated that the Council needed to adopt the resolution designating the Finance Officer as the Town’s agent for mosquito control activities. Town Manager Johnson further explained that this agent was responsible for the financial paperwork and the Town’s partial reimbursement from the State. Town Manager Johnson further explained that employees licensed in pesticide application actually performed the distribution of chemicals for mosquito control. Councilman Ebron made the motion adopting the following resolution designating Robin Godsell as the agent for the Town of Belhaven concerning all mosquito control activities. Councilwoman Heath seconded the motion which carried unanimously.

Resolution
Designating Official to Sign on
Behalf of Mosquito Control

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Upon motion of Councilman Ebron, seconded by Councilwoman Heath, it is hereby ordered that Robin J. Godsell, as agent for the Town of Belhaven, is hereby authorized and empowered to sign and execute all papers and documents necessary in connection with the request made to the Division of Environmental Health, North Carolina Department of Environment and Natural Resources, for aid in control of mosquitoes.

She is further authorized and required to carry out all agreements stipulated in the project application submitted by us to the division of Environmental Health, North Carolina Department of Environment and Natural Resources, and to perform other acts that are proper and necessary in connection with the operation of this project. Acts of said person on behalf of said Town of Belhaven, are in all respects validated approved and confirmed.

The undersigned Marie J. Adams, Clerk of the Town of Belhaven, hereby certified that the foregoing is a true copy of the resolution of the Town Council at a meeting held on the 13th day of March, 2006.

Marie J. Adams, CMC
Town Clerk

Approval of New Checking Account – Equitable Sharing Program

Mayor O’Neal stated that the Council needed to approve the opening of a separate checking account for all funds received through the Equitable Sharing Program. Town Manager Johnson further explained that funds may be received through law enforcement and should the town receive any funds through this program that the state requires that the funds be kept in a separate account for law enforcement use. Councilman Ebron made the motion to authorize the Finance Officer to open a new account for the sole purpose of the Equitable Sharing Program; and that Robin Godsell, Tim Johnson, George R. Ebron and Albert Baker be authorized to execute any necessary paperwork on behalf of the Town. Councilwoman Heath seconded the motion which carried unanimously.

Mayor O’Neal stated that he would like for Councilman Carawan to be considered to assist the town in any of the accounts. Town Manager Johnson stated that the same names are used, as it is easier to keep up with who can sign on behalf of the Town. Town Manager Johnson further stated that a motion could be made to include Councilman Carawan. There was no further action or discussion.

Ditch Tiling Proposal

Mayor O’Neal stated that the Town ditches were full of trash and stated that the Town Street Crews should be directed to clean trash from ditches at least one day each month. Town Manager Johnson stated that more than one day per month is already utilized cleaning trash out of ditches and that the NC Corrections Facility provides inmate labor

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from time to time. Following some additional discussion, Councilman Carawan made the motion that the town street crews remove trash from the ditches at least one day per month. There was no second. Councilman Boyette made the motion to ask the Town Manager to address the town crews on cleaning the trash out of the ditches and to report back to the Council at the next meeting. Councilman Ebron seconded the motion which carried unanimously.

Community House (Beach) Access – Update

Mayor O’Neal asked that Town Manager Johnson give a report on the progress of opening the Community House for swimming, etc. Town Manager Johnson stated that he had spoken with Mr. J. D. Potts of the State Recreational Waters Program and that he has tentatively agreed to attend the April 10, 2006 Council meeting to give a presentation and explain testing requirements for public swimming areas.

Mayor O’Neal suggested that the Council meet two times a month, as in this instance, Mr. Potts would not be here until the April meeting and it would be close to time to open the Community House. Councilman Carawan made the motion for the town council to have two meetings per month. There was no second to the motion. The motion failed.

Tidal Flooding Advisory Board Appointments

Mayor O’Neal stated that the Town Council had previously approved the appointment of a Tidal Flooding Advisory Board. Mayor O’Neal explained that the purpose of the advisory board was to talk with engineers, State Representatives and Senators concerning the tidal flooding downtown. Councilman Carawan stated that he would like to recommend Mr. Topper Bateman and Mr. Mac Pigott; Councilman Ebron stated that he had no names to submit and recommended that the town first hire a hydrologist/engineer. Mayor O’Neal recommended Mr. Dick Ray and Mr. Harvey “Butch” Raynor. Councilman Boyette stated that he felt that a feasibility study should be prepared before appointing an advisory board. Councilwoman Heath stated that she lived in an area prone to tidal flooding but suggested that a feasibility study be performed before an advisory board is appointed and Councilman Baker stated that he had reservations concerning submitting his name for the advisory board until there is some type of directive and concrete information on the tidal flooding. Mayor O’Neal stated that the advisory board needed to be appointed. Councilwoman Heath reiterated that the proposed advisory board would need directives and suggested that if a board were formed at this time they would be “spinning wheels”. Town Manager Johnson stated that a hydrologist/engineer could be hired. Mayor O’Neal stated that the town would be stepping backwards. Both Town Manager Johnson and Councilman Ebron attempted to make additional comments and were not recognized by the Mayor and informed that they were out of order.

Pungo District Hospital Foundation – Pirates on the Pungo Regatta

Mayor O’Neal stated that Pungo District Hospital Foundation had submitted a request for town assistance for the hospital foundation to host the Eighth Annual Pirates on the Pungo Regatta to be held June 9 and 10. Mayor O’Neal stated that the requests consisted of hanging of a banner advertising the event, use of Wynn’s Gut for Lucky Ducky

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Contest and use of trash barrels for the event. Town Manager Johnson stated that the town has assisted the hospital foundation in the past with this event and further stated that the hospital foundation will obtain liability insurance naming the town as the co-insured. There being no further discussion, Councilman Ebron made the motion to approve the request of Pungo District Hospital Foundation. Councilman Baker seconded the motion which carried unanimously.

Hazard Mitigation Grant Program (HMGP) Approval for Grant #1448-0079

Mayor O'Neal stated that the Town received official notification of a \$1,253,998 grant for the elevation of twenty-two additional homes. Mayor O'Neal stated that in order to execute the grant the Council needed to authorize the Town Manager to execute documents on behalf of the Town. Councilman Boyette made the motion to authorize the Town Manager to execute grant agreement #1448-0079 in the amount of \$1,253,998 on behalf of the Town. Councilwoman Heath seconded the motion.

Discussion Concerning HMGP

Mayor O'Neal questioned the restrictions that would be induced on the recipients of this grant. Town Manager Johnson stated that he did not know what restrictions would apply to this grant. Mayor O'Neal questioned if participants in the grant would have to maintain flood insurance even after being elevated. Town Manager Johnson stated, yes. Mayor O'Neal questioned previous restrictions (on prior grants) which applied to some homes, such as forgivable liens placed on properties if properties are sold before the forgivable time limit was reached then forgivable portion had to be paid back to the Town. Town Manager Johnson explained that the implementation of the liens and the time length of the liens depended upon the type of grant that the homes were elevated and/or repaired through. Mayor O'Neal stated that home owners should not have additional restrictions put on their properties because they were receiving federal and state funds, which did not cost the town any monies. Town Manager Johnson explained that the purpose of the grants to elevate were to get the homes out of flood waters way; not to give the property owners an elevated home that could be sold for a quick profit. Town Manager Johnson explained that the attaching of forgivable liens on some of these properties was the same as the liens placed on homes which are repaired/replaced through Community Development Block Grants. Town Manager Johnson stated that each person received the previous grants were informed of the stipulations incurred such as the forgivable loans and a federal stipulation which required that flood insurance be carried on the properties. Mayor O'Neal stated that some homeowners can not sell their property without penalties and that it was not fair to put burdens on the property owners. Mayor O'Neal suggested that the Town Manager review the restrictions and asked that the restrictions be removed from the properties.

Count on the Motion on the Floor

Mayor O'Neal called for the count on the motion on the floor, pertaining to approval of the HMGP #1448-0079 in the amount of 1,253,998. The motion carried unanimously.

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Councilman Carawan then made the motion that all restrictions be removed from properties which had been previously elevated and/or replaced. There was no second to the motion.

Attorney Mason stated that some funds received for the forgivable loans were monies which were paid back to the federal government. Town Manager Johnson stated that the Town had received some funds depending upon which program the home was elevated and/or replaced through.

Councilwoman Heath asked if the state approved the restrictions that the Town placed on these homes (forgivable loans). Town Manager Johnson stated that the State had to approve the restrictions. Town Manager Johnson attempted to make an additional comment but was not recognized by the Mayor and told he was out of order.

Citizens' Energy Workshop

Mayor O'Neal stated that the Town would be holding a citizens' workshop co-sponsored with ElectriCities on Tuesday, April 11 at 7:00 P.M. in the Boyette Civic Center. Mayor O'Neal thanked the Mayoral Utility Advisory Board for their work and information presented earlier in the meeting concerning utilities. Councilwoman Heath asked that the Citizens' Energy Workshop be advertised in the "message area" of the utility bills.

Mayor O'Neal questioned the application and distribution of the energy conservation kits and stated that he felt that the application asked for too much information. Town Manager Johnson stated that the information was necessary to determine who would be the most needy for the kits as the town had only received twenty conservation kits. Mayor O'Neal stated that per his conversation with ElectriCities the Town could receive up to fifty kits with no fee assessed and possibly more. Mayor O'Neal criticized the town using Community Developers of Beaufort Hyde as the distributing agency by stating that other towns distributed the energy kits themselves. Town Manager Johnson stated that the information that he received from ElectriCities suggested that a Community Development office be used for distribution. Mayor O'Neal recognized Mrs. Julia Ward, from the audience, who stated that some type of credibility needed to be used when distributing the kits, as some may get the kit and then never put to use. Following additional discussion, Councilman Baker made the motion to hold a Citizens' Energy Workshop on Tuesday, April 11, 2006 at 7:00 P.M. in the Boyette Civic Center. Councilwoman Heath seconded the motion which carried unanimously.

Councilman Carawan made the motion that the Town Council have two meetings per month. The motion was not seconded; therefore it failed.

Town Manager's Report

Town Manager Johnson made a statement to clarify an earlier issue concerning the **Tidal Advisory Committee**. Town Manager Johnson stated that he was going to state that the Tidal Advisory Board issue did not get a motion or a second so therefore, there was no Tidal Flooding Advisory Board. Town Manager Johnson further informed the Council

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that upon the Council's vote they may or may not appoint such board, it was up to the Town Council to make the appointments, not the Mayor.

Councilman Carawan questioned criteria to qualify for elevation. Town Manager Johnson stated that homes would not be elevated just to keep the duct work dry. Town Manager Johnson stated that there were some errors in the list as some of the homes were no longer there and that additional names will be selected from other elevation lists.

Mr. Nelson Guy, resident of Main Street, spoke concerning the need to have his home on the elevation list. Town Manager Johnson invited Mr. Guy to come by the Municipal Building to see him or Code Enforcement Officer Overholt, at a later date to discuss his issues personally.

Prayer Service for Town Council/Administration

Councilwoman Heath stated that she had been contacted by a member of the ministerial association who wanted to utilize the Boyette Civic Center on April 1, 2006 for (Unity Service) prayer. Town Manager Johnson stated that he had contact from that association also, and that the Council could allow this use at no charge. Councilwoman Heath made the motion to waive the rental fee at the Boyette Civic Center for the Ministerial Association to conduct a "prayer for government" to be held on April 1, 2006. Councilman Baker seconded the motion which carried unanimously.

Councilwoman Heath also asked that members of the Ministerial Association be invited to give the invocation prior to Council meetings. Mayor O'Neal stated that he would get a list and make requests for the invocations of the Council meetings.

There being no further business, Mayor O'Neal declared the meeting adjourned at 9:30 P.M.

Respectfully submitted,

Marie J. Adams, CMC
Town Clerk

Adam W. O'Neal, Mayor