

**Belhaven Town Council
Minutes – Regular Session
Monday, July 14, 2008**

Call to Order/Invocation/Pledge of Allegiance

The Belhaven Town Council met in regular session on Monday, July 14, 2008 at 7:00 P.M. at the Boyette Civic Center at 257 W. Pungo Street. Mayor Adam W. O’Neal called the meeting to order with the following Council members present: Steve W. Carawan, J. Nelson Guy, Mayor Pro-Tem; McKee “Mac” Pigott, Howard D. Moore and Robert L. Stanley. Interim Town Manager Guinn Leverett and Town Clerk Marie J. Adams were also present. Mayor O’Neal introduced Mr. Johnny Darnell Clark, Deacon with Hoggard’s Temple Church of God in Christ, who gave the invocation and led the Pledge of Allegiance.

Approval of Minutes – June 9, 2008 Closed Session and June 23, 2008 Regular Session

Mayor O’Neal stated that the minutes of the June 9, 2008 Closed Session and the June 23, 2008 Regular Session were open for review and adoption. There being no corrections to the minutes, Councilman Carawan made the motion to approve. Councilman Moore seconded the motion which carried unanimously, 5 to 0.

Public Comments

Mayor O’Neal stated that Belhaven had “a terrific 4th Celebration” and he publicly thanked the Celebrations Committee who sponsored the event: Mr. Paul Wood, Jr. and Mrs. Lisa Harris, Co-Chairmen; Mrs. Barbara Wittiger, Mrs. Nicole O’Neal, Ms. Donetta Midkiff, Ms. Susan Sharp, Mrs. Gloria Rogers, Ms. Crystal Newberry and Ms. Brandy Burbage.

Mayor O’Neal stated that the Fireworks this year were the best ever with additional fire works were purchased and the new igniter system being utilized. Mayor O’Neal stated that Mr. J. W. Cleary, Mr. Todd North and Mr. Terry Brogdon shot the fireworks display. Mayor O’Neal also praised the Sheriff’s Department for their assistance during the July 4th Celebration. Mayor O’Neal stated that due the burning ban the fireworks were shot from the Belhaven side of Pantego Creek and had several fire trucks on stand-by at the fireworks shooting site in case they were needed.

Councilman Moore thanked Mr. Seth David Latham for driving the Council in the parade.

Mr. Tal Hamilton, resident of 1150 W. Pungo Street, stated that the form of government in which the Town has is that the Town Manager should be responsible for the day to day running of the Town; stated that he had concerns with the firing of former Police Chief Hayden and asked who actually fired the former Chief. Mr. Hamilton also questioned the termination of the sewer contract with Turnpike by stating that the termination of that contract should have been voted on by the entire Council.

Mayor O’Neal made the following comments to Mr. Hamilton’s statements; the Council was unanimous in the voiding of the sewer contract with Turnpike and that the Chief of Police issue was a personnel matter and that Town Manager hires and fires employees.

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Mr. Jerry Stender, resident of 462 E. Bay Street stated that he would like to thank the current administration for the reduction of electric rates by 2% and coupled with the 14% increase which the Town will absorb at the next electric rate increases is equivalent to a 7% decrease. Mr. Stender stated that this decrease in electric rates was done by reduction of town forces with no visible affects of town services. Mr. Stender also stated that the Town should search no further for a town manager as when he (Guinn Leverett, Interim Town Manager) was needed, he stepped in to do the job and that “he has the credentials of any Fortune 500 executive”. Mr. Stender asked that the Council do what is best for the town and keep their hearts and minds open as Mr. Leverett has integrity which is something that the Town has not had in years.

Mayor O’Neal stated that the budget (Fiscal Year 2007/2008) was phenomenal as consumer rates were going up all around us.

Mrs. Ellen Allen, resident of 519 Water Street, stated that she was concerned with the request of steps, made by Mr. Seth Latham on his parents’ home, at a prior meeting. Mrs. Allen stated that the Latham’s chose not to have the steps, which were rotten, replaced as then the home would have a separate apartment and the home was in a zone which did not allow apartments.

Mayor O’Neal stated that previously citizens in the grant programs had been mistreated; for example, Mrs. Joyce topping on 264 By-pass; when the state had to come down and review her situation and determine that her replacement home was not equivalent to what she had prior to replacement. Mayor O’Neal explained that her side porch was much smaller than the porch she had on her old home and that her grandchildren enjoyed the porch. Mayor O’Neal explained that Mrs. Topping was told her stove and refrigerator would be replaced, so she gave away her old appliances, and was then told she would have to supply the stove and refrigerator. Mayor O’Neal stated that it is not good when the state constantly has complaints concerning the way that the Town is running the grant.

Mayor O’Neal also explained that the grievance committee which was set up for citizens with complaints concerning the elevation grant programs consisted of the former town manager, former Mayor and former two council members. Mayor O’Neal stated that this committee did not appear to be unbiased and was not selected from the community as a whole.

Mr. Seth David Latham stated that he would like to comment on the previous statement made concerning the replacement of steps for his parents’ home. Mr. Latham stated that the steps were not rotten as they were made from cypress and that he was not going to beg for replacement – he would just forget it, that he felt this was a vendetta due to the election results. He further stated that there was mistreatment of citizens from the previous Mayor, Town Manager and Council members.

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Mr. Johnny Clark, resident of Belhaven Square, stated that he appreciated the participation of the Mayor and Council at his church's fundraiser recently.

Safety Policy Adoption

Mayor O'Neal stated that the Town Council needed to adopt the following Safety Policy as recommended by Electricities safety personnel. Mayor O'Neal further stated that this would also ensure that the Town met OSHA regulations in the safety policy aspect as well. Councilman Moore made the motion to adopt the following Safety Policy for the Town of Belhaven. Councilman Stanley seconded the motion which carried unanimously 5 to 0.

**Town of Belhaven
Safety Policy**

The Town of Belhaven as Mayor and Town Council has concern for the protection of all Town employees against occupational accidents and health hazards and as such support a safety program through personnel policies and budgetary considerations. Maintenance of safe operating procedures at all times is of both monetary and human value, with the human value being far greater to the Town, the employee, and the community. Accidents cause untold suffering and financial loss to our employees and their families.

The Town Administration is responsible for providing the safest possible working conditions for its employees through the management and administration of a comprehensive safety program.

The Town officers, directors, managers and supervisors are responsible for the enforcement of safety policies and practices. They must ensure that:

- Staff members and employees are trained in appropriate safety rules, procedures, and safe work practices.
- Equipment and property within their area of responsibility is maintained in a safe, hazard-free condition.
- When an employee is found to be violating safe work practices, rules or procedures, the appropriate supervisor is responsible to take corrective/ Disciplinary action as outlined in the Town policies.
- Regular on-site safety and health inspections are conducted and documented on a regular basis (at least annually) to see that safe work practices and procedures are in compliance.

All employees are expected to follow safe work practices and rules as related to the efficient and safe performance of their work as a condition of their employment.

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All employees are expected and required to:

- Have co-responsibility for their own safety and that of their fellow employees.
- Follow safe work practices and safety rules adopted by the Town.
- Use safety equipment which has been provided for use in performing daily work assignments.

- * Under no condition shall any employee start work until they have been thoroughly briefed and understand the work they are about to do, including the hazards that might exist, by the person directly in charge. After the job briefing, they shall be confident that they can perform the work safely.

- Each employee is responsible for the safe operation and inspection of all Company equipment, tools, machinery, vehicles or other Town property in his or her charge. The Town shall provide for proper care and maintenance of town property, but each employee shall report immediately to their supervisor any dangerous or improper condition or use of equipment. Disciplinary action will be administered according to Town policy in cases of willful destruction or abuse of equipment, tools, machinery, vehicles or other Town property.

- Cooperate with the Town safety program so that work can be conducted in such a manner to ensure personal protection for everyone.

We must all make an effort to reduce accidents, and more importantly, we must exercise the concern of others to help ensure everyone's safety, well-being and productivity.

Adopted this the 14th day of July, 2008.

Adam W. O'Neal, Mayor

Adoption of Resolution Supporting the Sewer By-pass Grant Application and Withdrawal of the I & I Grant Application with the Rural Center

Mayor O'Neal stated that the Town had previously applied for an I & I (inflow and infiltration) grant at the same time Beaufort County had applied for the By-pass sewer main grant. Mayor O'Neal explained that the Town would benefit from the By-pass Sewer Main as well, and could not theoretically benefit from two grants, from the same agency, at the same time. Therefore, the Council needed to void the application for the I

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& I grant and apply directly for the Sewer Main By-Pass. Following some discussion, Councilman Carawan made the motion to adopt the following resolution. Councilman Pigott seconded the motion which carried unanimously, 5 to 0.

**Town of Belhaven
Resolution Supporting the Sewer By-Pass
Grant Application through the Rural Center
and
Withdrawing the Inflow and Infiltration Grant Application
through the Rural Center**

WHEREAS, the Belhaven Town Council desires to withdraw the Inflow and Infiltration Grant Application with the Rural Center,

WHEREAS, it is in the best interest of the Town to support the Sewer By-pass Grant Application made by the County of Beaufort for a new sewer by-pass line to intake the sewer flow from properties outside of the Town limits,

WHEREAS, this new sewer by-pass line would handle the sewer flow from areas/communities outside the town limits by by-passing town sewer lines which are aging and already are at full capacity,

NOW, THEREFORE, BE IT RESOLVED THAT:

The Town Council gives the Mayor and Town Manager the authority to meet with representatives of the Rural Center to make it known of the Town of Belhaven's intent to:

1. Withdraw the Inflow and Infiltration Grant Application, and
2. Support the grant application of Beaufort County for the Sewer By-pass Grant Application.

Adopted by the Belhaven Town Council, this the 14th day of July, 2008.

Adam W. O'Neal, Mayor

ATTEST:

Marie J. Adams
Town Clerk

Councilman Pigott stated that he appreciated input from water and sewer department employees concerning this grant application.

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Pittard, Perry and Crone, Inc. – Amended Contract

Mayor O’Neal stated that the past administration did not have an appropriate cost allocation study, based on actual time, performed as specified by the Local Government Commission (LGC). Therefore, the LGC would not accept the Town’s Fiscal Year 2006/2007 audit. Mayor O’Neal explained that the time lapse led to the auditor’s contract expiring and therefore the contract should be amended for the time period in which the audit could be presented. Councilman Moore made the motion to amend the 2006/2007 Fiscal Year Audit Contract with Pittard, Perry and Crone, Inc. Councilman Stanley seconded the motion with Councilmen Guy and Pigott voting in favor of the motion. Councilman Carawan voted against the motion which carried 4 to 1.

Town Manager’s Report

Interim Town Manager Leverett made the following brief report: Kimley Horne had been obtained to perform the Wynne’s Gut Bridge design and would also assist with the water shed project upstream and the dockage project downstream. ITM Leverett stated that this firm could better serve the town with all three projects with the design of the bridge, dockage, walkways and gazebo. ITM Leverett stated that a kick-off meeting was held this morning to start the permitting process for these projects. Councilman Pigott stated that he appreciated the involvement of Mr. Marty Overholt, the Town’s Code Enforcement Officer.

Recreation Advisory Committee – Items for the Agenda

Councilman Guy made the motion, that as a representative of the Belhaven Recreation Advisory Committee, he had several items concerning recreation to bring before the Town Council at the July 28 meeting. Councilman Pigott seconded the motion which carried unanimously.

Introduction of New Police Chief – Mr. Frederick P. Clingenpeel

Mayor O’Neal stated that the Town had named their new Police Chief, Mr. Frederick P. Clingenpeel who had served 15 years with the New Hanover Sheriff’s Department, who is a certified instructor in firearms, defensive tactics, SWAT, physical fitness, RADAR and officer survival. Mayor O’Neal stated that he is also a graduate of the FBI Academy in Quantico, VA and holds a bachelor’s degree in psychology from the University of North Carolina-Wilmington (UNC-W) and will be receiving his master’s degree in public administration on July 23 from UNC-W). Mayor O’Neal stated with Clingenpeel’s background “he is ready for leadership”. Mayor O’Neal stated that Clingenpeel will be an asset to the Town as he will be instrumental in the Community Policing efforts, not to mention be a part of the community as a Town of Belhaven resident. Mayor O’Neal stated that the Interim Town Manager Leverett, Public Works Director Paul Wood and now a Police Chief were all in-town residents.

Following a standing ovation for the new Police Chief Designee, Mr. Clingenpeel, he thanked the townspeople for the “royalty type of welcome” that he and his family have received. Mr. Clingenpeel further stated that he is looking forward to being the Chief of Police once his North Carolina Department of Criminal Justice (Training and Standards)

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certificate has been processed and he can then serve as Chief. Mr. Clingenpeel also stated that he was looking forward to building a new department, getting out and meeting the citizens, implementing neighbor watch programs and developing deployment patterns. Mayor O’Neal introduced Police Chief Designee’s wife “Anna”. Councilman Moore offered to walk to meet and greet the citizens with Clingenpeel. Mayor O’Neal invited the public to introduce themselves and welcome the new Chief, following the close of the meeting.

Adjournment

There being no further business, Mayor O’Neal adjourned the meeting at 7:43 P.M.

Respectfully submitted,

Marie J. Adams
Town Clerk