

**Belhaven Town Council
Regular Session – Minutes
Monday, July 28, 2008**

Call to Order/Invocation/Pledge of Allegiance

The Town Council of the Town of Belhaven met in regular session on Monday, July 28 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; Howard D. Moore, McKee "Mac" Pigott and Robert Stanley. Town Attorney Arthur "Bud" Cockrell and Town Clerk Marie J. Adams were also present. Interim Town Manager Dr. Guinn Leverett was not present at the beginning of the meeting but arrived later in the meeting. Mayor O'Neal introduced Mr. Johnny Darnell Clark, Deacon with Hoggard's Temple Church of God in Christ, who gave the invocation and lead the Pledge of Allegiance.

Approval of the July 14, 2008 Regular Session Meeting

Mayor O'Neal announced that the minutes of the July 14, 2008 Regular Session Meeting were open for review and adoption, there being no corrections to the minutes, Councilman Pigott made the motion to approve. Councilman Guy seconded the motion which carried unanimously.

Mayor O'Neal stated that the minutes of the Special Called Meeting of July 22 would be available at the next meeting for adoption. Mayor O'Neal explained that the purpose of the Special Called Meeting was for the submission of a grant application in the name of the Town of Belhaven for the needed sewer by-pass line.

Public Comments

Mayor O'Neal recognized the following who spoke briefly on the following issues:

Ms. Linda Wilkerson resident of 783 E. Main Street, stated she had the opportunity to meet a couple from Key West, FL who were passing through Belhaven on their boat. Ms. Wilkerson stated that she accompanied them to the Community House where they were impressed with the beautiful waterfront public property. Ms. Wilkerson also stated that she would like to compliment the Town on the upkeep of the property as it was well maintained. Ms. Wilkerson did suggest that the Council consider the purchase of a dog waste receptacle; she also stated as she and the visitors from Key West were leaving the Community House that there were people consuming alcohol in the parking area and this was not conducive for the area and asked that staff at the Community House check the parking area to make sure this type of activity was not taking place. Mayor O'Neal questioned if Ms. Wilkerson contacted the Police Department; she stated that she did. Councilman Pigott stated that this was an activity that the new Police Chief would be able to handle. Mayor O'Neal stated that dogs were not allowed at the Community House and that should take care of the dog waste problem. Councilman Carawan thanked Ms. Wilkerson for the positive comments she made concerning the Community House and its' maintenance.

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Mrs., Elaine Hudnell, resident of 435 E. Pungo Street stated that she was concerned with the Council's decision to cut the utility billing (Accounting Technician II) position from the town staff. Mrs. Hudnell stated that had been a position since 1980 to help diversify duties. Mrs. Hudnell stated that without this position there would be no checks and balance. Mayor O'Neal stated that there would be restructuring of the finance department and that elected officials would be used for internal control. Mayor O'Neal further stated that now more people sign checks with more scrutiny and that invoices are reviewed with the checks as they are signed. Mayor O'Neal stated that the previous way the town processed accounts payable would not work in the “real business world”.

Councilman Pigott stated that there would be additional control on expenses through the new finance officer; he also stated that the town was seeking an experienced lineman.

Mr. Phil Reynolds, resident of 548 East Street, thanked the Council for not continuing the contract with Turnpike, and for not assisting developments too far from town to annex. Mr. Reynolds also stated that the Mayor and Council were doing a good job and that the vote at the last election should be the proof.

Councilman Pigott stated that negotiations had been underway with Turnpike officials and he felt that with ten concerns of Turnpike's and the Town's that only three areas were unresolved and he was caught by surprise by the lawsuit filed by Turnpike.

Audit Fiscal Year 2006-2007

Mayor O'Neal stated that the 2006/2007 audit was very late due to the previous administration's unwillingness to provide a cost allocation study as specified by the Local Government Commission. Mayor O'Neal also stated that the transfer of funds from the electric department to the general fund were high, that is why the LGC “stepped in” and requested a cost allocation study based on actual time. Mayor O'Neal stated that previously the “town was running off of electricity”.

Interim Town Manager Leverett arrive at the meeting at this time, 7:17 P.M.

Mayor O'Neal stated that the audit pointed out that the town mishandled the grant for Wynne View leaving \$360,000

There being no further discussion, Mayor O'Neal asked for a motion to accept the 2006/2007 Fiscal Year audit as presented. Councilman Moore made the motion to accept the 2006/2007 Fiscal Year audit. Councilman Stanley seconded the motion which carried unanimously.

Proposed Industrial Park Site - Campbell's Lane - Appraisal Needed

Mayor O'Neal stated that the Town had been offered a site on Campbell's Lane by the owners. Mayor O'Neal explained that the town would need to pay for the appraisal and

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should the town not purchase then the owners would reimburse the appraisal cost to the Town.

Councilman Pigott made the motion that the town pay for the appraisal on the property on Campbell's Lane which is being offered for purchase by the Town and that the town utilize an experienced/qualified appraiser. Councilman Moore seconded the motion which carried unanimously.

Recreation Advisory Commission - Requests

Erection of Signs - No Parking & Slow - Children Playing

Mr. Seth David Latham, resident of 365 Tooley Street and a new member of the Recreation Advisory Commission (RAC) presented the following requests on behalf of the Recreation Advisory Commission: "Slow Children Playing" signage was needed around the ball fields, especially on Railroad Street, maybe speed limit during ball games could be 20 mph. Mayor O'Neal suggested that also the review of "no parking" on King Street was needed due to game time residents not being able to access their driveways. Following some discussion, Councilman Pigott made the motion that the new chief review the "no parking" and "Children at Play" signs needed in the vicinity of the ballparks. Councilman Guy seconded the motion which carried unanimously.

Reconfiguration of Ball Fields - Town Personnel/Equipment

Mr. Latham also stated that the RAC had also reviewed at length the reconfiguration of the ball fields in order to add an additional field which would enable additional youth participating in activities and the opportunity to be able to sponsor a regional tournament. Mr. Latham explained that in talking with other recreation departments that sponsor regional tournaments, it brings money into your town, ex: eating, gas, etc. Also the sponsoring department makes money from gate fees and concessions. Mr. Latham stated that it would be great to sponsor a tournament and for once (we) Belhaven Recreation participants would not have to travel for a tournament. Mr. Latham asked that the Town support the field reconfiguration with manpower and equipment use, no monetary support, during the winter months while mowing is not monopolizing Town staff. Mr. Latham also stated that the RAC had contacted Pepsi concerning scoreboard repair and an additional scoreboard. Mr. Latham stated that the concession stand would then need to sell Pepsi products and perhaps have a Pepsi products machine installed at the Public Works Compound...

Donation of Lights - Lighting Fields (2)

Councilman Carawan asked didn't the Recreation Department have a promise of donation of lights. Mr. Latham stated that the manager with David's Trash Service, Inc., (who now has the garbage contract with the Town) would probably donate lights, if a letter were written seeking this donation, and that he had enough lights for two fields. Mr. Latham

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stated that this would be beneficial as lights could be placed on the on the farm league field and the pony league field (behind the Wilkinson building)

Councilman Carawan stated he would be concerned with the liability of sponsoring a regional tournament. Councilman Carawan also asked if Recreation Director, Mr. Harold Nixon, was in support of these items. Mr. Latham stated yes, but it was hard for Mr. Nixon to be participating in the RAC meetings and be the secretary also. Following some discussion, Council suggested that someone else from the RAC be appointed as secretary.

Vote on Reconfiguration of Ball Fields - Town Support

Following some discussion, Councilman Pigott made the motion to support the requests of field reconfiguration with town personnel during the winter months under the guidance of the Town Manager. Councilman Moore seconded the motion which carried unanimously.

Basketball Goal Removal - Community House

Mr. Latham stated that another concern of the RAC was the basketball goals which was erected at the Community House grounds this Spring/Summer. Mr. Latham stated that it was the RAC's desire to have the basketball goal removed as it interfered with volleyball. Mr. Latham also encouraged the use of the RAC when making recreation affiliated decisions as this group of people was sincere in their efforts and volunteered a lot of time on behalf of recreation.

Mrs. Lindsay Hubers, 850 Latham Street, (also a RAC member) stated that she would like for the basketball goal to be removed from the Community House grounds as it was not conducive for smaller children to play when older teens/adults were utilizing the basketball goal. Mrs. Hubers stated that the Community House, was geared more for family type of activities.

Mrs. Linda Wilkerson, 783 E. Main Street, (neighbor to Community House property) stated that the basketball goal at the Community House should be removed as this area was a wonderful family park and that bad language, alcohol use and fights blocking the street had originated from there due to the participants using the basketball goal. Ms. Wilkerson also stated that her neighborhood had not experienced the vandalism and theft of property before the erection of the basketball goal. Ms. Wilkerson thanked the Council for their consideration of removing the basketball goal, thus restoring a family park.

Councilman Moore questioned, "What is the basketball goal doing?" Mayor O'Neal stated that in the past 4 to 5 weeks that Town has not had complaints concerning the patrons at the Community House participating in basketball. ITM Leverett confirmed no calls or complaints in recent weeks. Mayor O'Neal asked, "Did the basketball goal use bad language, drink 40s, No!" No the problem was the behavior of the patrons not the goal. Mayor O'Neal stressed that behavior was the problem not the goal. Mayor O'Neal stated that he was responsible for the erection of the goal, swimming and movie night at

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the Community House. Mayor O' Neal asked what age group was not welcome at the Community House. Ms. Wilkerson tried to speak and Mayor O'Neal use the gavel and stated it was not time for her to speak, "she had her time". Mayor O'Neal stated that it would be embarrassing not to have the basketball goal at the Community House. Following some additional discussion, Councilman Guy suggested that a portable goal be purchased. Councilman Carawan stated that he felt the problems associated with the basketball goal had been resolved and that there was not basketball playing allowed on Saturdays and Sundays.

Following much discussion, Councilman Pigott made the motion that the basketball goal be removed and have the RAC review and make a recommendation as to the placement of possibly a portable goal or better location at the Community House for the goal which is being removed. Councilman Carawan stated he was torn by not supporting the recommendation of the RAC but supported the idea of moving the goal somewhere else on site at the Community House grounds. Mr. Latham stated that the Mayor had the basketball goal erected without Council approval. Mayor O'Neal stated that Council approval was not needed and money was in the budget. Councilman Pigott restated his motion, that the basketball goal be removed and to have the RAC review and make a recommendation as to the placement of possibly a portable goals or a better location for the goal which is being removed. Councilman Stanley seconded the motion. Mayor O'Neal stated that he did not agree with the action as the Council "was caving in to those who don't behave". Councilmen Carawan and Guy voted in favor of the motion and Councilman Moore voted against the motion. The motion carried 4 to 1,

Report from Town Manager Search Committee - Chairman, Councilman Pigott

Councilman Pigott stated that over twenty applicants had shown interest in serving as Town Manager. Councilman Pigott stated that originally Dr. Leverett had agreed to serve in this position on a temporary basis but had recently submitted interest in serving as Town Manager on a permanent basis. Councilman Pigott stated that it was not the intent to recruit someone from out of state and that some former employees had been interviewed also. Councilman Pigott stated that Dr. Leverett was well qualified and had proven his ability in the job by his performance since his interim appointment in December. Councilman Pigott made the motion to appoint Dr. Guinn Leverett as Town Manager. Councilman Moore seconded the motion which carried unanimously.

Town Manager's Report

Town Manager Leverett stated that a meeting was scheduled for this Wednesday, July 30 with the consultants obtained for the Wynne's Gut Bridge Replacement, the watershed project and the development of Wynne's Gut for dockage. TM Leverett stated that next Wednesday, August 6 he would be meeting with Department of Transportation (DOT) officials for the Wynne's Gut Bridge.

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The swearing in of the new Chief of Police will take place as soon as the Department of Justice, Training and Standards release the formal paperwork, possibly this Thursday, if not ASAP (as soon as possible).

TM Leverett stated that he was late getting to the meeting because he took some additional information to the Rural Center for inclusion in the Town's grant application for the sewer by-pass.

Mayor O'Neal praised TM Leverett for his efforts and going beyond his call of duty to serve the Town.

Breakwater - Design Phase Proposed

Mayor O'Neal stated that he had recently received a letter from the office of Senator Elizabeth Dole stating that the \$195,000 was included in the budget proposal for funding but would be voted on in January 2009. Mayor O'Neal stated how important the trip that he and ITM Leverett (at that time) had made to Washington, D.C. seeking support for the funding of the design phase of the breakwater. Mayor O'Neal stated that the largest impact was made on a fictional newspaper article that he, ITM Leverett and Town Clerk Adams had written concerning the death of the father of three in Pantego Creek while riding a jet ski and hitting a portion of submerged breakwater, captioned at the end of the article which read "Don't let this become a reality".

Reconvene into Closed Session - Litigation GS 143-318.11(3)

Councilman Carawan made the motion to recess and to reconvene into Closed Session for litigation.

Councilman Guy stated that he would like to have the placement of the parking bumpers in front of the Fisher property on Main Street be repealed and made the motion to repeal the motion to have parking bumpers installed. Mayor O'Neal stated that there was not second to the motion, as Councilman Stanley was questioning the parking bumper issue. Councilman Guy explained the motion made at a previous meeting to install parking bumpers in front of the Fisher property on Main Street, across from Fish Hooks Restaurant, due to vehicles with trailers pulling across the sidewalk. Councilman Guy did not get a second to the motion, the motion failed.

Councilman Stanley seconded the motion to recess and to reconvene into Closed Session for litigation according to GS 143-318.11 (3). The meeting recessed at 8:09 P.M. at which time the public and Town Clerk Adams left the meeting.

Reconvene Into Regular Session and Adjournment

Mayor O'Neal reconvened the meeting into regular session at 8:49 P.M. and declared the meeting adjourned at 8:49 P.M.

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Respectfully submitted,

Dr. Guinn Leverett , Town Manager

Marie J. Adams

Town Clerk