

**Belhaven Town Council Meeting
Minutes – Regular Session
December 8, 2008**

Call to Order/Invocation/Pledge of Allegiance

The Town Council of the Town of Belhaven met in regular session on Monday, December 8, 2008 at 7:00 P.M. at the Boyette Civic Center at 257 W. Pungo Street. Those Council members present were Steve W. Carawan, J. Nelson Guy, Mayor Pro-Tem; McKee “Mac” Pigott and Robert L. Stanley. Councilman Howard D. Moore was not present. Town Manager Dr. Guinn Leverett, Town Clerk Marie J. Adams, Town Attorneys Arthur “Bud” Cockrell and Randolph “Randy” Shelton, III. Mayor O’Neal recognized and introduced Mr. Johnny Donnell Clark, Deacon, Hoggard’s Temple Church of God in Christ who gave the invocation and led the Pledge of Allegiance.

Approval of Minutes – Regular Session, November 24, 2008

Mayor O’Neal stated that the minutes of the November 24, 2008 regular session meeting were open for review and approval. There being no corrections to the minutes, Councilman Pigott made the motion to approve the November 24, 2008 regular session minutes. Councilman Guy seconded the motion which carried unanimously, 4 to 0.

Citizens Comments

Mayor O’Neal recognized Mrs. Jennifer Boyd, resident of 661 Croatan Street who thanked the Mayor, Town Manager and Town Council for the beautiful decorations which had been displayed on historic Pantego Street from Pamlico Street to Lee Street. Mrs. Boyd stated that she hoped this would be an annual event and asked the citizens to light their homes for the Holiday Season as well.

Mayor O’Neal gave a special thank you to Town Manager Leverett for his hard work on getting the area decorated and thanked Mrs. Boyd for suggesting that the area be decorated.

Mayor O’Neal recognized Mr. Johnny Donnell Clark, resident of 485 Belhaven Square who thanked Police Chief Clingenpeel and Councilman Stanley for attending the Boys and Girls Club Thanksgiving Dinner and extended a thank you from Mrs. Evelyn Jennette, the director of the Belhaven Chapter. Mr. Clark also extended an invitation to the Mayor and Council on behalf of himself and Mrs. Jennette to the Christmas Dinner for the Boys and Girls Club on Friday, December 19, 2008 at 1 P.M. at the Multi-Purpose Building.

Mayor O’Neal thanked Mr. Clark for his volunteer time for the Boys and Girls Club.

Mid East Commission – Annual Report – Mr. Tim Ware, Executive Director

Mayor O’Neal recognized and introduced Mr. Tim Ware, Executive Director of the Mid-East Commission. Mr. Ware stated that his organization served Beaufort, Bertie, Hertford, Martin and Pitt Counties. Mr. Ware stated that the funding through the state was \$48,000 which was a 5% reduction. Mr. Ware stated that Mid-East Commission (MEC) needed a fund balance of \$200,000 in order to operate. Mr. Ware overviewed the following involvement of MEC in Belhaven.

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**FINANCIAL INVOLVEMENT OF THE MID-EAST COMMISSION
WITH
BELHAVEN
2007/2008**

AREA AGENCY ON AGING

	<u>PARTICIPANTS</u>	<u>REVENUE</u>
Home and Community Care Block Grant (In-Home Aid, Adult day Care, Congregate Meals, Home Delivered Meals, Transportation, Volunteer Development, Information and assistance)	19	\$ 34,910
Senior Center Operation (Exclusive of Town Contribution)		\$ 28,447
Total	19	\$ 63,357

WORKFORCE DEVELOPMENT

Adult, Youth, Title-V (Senior Emp)	15	\$ 72,546
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**PLANNING, COMMUNITY DEVELOPMENT
AND ECONOMIC DEVELOPMENT**

Rural Transportation Planning Organization		\$ 140,750
Total		\$ 140,750

SUMMARY	Participants Served	34
GRAND TOTAL:	\$ 276,653	DUES: \$ 492
RATIO:	\$ 562 in Revenue TO \$1 in Dues	

Mr. Ware stated that at this time MEC was also managing the Beaufort County Boys and Girls Club due to the retirement of their director. Mr. Ware stated that when they Boys and Girls Club found a director that his organization would be glad to give the

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management of the Boys and Girls Club back to them but were glad to be of assistance at this time. Mr. Ware also overviewed the 2009 Regional Legislative Priorities as follows:

NORTH CAROLINA Joint Regional Forum
2009 Regional Legislative Priorities

Adopt State Policy for Regional Councils as the Lead Regional Organizations: Seek a new executive order or amended authorizing legislation for North Carolina's seventeen Regional Councils to serve as Lead Regional Organizations, essential regional extensions of local governments in working with State and federal agencies. Regional councils assist with planning, coordinating and implementing programs that impact local governments. Providing an important bridge between the state and local governments, Lead Regional Organizations can serve valuable role in fostering cooperation, streamlining delivery of services and eliminating duplication.

Initiate Regional Water Resource Planning: Seek funding for regional councils to develop and implement multi-jurisdictional water resource management planning in every region. Regional cooperation among local governments, water users, and other stakeholders is considered the most effective way to protect water supplies, maintain water quality and address drought and other problems. Regional infrastructure alliances take time and professional staff, which regional councils are in a position to offer. *Regional Councils will seek an appropriation of \$1.4 million in the 2009 Session. Working in partnership with DENR and other agencies to secure funding, regional councils support policies and legislation that foster regional approaches to water infrastructure.*

Funding for Regional Planning Services: Seek an increase in state funding for the seventeen regional councils, as lead regional organizations, to assist local governments with more community and economic development activities. Additional funds will enable regional councils to provide more assistance to distressed communities. Current funding is \$48,460. *The objective is to increase funding to \$100,000 per region, or a total of \$1.7 million.*

Support for Rural Transportation Planning Organizations: Promote the influence of rural local elected officials in the transportation planning, programming and decision-making process statewide. Transportation planning plays a critical role in influencing the quality of life and economic vitality in rural areas. Regional councils as RPO lead planning agencies assist local officials in identifying critical transportation needs in collaboration with local planners responsible for land use, water resource and infrastructure issues in the region. The stability of the RPO program needs to be ensured by improving rural transportation planning across the state and by continuing to support North Carolina's RPO program at current funding levels.

Aging and Long Term Care Needs for the Older Population Seek legislative action to ensure adequate funding for services and planning activities for the 17 Area Agencies on Aging. In 2007 the General Assembly provided \$45,424 for professional and administrative services for each Area Aging Agency region. *The objective for 2009 is to increase the funding by \$270,000 (recurring) to bring funding back to the 2001 level of \$57,000 per region.*

A second priority is to support legislation authorizing a comprehensive Statewide Study of the Aging Population. The objective is to support bills that did not pass in the 2008 session (HB 2304 and SB 1803).

Regional Community Development Block Grant Planning-Regional Seek funding through the State's Small Cities Community Development program for regional councils to help local governments plan for CDBG projects, with an emphasis on distressed areas. Change the CDBG provisions of the 2009-2010 budget and the State's annual plan for the Small Cities Community Development Block Grant. Under a strategy called "Small Towns-Regional Solutions", LROs in each region will help local governments assess their community needs and assist them in forming comprehensive CDBG plans and securing grants to carry them out.

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Mr. Ware also stated that MEC sponsored a Small Business Loan Program and encouraged applications. Councilman Carawan asked the rate of the loan. Mr. Ware stated that loans were between 7.5% - 8%. Councilman Pigott asked if the rent for the Senior Center in Belhaven was a major part of the budget for the Senior Center in Belhaven. Mr. Ware stated yes.

Mayor O'Neal thanked Mr. Ware for his presentation and for the contributions that his organization makes to the Town of Belhaven and our community as a whole.

Fire Department Roof Replacement – Presentation of Findings – Mr. Art Swords

Mayor O'Neal stated that the Town had the fire department roof inspected by Mr. Art Swords, Architect, also a resident of Water Street, concerning condition and advice on replacing the roof on the fire department. Mr. Swords detailed several pictures shown to the Council concerning the present structures of the different variation of roofs due to the different time period of repairs and/or additions to the building. Mr. Swords recommended that the roof be replaced with metal (90 lb. roofing) and that the pitch be raised and stated that a temporary was needed immediately as the roof was rotten. Mr. Swords detailed each section of roof and stated that one section had too much roof for 6 x 6 rafters as the rafters were too stressed. Mr. Swords stated that Code Enforcement Officer, Marty Overholt suggested that one 8' centers eye bolts be installed to hold roof down in case of bad hurricane. Mr. Swords stressed the need for a complete new roof. Councilman Pigott questioned an A-frame roof over the entire building. Mr. Swords stated that would be too expensive due to the different levels of roofs. Councilman Pigott asked if widening of some of the bay doors if that would affect the roof. Mr. Swords stated no. Councilman Carawan asked if a general contractor was needed. Mr. Swords stated no, because he would then bid the job and charge the Town an fee for handling this job, whereas the Town can require bids for the job without the general contractor. Town Manager (TM) Leverett stated that the roof process would be in three phases as follows: Phase I) roll roofing; Phase II) structural amendments and Phase III) installation of the metal roof. TM Leverett stated that these repairs could be made in the informal bid process with the Phase III placement of the metal roof being formally bid. Councilman Carawan suggested that some detail be added to the front of the building to make it more aesthetically appealing. Councilman Carawan stated that he, personally, like to use stucco as you can make an improvement without spending a lot of money. Councilman Pigott stated that Phase I and Phase II could be performed together with Phase III being bid out separately. Councilman Guy questioned if there was an adequate pitch. Mr. Swords stated that with the replacement of a metal roof the pitch of the roof would work.

Councilman Carawan asked that Mr. Swords participate in this project as long as he was available. Mr. Swords agreed.

Councilman Pigott made the motion to direct the Town Manager to proceed with emergency roof replacement and especially the south side. The motion was not seconded and failed; Councilman Pigott indicated that the motion should be rethought.

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There was some question as to formal or informal bid process. Attorney Cockrell stated that costs under \$30,000 would be informal.

Councilman Pigott made the motion to direct the Town Manager to received bids to Phase I, Phase II and Phase III for the repair of the roof at the fire department. Councilman Carawan seconded the motion which carried unanimously, 4 to 0.

Pantego Area Sewer Surcharge \$10.00 – Mr. Wayland Whitley

Mayor O’Neal recognized and introduced Mr. Wayland Whitley representing the Pantego Area Community. Mr. Whitley stated that he was present to make know the displeasure of the \$10.00 increase in the sewer bill. Mr. Whitley explained that the Pantego area had been working for many years to find a way to have sewer in the Pantego Community and that in 2003 funds were allocated to connect the Belhaven Sewer System. Mr. Whitley explained that even though they are conflicts between Beaufort County and the Town and that there are obligations from each side. Mr. Whitley explained that the users of the sewer system have fulfilled their obligations and are displeased because the \$10.00 fee which has been added to those citizens was not part of the contract. Mr. Whitley further explained that the Town had no consideration of the people using the system, no consideration of the disabled and no consideration of those on fixed incomes. Mr. Whitley stated that the Town knew from the beginning of the project that grinder pumps would be installed. Mr. Whitley stated that the sewer bills would be paid but not the \$10.00 fee which was recently charged. Mr. Whitley stated now the decision would be made whether or not to sue. Mr. Whitley stated that 177 customers were connected and that he hoped over the next 9-10 days that the Town officials meet with the Pantego Community.

Mayor O’Neal stated that he would like to explain the need for the \$10.00 monthly fee which has been imposed on the Pantego Area customers. Mayor O’Neal stated that Belhaven citizens could not subsidize the sewer service for the Pantego Area Sewer customers.

Mayor O’Neal stated that the Town of Belhaven has careless government in the past and that the town subsidizes the county residents for their sewer and that the County was not paying their part.

Mayor O’Neal showed an overhead presentation which consisted of the following points: Impact fees – is the price paid to purchase capacity for the impact on the town’s system – not maintenance on lines, pumps or daily operation expenses. Mayor O’Neal reiterated that per the cost study development out of town is a horrible deal as he explained: 25 miles of sewer line in the Pantego community with 248 customers; 16 miles of sewer line with 838 customers in-town; the town is not making money on sewer. Mayor O’Neal explained that minimum rates for in-town customers is \$29.26 and the same for our of town customers; whereas, the cost for the out of town customer should be \$55.71 which does not include the operation of the wastewater treatment facility. Mayor O’Neal explained that the debt on the water plant is \$1.5 million and debt on the wastewater treatment facility is \$1 million. Mayor O’Neal explained that the Pantego customers had

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a \$7,000 grinder pump but Mrs. Smith on Pungo Street has no pump. Mayor O'Neal stated that the pumps have ten year warranty with 120 months of maintenance from the Town.

Mayor O'Neal further explained that a by-pass was needed for the Pantego customers so that their sewer coming into Town could by-pass the California Street lift station which can not handle the sewer from Pantego. Mayor O'Neal stated that \$500,000 was needed for the by-pass sewer line. Mayor O'Neal stated that the former Town Manager had stated that "this was a spectacular deal for Belhaven".

Mayor O'Neal referenced the Town of Belhaven Code of Ordinances: Title V; 50.10 which he said that double rates should be charged for out of town customers.

Mayor O'Neal stated that sewer is coming in the town streets during periods of heavy rains and to add more sewer users that would be insane. Mayor O'Neal stated that the additional \$10.00 fee is not overboard.

Mayor O'Neal recognized Mr. Milbert Whitley, a sewer customer from the Pantego Community. Mr. Whitley questioned how the sewer system planned for Pantego without knowing the amount of fees which would need to be charged to the Pantego customers. Mayor O'Neal stated at the time of the inception of the Pantego Sewer Project he and Councilman Carawan stated no, the Town of Belhaven did not need to proceed. Mr. Whitley also stated that the Town did not notify the Pantego Community of the increase in sewer charges so that they could attend the Town meeting when the issue was discussed. Mr. Whitley also implied that when funds fall short, it will always be Pantego and Terra Ceia communities.

Mayor O'Neal recognized Mr. Maurice Riddick, a sewer customer from Terra Ceia Road. Mr. Riddick stated that Pantego was in a bad situation; there was no agreement between him and the Town of Belhaven that his agreement for the sewer was with Beaufort County who then had the agreement with the Town of Belhaven. Mr. Riddick questioned if a contract meant anything and stated that funds were supposedly included when the sewer was built that the Town should not have to add an additional \$10.00 fee because the engineers "did fuzzy math". Mr. Riddick questioned what will the next board decide for sewer charges for Pantego.

Mr. Wayland Whitley stated that he would like a copy of the Mayor's presentation and suggested that the Town officials meet with the Pantego sewer users and asked the Mayor to arrange such meeting. Mayor O'Neal stated that he would arrange a meeting as soon as he could.

Mayor O'Neal stated that the Pantego Area sewer customers had 248 grinder pumps which cost \$7,000 each.

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Water Shed Project – Master Plan Review – Town Manager Leverett

Town Manager Leverett stated that the master plan for the water shed project was on display at the Municipal Building and encourage citizens to view.

Miscellaneous Mayor/Council Concerns

Beaufort County Commissioners Meeting – Monday, January 5, 2009

Mayor O’Neal stated that the Beaufort County Commissioners will be meeting in the Boyette Civic Center on Monday, January 5, 2009 starting at 6:00 P.M. Mayor O’Neal encouraged attendance from the community.

Reconvene Into Closed Session for Litigation Discussion with Attorney as Permitted by GS 143.318.11(3)

Councilman Carawan made the motion to recess regular session and to reconvene into Closed Session according to GS 143.318.11(3) to discuss litigation with Attorney Cockrell. Councilman Stanley seconded the motion which carried unanimously, 4 to 0. The meeting recessed at 8:28 P.M.

Town Clerk Adams left the meeting at this time, the recess of regular session.

Reconvene Into Regular Session/Adjournment

Upon motion by Councilman Carawan and seconded by Councilman Pigott which carried unanimously, 4 to 0; the meeting reconvened into regular session at 9:28 P.M. Town Manager Leverett went to the door to invite the press or public that may be waiting for regular session to reconvene to attend. There was no one waiting. There being no further business, Mayor O’Neal declared the meeting adjourned. The meeting adjourned at 9:29 P.M.

Respectfully submitted,

Marie J. Adams, CMC
Town Clerk

Dr. Guinn Leverett, Town Manager
Recording Secretary for Closed Session