

TOWN OF POLLOCKSVILLE
BOARD OF COMMISSIONERS

February 14, 2017
Regular Meeting

Present: James V. Bender, Jr., Mayor
Doris Oliver, Mayor Pro tem
Samuel F. Lincoln, Commissioner
Michael Duffy, Commissioner
Sherry Henderson, Commissioner
Nancy Barbee, Commissioner

Jimmy Hicks, Attorney
Heidi McLaughlin, Town Clerk
Patrick McCain, Chief of Police
Tony Hawkins, Public Works Director

Guests: List Attached

The Board of Commissioners for the Town of Pollocksville held its regular scheduled meeting Tuesday, February 14, 2017 at 7:00PM in the Pollocksville Town Hall/Depot. Mayor Bender called the meeting to order, and led the Pledge of Allegiance. The agenda was adopted with additions with a motion made by Commissioner Lincoln and seconded by Commissioner Duffy. All were in favor. Commissioner Oliver made a motion to approve the minutes of the January 10, 2017 Regular Meeting. Commissioner Henderson seconded; all were in favor.

PUBLIC COMMENT: None provided

Jeff Mallard - Proposed Landscaping on Main Street: Mr. Mallard provided the attached notes and gave a visual presentation to the Board and those in the audience. He provided possible ways to improve the area along Highway 17 from the Post Office to Kitty's Corner. The Town has access to maintain the right of way area in this stretch from the sidewalk to the road. Commissioner Henderson made a motion for Mr. Mallard to bring back a more specific plan to the March meeting, to include costs, with a maximum of \$2500 for the project to come from the Town's Beautification funds. Actual authorization for any expenditure will come after the Board has reviewed the budget for the project. Commissioner Lincoln seconded and all were in favor.

Jones County Water Presentation – Mr. Tyndall Lewis from McDavid Associates: Mr. Lewis presented the Board with a draft agreement with the purpose of the Town of Pollocksville conveying or merging their water system into the Jones County Water System. A copy of the draft agreement is attached. The Town would be paid for their system, covering debts owed and the Town would pay the County for deposits for the customers being transferred and opening new accounts under the County system. The County Board met the night prior and received the same draft agreement. As both the Town and Jones County have the same attorney, both will need separate council on this matter. Attorney Hicks will recommend alternative legal counsel.

The consensus of the Town Board was to convey to the County that they will look into the agreement at a future recessed meeting.

UNFINISHED BUSINESS:

- 1.) Christmas Lights: Mayor Bender reported that from Duke Energy, it would be \$182 per pole to add electricity on the other side of Main Street. After asking the Board if they wished to pursue a fundraising campaign for this year to add more lights, it was the consensus to not pursue additional lights this year.
- 2.) Fire Suppression System: Mayor Bender reported that a letter was sent to Jones County on January 13, 2017 giving them thirty days to decide what to do with the Fire Suppression System. Jones County had indicated that they will entertain the idea of taking it back, but no action had been made yet. The Attorney advised the possibility of outside council for the transfer as both parties use the same law firm.
- 3.) New Town Flags: Commissioner Duffy presented an example of a new flag, pole, and attachments to hang onto light poles. The cost would be estimated at \$33.31 per pole. Flags would be hung on every lighted street pole on Main Street. Commissioner Oliver made a motion to purchase 15 flags and supplies for each with the money coming out of the Beautification Fund. Commissioner Barbee seconded and all were in favor.

DEPARTMENT REPORTS:

Police Department: Chief McCain reviewed his monthly report, see attached. He reported that Reserve Officer Morris completed her Radar training and they will be working on her hours to get her certification. He also reported that the mattresses had been removed behind the motel.

Public Works: Mr. Hawkins reported that there was a sewer blockage this month that was caused by grease and debris and resulted in a major Town expense. He also noted that the meeting called for January 21, 2017 did not officially happen due to a lack of a quorum, but he unofficially met with Mayor Bender, Commissioner Henderson, Commissioner Lincoln, and Maintenance Officer Mr. Tew. It was agreed that the plant needed two dehumidifiers to help with moisture. Mr. Hawkins also discusses the exposed six inch water line. It needs to be enclosed or elevated and needs valves on each end. He estimated it at \$6500 to enclose and put in new valves. Concrete could be put in underneath it at a lesser expense. The Board instructed Mr. Hawkins to remove the metal covering and attempt to elevate and strengthen the pipe with concrete pillars. Mr. Hawkins also reported that the mower was also in getting fixed.

Mayor Bender reported that the week prior he had been to a meeting with Jones County to view the new proposed flood maps. The majority of the changes being made are in Pollocksville.

Zoning: Mayor Bender reported that the Planning and Zoning Board would be meeting next Tuesday February 21, 2017 to review a rezoning request for 135 Main Street.

Beautification: Mayor Bender reported that the Trent River Downtown Development Inc had filed with the Secretary of State and Commissioner Barbee has filed an application for the 501c3

status. An email had gone out to those who attended previous beautification meetings, that there is a meeting planned for Monday February 27, 2017 at 7 PM at the Town Hall. A decision on officers, spring cleanup, etc. will need to be made as this is a community effort and not Town led.

Attorney: Mr. Hicks had no report.

Finance: Mayor Bender reported that the final audit had been received and had been distributed to the commissioners. If there are any questions, they should be made in writing to give to the auditors. A property tax report was provided to the Board for 2016 outstanding taxes, see attached. Also provided was the financial report for July 1, 2016 through January 31, 2017, see attached. Mayor Bender read budget amendments 1 through 4, see attached. Commissioner Duffy made a motion to approve Budget Amendments 1 through 4. Commissioner Barbee seconded and all were in favor.

Mayor Bender reported on the refinancing of the Sewer debt that the Town owes \$659,000 at 5 ½% for 17 years. BBT has offered 3 ½ % for 12 years or 4 ½% for 15 years. The Town has been advised that if it cannot keep the 17 year payout, then it is a bad deal as it would be required to pay more per year. The Local Government Commission would not approve a refinance unless the Town goes through a bond counsel and sold new bonds.

Town Clerk: Commissioner Duffy made a motion to appoint Mayor Bender as the Town representative to the Eastern Carolina Council for the coming year. Commissioner Barbee seconded, all were in favor. Ms. McLaughlin reported that material for the 2020 Census has started coming in and will be added to her weekly duties.

NEW BUSINESS: Commissioner Lincoln mentioned the current reconnect policy for the water and sewer utility. He believed there had been some exceptions made in the past. Mayor Bender reviewed some of the past schedules and amounts paid on locations Commissioner Lincoln inquired about. No action was made by the Board.

CLOSED SESSION: None

Announcements: A reminder that Commissioner Henderson will be attending the Ethics training tomorrow, Wednesday February 15, 2017. Also, a preconstruction conference for the CDBG project will be held on Wednesday February 22, 2017 at 10 AM at Town Hall. The Jones County Committee of 100 will be meeting on March 30, 2017.

Commissioner Lincoln made a motion to recess the meeting to Tuesday February 28, 2017 at 7 PM, seconded by Commissioner Duffy and carried unanimously.

Respectfully Submitted,

Heidi McLaughlin, Town Clerk

Date Approved

The Board of Commissioners of the Town of Pollocksville reconvened on Tuesday, February 28, 2017 at 7:00. This was a continuation of the February 14, 2017 meeting which had been recessed. The following were present: Mayor James V. Bender, Jr., Commissioners Sam Lincoln, Mike Duffy, and Sherry Henderson. Guest list is attached.

Mayor Bender introduced attorney Beth Faleris of Jacksonville, who was recommended by Town Attorney Jim Hicks to serve as alternate counsel for pending matters with Jones County. Ms Faleris talked about her background and current and past legal work experience. The Board reviewed the retainer agreement. Upon motion made by Commissioner Duffy, seconded by Commissioner Henderson, and carried unanimously, the Board voted to retain Ms Faleris for temporary legal representation concerning the Town's conversations with Jones County. The monthly retainer is \$300 with the hourly rate of \$150 for the attorney, \$35 for paralegals, and other miscellaneous expenses. A copy of the agreement is attached to these minutes.

Upon motion made by Commissioner Henderson, seconded by Commissioner Duffy, and carried unanimously, the Board entered into Closed Session under NC General Statutes 143-318.11 (3) (5) -- To consult with an attorney employed or retained by the public body in order to preserve the attorney-client privilege between the attorney and the public body, and To establish, or to instruct the public body's staff or negotiating agents concerning the position to be taken by or on behalf of the public body in negotiating the price and other material terms of a contract. By common consent, the Board invited Mr. Joe McKemey of McDavid Associates to participate in the closed session for technical support.

Upon motion by Commissioner Lincoln, seconded by Commissioner Henderson, the Board emerged from Closed Session and returned to Open Session. No action was taken as a result of the Closed Session.

Upon motion by Commissioner Lincoln, seconded by Commissioner Duffy, and carried unanimously, the meeting was adjourned at 8:30PM.

Respectfully submitted,

Mayor James V Bender Jr.
Recorder for the meeting