

TOWN OF COATS

Board of Commissioners

April 12, 2012

7:00 p.m.

OFFICIAL MINUTES

I. ABSTRACT:

A regular meeting of the Board of Commissioners was held on April 12, 2012 in the Board of Commissioners' Meeting Room at Coats Town Hall.

II. ROLL CALL:

Mayor Walter Weeks, Mayor Pro-Tem Dr. Linda Robinson, Commissioner J. C. Allen, Commissioner Don Pleasant, Commissioner Allen Mosby and Commissioner Jerry Beasley were in attendance.

Attorney Al Bain was present.

III. CALL TO ORDER:

A quorum being present, Mayor Weeks called the meeting to order.

Commissioner Don Pleasant delivered the invocation and Mayor Weeks lead those in attendance in the Pledge of Allegiance.

Change made to Agenda, add under New Business, A - Park Project, B – Special Recognition, C – Closed Session pursuant to N.C.G.S. 143-318 11, (a) (3) – Consult with Attorney, Town of Coats vs Pope and approval of Closed Session Minutes.

RESOLVED, to approve Agenda with changes to add under New Business, A - Park Project, B – Special Recognition, C – Closed Session pursuant to N.C.G.S. 143-318 11, (a) (3) – Consult with Attorney, Town of Coats vs Pope and approval of Closed Session Minutes.

MOTION BY MAYOR PRO-TEM DR. LINDA ROBINSON: SECOND BY COMMISSIONER DON PLEASANT.

APPROVED, AYES (5) MAYOR PRO-TEM DR. LINDA ROBINSON, COMMISSIONERS ALLEN, BEASLEY, MOSBY AND PLEASANT. NOES (0)

IV. APPROVAL OF CONSENT AGENDA:

RESOLVED, to approve Item II.A-Minutes, II.B-Attorney Bill, II.C- Financial Statement, D-Sale of Cemetery Plots.

MOTION BY PRO-TEM DR. LINDA ROBINSON: SECOND BY COMMISSIONER ALLEN MOSBY.

APPROVED, AYES (5) MAYOR PRO-TEM DR. LINDA ROBINSON, COMMISSIONERS ALLEN, BEASLEY, MOSBY AND PLEASANT NOES (0)

V. MANAGER & COMMITTEE REPORTS:

Town Manager Kenny Cole updated the Board on the codification project and asked for the Board to contact him with any corrections that they have noticed prior to Friday, April 20, 2012. All corrections will need to be completed to send back to company on April 20, 2012.

Department Updates:

Police Department - Officer Ryan Sasser reported the following activity for the prior month. Citations written – GHSP: 95, other 27 – Arrest Made: Felonies 8, Misdemeanors 12 - Cases Cleared: Felonies 5, Misdemeanors 12 – Reported Incidents: Felonies 8, Misdemeanors 20, other 10 – Reported Wrecks: with injuries 1, without injuries 1 – Operation Pill Drop: units collected 3936.

Librarian Rebecca DallaMura reported the project from Girl Scouts raised \$300 for the Library to purchase books.

Recreation Department – Mike Collins reported that the painting projects were almost completed. Baseball, Softball and T-ball schedules have been posted with 124 games being played at the park not including the tournaments.

Public Works – Gary Denton reported that the department was continuing to clean up all debris.

VI. PUBLIC HEARING:

A. Public Hearing - Consider Amending the Town Code of Ordinances to include Cross Connection Control.

Mayor Weeks opened the floor for Public comments.

Hearing none Mayor Weeks closed Public Hearing.

B. Public Hearing – Consider accepting financing conditions and the discussion of property inspection located at 21, 25, 27 and 29 East Main Street.

Mayor Weeks opened the floor for Public comments.

Tyrus Clayton with C. T. Clayton Engineering presented the Board with a review of Agels' Home Inspections report findings. Mr. Clayton updated the Board on the status of the problem areas that had been indicated with the inspections report. Mr. Clayton confirmed that the roof to the buildings was a sound roof. Concerns in building 25 which was indicated with some mold growth in a craw space has been completely cleaned, replaced some wood joists, installed plastic craw space covering and have installed a mechanical ventilation system for that building. Other repairs concerning leaks have been repaired. There are some requirements for the building to be up to handicap accessibility code including ramps at the front entrance of the building. Mr. Clayton also confirmed the requirement from USDA for a chair lift (**reference#1**).

Gale Spears, 120 Gail Spears Drive and Robert Trogdon, 606 N. Orange Street both spoke in opposition of the purchasing the buildings on Main Street. Mr. Trogdon asked that the Town be given the opportunity to vote on the purchasing of the buildings.

Mayor Weeks closed the Public Hearing at 7:30 pm.

VII. OLD BUSINESS:

A. Consider resolution amending the Town Code of Ordinances to include Cross Connection Control.

RESOLVED, to accept **Resolution #R2012-01** amending the Town Code of Ordinances to include Cross Connection Control (**reference #2**).

MOTION BY PRO-TEM DR. LINDA ROBINSON: SECOND BY COMMISSIONER JERRY BEASLEY.

Commissioner Don Pleasant questioned the cost to businesses and if they have been notified of the change that will affect them. Mr. Denton stated that most businesses in town already had the device working and that anyone could contact the Town Manager to request help from Public Works to assist with this state requirement.

APPROVED, AYES (5) MAYOR PRO-TEM DR. LINDA ROBINSON, COMMISSIONERS ALLEN, BEASLEY, MOSBY AND PLEASANT NOES (0)

B. Consider resolution accepting the proposed financing agreement with USDA Rural Development for the purchase of the property located at 21, 25, 27 and 29 East Main Street.

Garland Burnett, Area Director with USDA presented the Board with the letter of conditions describing financing by USDA Rural Development in the amount of \$338,000 at 3.375 % for a period of 30 years. Mr. Burnett outlined the purchase price at \$400,000, legal fees at \$4,000, Engineering Fees at \$4,000, proposed renovations at \$60,000.

Including the Town contribution of \$100,000 and the USDA Grant of \$30,000 brings loan amount to \$338,000. Estimated annual payment of \$17,879 and a required annual reserve amount of \$1,788 totals the annual commitment of \$19,667.

RESOLVED, to accept Letter of Conditions with USDA Rural Development for property located at 21, 25, 27 and 29 East Main Street and the Adoption of the USDA Rural Development Loan **Resolution #R2012-02(reference #3)**.

MOTION BY PRO-TEM DR. LINDA ROBINSON: SECOND BY COMMISSIONER JERRY BEASLEY.

Commissioner Mosby commented on his vote against the purchase of the property stating that the timing wasn't good for the Town and not knowing what the Town would be faced with pertaining to the present building. Commissioner Mosby noted that the loan from USDA with the grant was a good deal for the Town.

Commissioner Pleasant addressed Tyrus Clayton if the mold and water damage has been taken care of in the building. Mr. Clayton stated that the moisture problem is gone and that there was no black mold around the sink or on the plaster walls. Mr. Clayton stated that the only areas of mold that had been found was in the crawl space and that had been taken care of.

Commissioner J.C. Allen commented that he had reservations about the buildings and that he wasn't on the Board when the voting past. Commissioner Allen stated that he was abstaining from voting.

Mayor Weeks responded to Commissioner Allen that unless he had a conflict of interest he did not believe that the state law allows him to abstain from voting.

Attorney Al Bain confirmed that unless there was a conflict of interest he was not required to vote but that a failure to vote was a yes vote under the statutes. Mr. Bain stated that this was a vote for the financing.

APPROVED, AYES (5) MAYOR PRO-TEM DR. LINDA ROBINSON, COMMISSIONERS ALLEN, BEASLEY, MOSBY AND PLEASANT NOES (0)

Commissioner J.C. Allen and Commissioner Don Pleasant did not vote.

Mayor declared that all members voted in affirmative in purposes of this vote.

C. Consider resolution amending the Town Code of Ordinances to dissolve the Cemetery Commission and create a Cemetery Committee.

Town Manger Kenny Cole presented to the Board that the Cemetery is now operated as a line item in the budget process, which indicates that a previous Board dissolved our Commission but after researching the minutes we found there had not been a resolution to dissolve the Cemetery Commission and create a Cemetery Committee.

RESOLVED, to approve **Resolution # R2012-03** dissolving Cemetery Commission and create a Cemetery Committee (**reference # 4**).

MOTION BY PRO-TEM DR. LINDA ROBINSON: SECOND BY COMMISSIONER ALLEN MOSBY.

APPROVED, AYES (5) MAYOR PRO-TEM DR. LINDA ROBINSON, COMMISSIONERS ALLEN, BEASLEY, MOSBY AND PLEASANT NOES (0)

D. Request for World Trade Center Artifact.

Town Manager Kenny Cole updated the Board that a letter to DH Griffin requesting a piece of the World Trade Center has been drafted. Mr. Cole informed the Board that a meeting with the Police Department, Museum and Fire Department took place on April 11, 2012 to get their involvement with the plans for the artifact and to include that with the letter of request.

E. Consider amending the 2012-13 budget calendar:

Town Manager Kenny Cole presented the Board with a revised budget calendar. Request to change the May 19, 2012 date to May 14, 2012 at 6:00 pm.

RESOLVED, to approve a special called meeting for budget review on May 14, 2012 at 6:00 pm.

MOTION BY PRO-TEM DR. LINDA ROBINSON: SECOND BY COMMISSIONER ALLEN MOSBY.

APPROVED, AYES (5) MAYOR PRO-TEM DR. LINDA ROBINSON, COMMISSIONERS ALLEN, BEASLEY, MOSBY AND PLEASANT NOES (0)

VIII. NEW BUSINESS;

A. Park Project.

Commissioner Don Pleasant asked the Board to consider selling the timber at the park which would open up more fields and play area for the citizens. Commissioner Pleasant stated that the revenue from the timber would go back into the Recreation Department.

Mayor Weeks requested that the Recreation Committee meet to look into this project and ask that Commissioner Pleasant be a part of that meeting.

B. Special Recognition.

Mayor Weeks asked the Board to recognize National Library Week being April 10, 2012 – April 16, 2012 and further extends appreciation to our Librarians, Rebecca DallaMura and

Linda McNeil and to all Librarians for the vital services they perform and their exemplary dedication to the communities they represent.

RESOLVED, to recognize National Library Week being April 10, 2012 – April 16, 2012 and further extend appreciation to our Librarians, Rebecca DallaMura and Linda McNeil and to all Librarians for the vital services they perform and their exemplary dedication to the communities they represent.

MOTION BY PRO-TEM DR. LINDA ROBINSON: SECOND BY COMMISSIONER ALLEN MOSBY.

APPROVED, AYES (5) MAYOR PRO-TEM DR. LINDA ROBINSON, COMMISSIONERS ALLEN, BEASLEY, MOSBY AND PLEASANT NOES (0)

Mayor Weeks asked the Board to recognize April 29, 2012 – May 5, 2012 as Municipal Clerks Week and further extend appreciation to our Town Clerk, Karen Wooten and Deputy Clerk, Margaret Strickland and to all Municipal Clerks for the vital services they perform and their exemplary dedication to the communities they represent.

RESOLVED, to recognize April 29, 2012 – May 5, 2012 as Municipal Clerks Week and further extend appreciation to our Town Clerk, Karen Wooten and Deputy Clerk, Margaret Strickland and to all Municipal Clerks for the vital services they perform and their exemplary dedication to the communities they represent.

MOTION BY PRO-TEM DR. LINDA ROBINSON: SECOND BY COMMISSIONER ALLEN MOSBY.

APPROVED, AYES (5) MAYOR PRO-TEM DR. LINDA ROBINSON, COMMISSIONERS ALLEN, BEASLEY, MOSBY AND PLEASANT NOES (0)

Mayor Weeks asked that the Board move Public Forum prior to Closed Session.

Mayor Weeks opened Public Forum.

Jessica Hunter, 3517 Old Stage Rd. Angier, N.C. stated her opposition and concerns with changing the name of the Coats Library including the cost.

Robert Trogdon, 606 N. Orange St. Coats, N.C. stated the need for the Town to address control of mosquitoes and also stated it would cost more to have the timber at the park cut down than the Town would make off the timber.

Mayor Weeks asked Town Manager and Gary Denton to address the mosquitoes concern.

Kenneth Parker, 520 S. Orange St. Coats, N.C. asked the Board about Town Ordinance concerning public nuisance. He explained his concerns about the curb side basketball activity on the streets in front of his property including all the bad language.

Mayor Weeks ask the Town Manager to check on the sports activity on streets and to get with the Chief about parking in that area.

Gale Spears 120 Gail Spears Rd. Coats, N.C. expressed her opposition and concerns about changing the Coats Library name stating that many citizens have given a lot to this town.

Mayor Weeks closed Public Forum.

VIII. NEW BUSINESS – continued:

C. Closed Session.

RESOLVED, to conduct a closed session pursuant to N.C.G. S. 143-318-11, (a) (3) – Consult with Attorney, Town of Coats vs Pope and Approval of closed session minutes.

MOTION BY PRO-TEM DR. LINDA ROBINSON: SECOND BY COMMISSIONER ALLEN MOSBY.

APPROVED, AYES (5) MAYOR PRO-TEM DR. LINDA ROBINSON, COMMISSIONERS ALLEN, BEASLEY, MOSBY AND PLEASANT NOES (0)

Returned to open meeting at 8:53 pm.

X. ADJOURN:

RESOLVED, to adjourn meeting.

MOTION BY PRO-TEM DR. LINDA ROBINSON: SECOND BY COMMISSIONER ALLEN MOSBY.


APPROVED, AYES (5) MAYOR PRO-TEM DR. LINDA ROBINSON, COMMISSIONERS ALLEN, BEASLEY, MOSBY AND PLEASANT NOES (0)

Mayor Weeks called meeting adjourned at 8:55 pm.

Respectfully Submitted,



Karen Wooten, Town Clerk



Walter Weeks, Mayor