

TOWN OF MAIDEN

January 15, 2018

MINUTES OF REGULAR MEETING

The Maiden Town Council met on Monday, January 15, 2018 at 7:00 p.m. for their regularly scheduled meeting, held in the Council Chambers at the Maiden Town Hall.

Present for the meeting were Mayor Robert L. Smyre, Mayor Pro-Tem Max Bumgarner Jr, Councilmembers Danny Hipps, Trina Michael, Marcus Midgett and Ronnie Williams.

Also present were Town Manager Todd Herms, Town Attorney Scott Conrad and Town Clerk Elizabeth Krige.

Others attending: See attached sheet.

The meeting was called to order at 7:00 p.m. by Mayor Robert L. Smyre.

The invocation was given by Mayor Robert L. Smyre.

The Pledge of Allegiance was led by Councilmember Trina Michael.

4. Approval of Agenda

Mayor Smyre requested items 8C and 8D be removed from the agenda; Council needs more information.

MOTION WAS MADE BY COUNCILMEMBER RONNIE WILLIAMS AND SECONDED BY COUNCILMEMBER TRINA MICHAEL TO APPROVE THE AGENDA AS AMENDED. MOTION CARRIED UNANIMOUSLY.

5. Citizens Requests and Comments

Mr. Herms reminded Council of the County Summit, February 8th at 6 PM. Please reply by email so we can RSVP.

6. Approval of the Minutes (12/04/2017 Meeting):

MOTION MADE BY COUNCILMEMBER TRINA MICHAEL AND SECONDED BY COUNCILMEMBER DANNY HIPPS TO APPROVE THE REGULAR MEETING AND CLOSED SESSION MINUTES OF THE DECEMBER 4, 2017 MEETING. MOTION CARRIED UNANIMOUSLY.

7. Consent Agenda

MOTION MADE BY COUNCILMEMBER RONNIE WILLIAMS AND SECONDED BY COUNCILMEMBER MARCUS MIDGETT TO APPROVED THE FINANCE OFFICERS REPORT FOR NOVEMBER AND DECEMBER. MOTION CARRIED UNANIMOUSLY.

8. New Business

A. Information on Verizon Wireless Water Tank Agreement

Mr. Herms said he was bringing this up for Council's information. The Verizon Lease on the Water Tank at Turbyfill will be up in May 2019. Verizon has sent paperwork for renegotiating the lease. In other communities, Verizon asked for a reduction in rent. Mr. Herms thinks they will ask for a reduction in rent in the upcoming lease.

Councilmember Midgett asked if Verizon was the only company using the water tank. Mr. Herms said they were.

Councilmember Ronnie Williams asked when the agreement would end. Mr. Herms said May 2019, however Verizon would likely want the agreement in place before that time.

Councilmember Danny Hipps asked if they we could ask for a reduction in the town's Verizon bill. Mr. Herms said that we could ask.

B. Recognition of Officers

Police Chief Tracy Ledford recognized two officers who obtained their Intermediate Certificate from the Department of Justice. Josh Stikeleather has been with the Maiden Police Department for ten years and Mike Painter has been with the Maiden Police Department for sixteen years. This certificate requires numerous hours of training. Chief Ledford said it is a lot of hard work and nights away from home. Chief Ledford presented each officer with a framed certificate.

Fire Chief Tracy Caldwell introduced the Fire Department's officers. First Assistant Chief is Kenneth Huffman. He handles administrative issues, he is also a Captain at Newton and takes care of Station 1. Second Assistant Chief is Luke Shoffner, he works for the Newton Fire Department. Luke takes care of Station 2. The Equipment Captain is William Barlow. He is also a Captain at Newton. He is responsible for all of the Fire Department's gear. Nolan Rudisill is the Training Captain. He insures the firefighters have the required amount of training they need. Aaron Rufty is the First Lieutenant. He makes sure all of the firefighters meet the physical and health requirements set by the state. He also heads up the golf tournament. The money raised from the golf tournament pays for the smoke detector program and allows the Fire Department to sponsor two families at Christmas. Tyler Williams is the Second Lieutenant and handles medical supplies and assists with other administrative tasks. Mr.

Caldwell said he was very blessed and his officers brought a lot of knowledge and experience to the department.

Mayor Smyre thanked the Fire and Police Departments for keeping the Town safe.

E. Appointment of Board of Trustees to Relief Fund Board

Fire Chief Caldwell stated two members of this board are appointed by the Fire Department, two are appointed by Council and one is appointed by the Insurance Commissioner. Mr. Caldwell asked the Council to approve Richard and Vernon Cansler, both have served on this board previously.

MOTION WAS MADE BY COUNCILMEMBER DANNY HIPPS AND SECONDED BY COUNCILMEMBER TRINA MICHAEL TO APPROVE THE NOMINATION OF RICHARD AND VERNON CANSLER TO THE RELIEF BOARD. MOTION CARRIED UNANIMOUSLY.

9. Ordinances

A. 1-2018 An Ordinance to Amend the Town of Maiden Zoning Maps

Blake Wright addressed Council. He explained this ordinance is the finalization of the zoning change proposed and voted on at the last meeting.

MOTION WAS MADE BY COUNCILMEMBER RONNIE WILLIAMS AND SECONDED BY MAYOR PRO TEM MAX BUMGARNER JR TO APPROVE ORDINANCE 1-2018. MOTION CARRIED UNANIMOUSLY.

B. 2-2018 An Ordinance to amend the Town of Maiden Code of Ordinances Chapter 7: Cemeteries

Blake Wright addressed Council and referenced the discussion of the previous meeting concerning dogs in the cemetery. Mr. Wright presented an ordinance prohibiting animals in the cemetery unless it is a service animal which is permitted per state and federal law. The ordinance also outlines civil penalties from section 1-111. Councilmember Ronnie Williams asked if signs would be posted and Mr. Herms said signs would be posted after the ordinance passed.

Chief Ledford told the Council there might be an instance were a citizen would be taking a dog to visit a deceased spouse.

Danny Hipps asked about the penalty for violating this ordinance which was \$50.00, specifically if it would cost the Town attorney fees to enforce this provision.

Mr. Herms asked the Finance Officer if this would fall under debt set-off, she answered that it would. Mr. Herms explained when someone owns the Town money, it is taken out of their tax refund or lottery winnings which is known as debt set-off. Mr. Conrad said that attorney's fees might be recoverable in a civil action. Mr. Wright said Mr. Conrad does not usually get involved in civil actions brought by the Town.

MOTION WAS MADE BY COUNCILMEMBER TRINA MICHAEL AND SECONDED BY COUNCILMEMBER RONNIE WILLIAMS TO APPROVE ORDINANCE 2-2018. MOTION CARRIED UNANIMOUSLY.

C. 3-2018 An Ordinance to amend the Town of Maiden Code of Ordinances Chapter 4: Animals

Mr. Wright explained this ordinance was a continuation of the dog ordinances. This has an updated nuisance section which would require anyone walking their animal to pick up after their animal on public property, public right-of-way or private property. The animal owner would be required to carry a bag or container to pick up the waste. This also includes civil penalties from section 1-111.

Mr. Herms said this ordinance might be hard to enforce and Councilmember Ronnie Williams said he would like to see it on the books so the problem can be addressed.

Councilmember Danny Hipps asked whose responsibility it would be to enforce this provision. Mr. Wright said it would be his department (Planning) and Animal Control.

MOTION WAS MADE BY COUNCILMEMBER RONNIE WILLIAMS AND SECONDED BY COUNCILMEMBER TRINA MICHAEL TO APPROVE ORDINANCE 3-2018. MOTION CARRIED UNANIMOUSLY.

D. 4-2018 An Ordinance to amend the Capital Project Budget Ordinance for the Water Plant Dam Project and Water/Sewer Fund

Mr. Herms said that ordinances 4-2018, 5-2018 and 6-2018 are all related. The Town entered into a loan agreement with the County to run a water line on Davis Road and Beal Road. These ordinances bring money in from the county and send out the Town's portion of the project. Ordinance 4 is to move money to pay for the water dam project. When Phase 3 was bid, it was \$120,000 more than estimated. Then we re-bid Phase 2 and 3 together, which is a little bit cheaper due to not having to pay mobilization costs twice. The bidder will agree to take \$20,000 off the price if we give them an 18-month window to work on the project. It gives us more latitude with the budget, but the project will be done in 18 months and all work is within the guidelines and timeframes set by the state. The contracts will have to be approved by the Council.

MOTION WAS MADE BY COUNCILMEMBER TRINA MICHAEL AND SECONDED BY COUNCILMEMBER MARCUS MIDGETT TO APPROVE ORDINANCE 4-2018. MOTION CARRIED UNANIMOUSLY.

E. 5-2018 An Ordinance to amend the FY 17-18 Budget in the Water/Sewer Fund

Dianne Lowe said that Ordinance 5 was to record the asset, which is the water line. Ordinance 6-2018 is where the county is paying the Town back.

MOTION WAS MADE BY MAYOR PRO TEM MAX BUMGARNER JR AND SECONDED BY COUNCILMEMBER TRINA MICHAEL TO APPROVE ORDINANCE 5-2018. MOTION CARRIED UNANIMOUSLY.

F. 6-2018 An Ordinance to amend the FY 17-18 Budget in the Water/Sewer Fund

MOTION WAS MADE BY DANNY HIPPS AND SECONDED BY MAYOR PRO TEM MAX BUMGARNER JR TO APPROVE ORDINANCE 6-2018. MOTION CARRIED UNANIMOUSLY.

10. Old Business

A. Water Dam Improvement Project Bid

Mr. Herms said the bid came in at \$466,750 from Neill Grading. Neill Grading was the only bidder for Phase 2 and 3. Most of this cost is the concrete.

Mayor Smyre said the Town has been working on this project for ten years. Mr. Herms said the price is not getting cheaper. The longer we take to fix the project, the more it will cost.

MOTION WAS MADE BY COUNCILMEMBER RONNIE WILLIAMS AND SECONDED BY COUNCILMEMBER TRINA MICHAEL TO ACCEPT THE BID FROM NEILL GRADING FOR THE WATER DAM PROJECT. MOTION CARRIED UNANIMOUSLY.

With no further comments...

MOTION WAS MADE BY COUNCILMEMBER TRINA MICHAEL AND SECONDED BY MAYOR PRO TEM MAX BUMGARNER JR TO ADJOURN THE MEETING AT 7:35 PM. MOTION CARRIED UNANIMOUSLY.

Respectfully Submitted:

Elizabeth Yokley-Krige, Town Clerk

Robert L. Smyre, Mayor

ATTEST:

Elizabeth Yokley-Krige, Town Clerk