

MINUTES OF A REGULAR MEETING OF THE TOWN COUNCIL OF THE TOWN OF TARBORO, HELD AT 7:00 P.M. ON MONDAY, DECEMBER 14, 2015 IN THE COUNCIL ROOM, TOWN HALL, TARBORO, NORTH CAROLINA

MEMBERS PRESENT

Rick Page	Mayor
C.B. Brown	Councilman
Steve Burnette	Councilman
Deborah Jordan	Councilmember
Taro Knight	Councilman
Garland Shephard	Councilman
Leo Taylor	Councilman
Othar Woodard	Councilman

MEMBERS ABSENT

John Jenkins	Councilman
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ALSO PRESENT

M Alan Thornton	Town Manager
Leslie M. Lunsford	Town Clerk
Chad Hinton	Town Attorney

1. MEETING CALLED TO ORDER

The meeting was called to order by the Mayor.

A. Invocation

The invocation was given by Mayor Page.

B. Receipt and Acceptance of Certificate of Municipal Election – Wards 2, 4, 6 and 8

Approved by Old Council.

C. Oaths of Office

The oath of office was administered to the following by the Clerk of Superior Court, Carol White:

Ward 2	Leo Taylor
Ward 4	C.B. Brown
Ward 6	Deborah Jordan
Ward 8	Garland Shephard

D. Recognition of Outgoing Councilmembers

The Mayor presented plaques to outgoing Councilmembers Ruffin and Hull.

The Mayor said a prayer for Councilman John Jenkins.

E. Election of Mayor Pro Tem

Councilman Burnette made a motion, which was seconded by Councilman Woodard and passed unanimously, that Councilman Knight serve as Mayor Pro Tem. Councilmember Jordan made a motion, which was seconded by Councilman Woodard and passed unanimously, that nominations be closed. Councilman Knight was elected to serve as Mayor Pro Tem.

2. APPROVAL OF AGENDA BY COUNCIL

Councilman Shephard suggested that Memo 15-104 be postponed until Councilman Jenkins returned since he made the request. Councilman Woodard made a motion, which was seconded by Councilman Shephard and passed unanimously, that Council postpone Memo 15-104 until Councilman Jenkins returns. Councilman Shephard made a motion, which was seconded by Councilman Knight and passed unanimously, that the agenda be amended and approved.

3. REQUESTS AND PETITIONS OF CITIZENS

A. Roy Gray – 611 E Johnston Street, Tarboro

Mr. Gray requested the Town Council's support regarding the inclusion of houses into the FEMA flood zone, requiring residents to now purchase flood insurance. Mr. Gray stated that in 1999 the streets were in the flood zone but houses were not. It was recommended that a letter be sent from the Mayor to the State Mapping Office addressing the issue.

B. Susan Freeman – 300 Windermere Circle 5-A, Tarboro

Ms. Susan Freeman, Tarboro Edgecombe Chamber Director, expressed her appreciation to the Town and staff for their participation in the Christmas Crawl and the annual Christmas Parade. Councilman Shephard asked Ms. Freeman if the Tourism Board had the proper representation from area hotel, motels, etc. Ms. Freeman stated that the board did not have such member at this time. Council requested the Town Attorney research this issue.

4. MATTERS SCHEDULED FOR PUBLIC HEARING

A. Application for Certificate of Convenience and Necessity to Operate Taxicabs in the Town of Tarboro in 2015

The following Notice of Public Hearing was posted in the Town Hall and mailed to all current holders of Certificates of Convenience and Necessity:

NOTICE is hereby given pursuant to Tarboro Code of Ordinances, Section 18-48, that a PUBLIC HEARING will be conducted by the Town Council at its regular meeting in the Council Room in the Town Hall at 7:00 P.M., Monday, December 14, 2015, to consider and act upon the applications of Blanche Lee Jenkins T/A Checker Cab Co., 179 N. Ridgewood Road (5 taxis) for a Certificate of Convenience and Necessity to operate in the Town of Tarboro for the year 2016.

All interested citizens and all parties of interest will be given an opportunity to be heard. Any interested person may file with the Town Clerk a memorandum in support or opposition to the issuance of such a certificate.

This 1st day of December, 2015.

The Mayor declared the public hearing open. No one spoke in favor of or against.

Everyone having had an opportunity to be heard, the Mayor declared the public hearing closed.

Councilman Knight made a motion, which was seconded by Councilmember Jordan and passed unanimously, that Council approve Blanche Lee Jenkins T/A Checker Cab Co. for a Certificate of Convenience and Necessity to operate five taxicabs in Tarboro for 2016.

5. REPORTS OF BOARDS AND COMMISSIONS

None.

6. TOWN MANAGER'S RECOMMENDATIONS

A. Consent Items

Councilman Burnette made a motion, which was seconded by Councilman Woodard and passed unanimously, that the following consent items be approved:

(1) Memo 15-96 – 2009 Tax Levy Adjustment

Action taken: Council

- (1) approved the 2009 Tax Levy release numbers 29 & 30 in the amount of \$53,169.85, and
- (2) approved the *Schedule of 2009 Tax Levy Adjusted as of December 14, 2015*, attached at page 72-116a, in the amount of \$3,167,481.58.

(2) Memo 15-97 – 2010 Tax Levy Adjustment

Action taken: Council

- (1) approved the 2010 Tax Levy release numbers 39 & 40 in the amount of \$1,998.06, and
- (2) approved the *Schedule of 2010 Tax Levy Adjusted as of December 14, 2015*, attached at page 72-116b, in the amount of \$3,233,885.90.

(3) Memo 15-98 – 2011 Tax Levy Adjustment

Action taken: Council

- (1) approved the 2011 Tax Levy release numbers 27 & 28 in the amount of \$2,218.70, and
- (2) approved the *Schedule of 2011 Tax Levy Adjusted as of December 14, 2015*, attached at page 72-116c, in the amount of \$3,545,349.83.

(4) Memo 15-99 – 2012 Tax Levy Adjustment

Action taken: Council

- (1) approved the 2012 Tax Levy release numbers 21 & 22 in the amount of \$1,704.49, and
- (2) approved the *Schedule of 2012 Tax Levy Adjusted as of December 14, 2015*, attached at page 72-116d, in the amount of \$3,589,371.77.

(5) Memo 15-100 – 2013 Tax Levy Adjustment

Action taken: Council

- (1) approved the 2013 Tax Levy release numbers 19 & 20 in the amount of \$1,704.25, and
- (2) approved the *Schedule of 2013 Tax Levy Adjusted as of December 14, 2015*, attached at page 72-116e, in the amount of \$3,508,951.11.

(6) Memo 15-101 – 2014 Tax Levy Adjustment

Action taken: Council

- (1) approved the 2014 Tax Levy release numbers 25 & 26 in the amount of \$1,679.57, and
- (2) approved the *Schedule of 2014 Tax Levy Adjusted as of December 14, 2015*, attached at page 72-116f, in the amount of \$3,393,350.73.

(7) Memo 15-102 – 2015 Tax Levy Adjustment

Action taken: Council

- (1) approved the 2015 Tax Levy release numbers 9 - 11 in the amount of \$3,512.93, and authorized the Tax Collector to refund release number 11 in the amount of \$1,651.14 which has already been paid,
- (2) enter into the minutes 2015 Tax Levy release numbers 12 & 13 in the amount of \$76.96, and
- (3) approved the *Schedule of 2015 Tax Levy Adjusted as of December 14, 2015*, attached at page 72-117a, in the amount of \$3,359,013.50.

(8) Minutes

Action taken: Council approved the minutes of the November 9, 2015 regular meeting.

B. Action Items**(1) Memo 15-103 – Grant Award – Governor’s Crime Commission Grant**

Councilman Woodard made a motion, which was seconded by Councilman Taylor and passed unanimously, that Council approve the Grant Award and authorize staff to execute the required documents. Councilman Shephard asked for clarification on the grant, he thought the grant was approved at a previous meeting. He was informed that Council approved the Police Chief to apply for the grant. The Mayor stated that in the future, staff did not have to come to Council to apply for grants.

(2) Memo 15- – 104 – Request – One Way Street

Postponed until Councilman Jenkins returns.

(3) Memo 15-105 – Taxicabs – Certificates of Convenience and Necessity

Action taken during Matters Scheduled for Public Hearing 4. A.

(4) Memo 15-106 – Appointment – Tarboro-Edgecombe Airport Authority

Councilman Shephard made a motion, which was seconded by Councilman Knight and passed unanimously, that Council postpone until Councilman Jenkins returns to see if he would be interested in serving on the Tarboro-Edgecombe Airport Authority.

(5) Memo 15-107 – Appointment – Edgecombe County Memorial Library – Board of Trustees

Dr. Auld agreed to serve another six (6) year term. Councilman Shephard nominated Anthony Edwards to fill the term. Councilman Shephard made a motion, which was seconded by Councilman Knight and passed unanimously, that the nominations be closed. Dr. Auld was appointed to fill the six (6) year term, he received 4 votes. Mr. Edwards received 3 votes.

(6) Memo 15-108 – Appointment – Fireman’s Relief Fund Board of Trustees

Councilman Woodard made a motion, which was seconded by Councilman Taylor and passed unanimously, that Council appoint Fire Chief Frankie Winslow to serve another two (2) year term.

7. OTHER REPORTS**A. Town Manager**

The Town Manager welcomed the new Councilmembers and thanked the former Councilmembers. Mr. Thornton also thanked staff for their efforts in the Christmas Crawl and Christmas Parade. The Town Manager asked Council to send him possible dates for a Council Retreat in the near future.

B. Town Attorney

The Town Attorney congratulated the new Councilmembers. He also thanked Town staff for their involvement with the Christmas Crawl.

C. Mayor

The Mayor thanked the new and former Councilmembers. He also thanked Susan Freeman for her efforts at the Chamber of Commerce.

D. Council Members

Ward 1 – Councilman Woodard – welcomed new and returning Councilmembers.

Ward 2 - Councilman Taylor – thanked the constituents of Ward 2 for their support and former Councilman Hull for his work for Ward 2. Councilman Taylor expressed his passion for neighborhood and Ward issues and stated he was excited about serving on the Town Council.

Ward 3 – Councilman Burnette – congratulated the new Councilmembers.

Ward 4 – Councilman Brown – stated that he was glad to be serving on Town Council and that he is looking forward to moving forward in a positive direction.

Ward 5 – Councilman Jenkins – None

Ward 6 – Councilmember Jordan – expressed gratitude for being re-elected and looking forward to working with new Councilmembers.

Ward 7 – Councilman Knight – congratulated the new and returning Councilmembers. Councilman Knight also thanked Alan, Troy and the Electric Department staff for assisting in getting a street light repaired quickly before an event.

Ward 8 - Councilman Shephard – thanked constituents for re-electing him and congratulated the new Councilmembers. Councilman Shephard requested an update on the commercial vehicles parked on streets and asked about a junk ordinance. Planning Director, Catherine Grimm stated that the Planning Board would continue to look into. The Mayor asked Councilmembers to inform staff of the addresses that had excessive “junk” in their yards. Councilman Shephard also requested information on comp time. Town Attorney, Chad Hinton, stated he was working on the requested information.

The Mayor called for a 5 minute break before entering into Closed Session.

8 CLOSED SESSION

As permitted under NCGS § 143-318.11.(a)(3) – Ward Transformer Site

Councilman Woodard made a motion, which was seconded by Councilman Shephard and passed unanimously, that Council enter into Closed Session.

Councilman Shephard made a motion, which was seconded by Councilman Woodard and passed unanimously, that Council resume regular session.

Councilman Knight made a motion, which was seconded by Councilman Burnette and passed unanimously, that Council accept and agree to enter into a legal agreement with the EPA and other civil litigants by electing to pay the agreed upon cash out settlement in exchange for the Town of Tarboro receiving total immunity from any future civil action claims or counterclaims related to the Ward Transformer Site case.

9. ADJOURNMENT

Councilmember Knight made a motion, which was seconded by Councilmember Woodard and passed unanimously, that the meeting be adjourned.

Rick Page, Mayor

Leslie M. Lunsford, Town Clerk