

**MINUTES OF A REGULAR MEETING OF THE TOWN COUNCIL OF THE TOWN OF TARBORO, HELD AT 7:00 P.M. ON MONDAY, JULY 9, 2018 IN THE COUNCIL ROOM, TOWN HALL, TARBORO, NORTH CAROLINA**

**MEMBERS PRESENT**

Joe Pitt	Mayor
C.B. Brown	Councilman
Steve Burnette	Councilman
Sabrina Bynum	Councilmember
John Jenkins	Councilman
Deborah Jordan	Councilmember
Garland Shephard	Councilman
Leo Taylor	Councilman/Mayor Pro Tem
Othar Woodard	Councilman

**MEMBERS ABSENT**

**ALSO PRESENT**

Troy Lewis	Town Manager
Leslie M. Lunsford	Town Clerk
Chad Hinton	Town Attorney

**1. MEETING CALLED TO ORDER**

The meeting was called to order by Mayor Joe Pitt.

**2. INVOCATION**

Invocation was given by Councilman Taylor

**3. PLEDGE OF ALLEGIANCE**

**4. APPROVAL OF AGENDA BY COUNCIL**

The Town Manager requested Council add Memo 18-52 Edgecombe County/Town of Tarboro Trail Grant Partnership to the agenda. Councilman Jenkins made a motion, which was seconded by Councilmember Bynum and passed unanimously, that Council approve the amended agenda.

**5. REQUESTS AND PETITIONS OF CITIZENS**

**A. Dorothy Gail Jones – 1714 Ambleside Drive, Tarboro**

Ms. Jones expressed concerns about a recent bank attachment for past due property taxes. She feels that the money paid to the Town by her bank should be refunded back to her. The Finance Director and Town Attorney informed Council that the Town followed General Statutes and had obtained the payment legally. They also informed Council that it would be illegal to refund the money paid by the bank for the past due taxes dating back to 2011.

**6. MATTERS SCHEDULED FOR PUBLIC HEARING**

**A. Conditional Use Permit #18-01**

The following Notice of Public Hearing was published in the Tar River Times:

**NOTICE OF PUBLIC HEARINGS**

PUBLIC NOTICE IS HEREBY GIVEN that the Town Council of the Town of Tarboro will conduct a public hearing beginning at 7:00 p.m. on Monday, July 9, 2018 in the Council Room of the Town Hall of the Town of Tarboro for the purpose of receiving public input on the following:

1. To consider a request submitted by Angeline Crowder of Burns & McDonnell Engineering Company on behalf of Dominion Energy for the construction of a microwave tower for the property located on the west side of Office Street between C.S.X. Railroad and the Tar River on Water Street. The property contains 8.10 of acreage and is zoned RA-8.

2. Code of Ordinances Update – a public hearing will be held to receive public input on the matter of an update to the nuisance portion of the Code of Ordinances.

The full text of these requests which if adopted, will effectuate the proposed changes are on file in the office of the Town Clerk of the Town of Tarboro in the Town Hall and are available for review by interested parties during normal business hours prior to the holding of the public hearings.

All citizens and interested parties are urged to be present at said Public Hearings and make their views known on said proposed requests.

BY ORDER OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF TARBORO.

This the 26<sup>th</sup> day of June, 2018.

The Mayor declared the public hearing open. Catherine Grimm, Planning Director, Benjamin Saunders, Dominion, Angeline Crowder, Burns & McDonnell, Bobby Gaston and Sabrina Edwards were sworn in by the Town Clerk.

Catherine Grimm, Planning Director, gave the background information.

Benjamin Saunders, Dominion, spoke in favor of the Conditional Use Permit.

Bobby Gaston and Sabrina Edwards spoke neutrally, just asked questions. Questions were answered.

No one spoke against the Conditional Use Permit.

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

Councilman Woodard made a motion, which was seconded by Councilman Taylor and passed unanimously, that Council add the condition that Dominion would be responsible for the decommission of the tower.

Councilman Woodard made a motion, which was seconded by Councilman Jenkins and passed unanimously, that the application is complete.

Councilman Taylor made a motion, which was seconded by Councilman Jenkins and passed unanimously, that the application complies with all applicable requirements of the land-use ordinance.

Councilman Jenkins made a motion, which was seconded by Councilmember Bynum and passed unanimously, that the application be granted subject to the following conditions:

- (1) The applicant shall complete the development strictly in accordance with the plans submitted to and approved by this Board, a copy of which is filed in the office of the Building Inspector.
- (2) If any of the conditions affixed hereto or any part thereof is held invalid or void, then this permit shall be void and of no effect.
- (3) Dominion be held responsible for decommissioning the tower.

**B. Code of Ordinances Update**

The Notice of Public Hearing in its entirety is printed under 6.A. above.

The Mayor declared the public hearing open.

Charlie Yokley, McAdams, presented an update to the nuisance portion of the Code of Ordinances.

No one spoke in favor of or in opposition of the Code of Ordinances update.

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

Councilman Jenkins made a motion, which was seconded by Councilman Taylor and passed unanimously, that Council approve the update to the nuisance portion of the Code of Ordinances pending changes to the definition of abatement.

**C. CDBG – Neighborhood Revitalization RFP**

The Mayor declared the public hearing open.

Landin Holland, Holland Consulting Planners, presented CDBG – Neighborhood Revitalization RFP information.

No one spoke in favor of or in opposition of.

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

No action taken at this time.

**7. REPORTS OF BOARDS AND COMMISSIONS**

Catherine Grimm, Planning Director, presented the Planning Board and Zoning Commission report attached at page, 73-83a. Councilman Taylor made a motion, which was seconded by Councilman Woodard and passed unanimously, that Council call for and hold a public hearing at the August meeting for Zoning Map Amendment 18-01 – RA-12 to B-3.

**8. TOWN MANAGER'S RECOMMENDATIONS**

**A. Consent Items**

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

**(1) Memo 18-47 – 2012 Tax Levy Adjustment**

Action taken: Council

- (1) decreased the 2012 Tax Levy in the amount of \$7,854.36 for auto taxes released by Edgecombe County, and
- (2) approved the *Schedule of 2012 Tax Levy Adjusted as of July 9, 2018*, attached at page 73-83b, in the amount of \$3,580,186.07.

**(2) Memo 18-48 – Taxes – Preliminary Report & Annual Settlement of Tax Collector**

Action taken: Council

- (1) approved the Preliminary Annual Settlement Report of the Tax Collector attached at pages 73-84a through 73-84k,
- (2) adopted the following Resolution designating the insolvent list to be credited to the Tax Collector in her settlement:

**RESOLUTION**

THAT WHEREAS, pursuant to G.S. 105-373 (a) (1), the Tax Collector of the Town of Tarboro has submitted her preliminary annual settlement dated the 30<sup>th</sup> day of June, 2018, to the Town Council of the Town of Tarboro, and whereas, as a portion of said report, said Tax Collector submitted a list of persons not owning real property whose personal property taxes remain unpaid;

NOW, THEREFORE, BE IT RESOLVED, by the Town Council of the Town of Tarboro, pursuant to G.S. 105-373 (a) (2), that the list of names of persons owing taxes (but who listed no real property) included in the preliminary annual settlement report of the Tax Collector be entered upon the minutes of this meeting and is hereby found by the Town Council of the Town of Tarboro to be insolvent;

AND BE IT FURTHER RESOLVED, that said list is hereby designated as the insolvent list to be credited to the Tax Collector in her settlement.

- (3) approved the Tax Collector's Settlement as of June 30, 2018, attached at page 73-84l, subject to the independent audit to be performed by the firm of Petway, Mills & Pearson, PA, and
- (4) recharged the Tax Collector with the outstanding taxes and the responsibility for collecting same for the years 2008 through 2017. (Collection of taxes for 2007 and prior years is barred by law unless foreclosure action has been instituted.)

**(3) Minutes**

Action taken: Council approved the minutes of June 11, 2018 regular meeting.

**B. Action Items****(1) Memo 18-49 – Hazard Mitigation Grant Program – Updated Contract**

Councilman Jenkins made a motion, which was seconded by Councilmember Bynum and passed unanimously, that Council authorize the Mayor to execute the amended agreement for planning and management services between the Town of Tarboro and Holland Consulting Planners.

**(2) Memo 18-50 – Tax Collection Procedures**

Councilman Taylor made a motion, which was seconded by Councilman Woodard and passed unanimously, that Council discuss at a later meeting.

**(3) Memo 18-51 – Appointment for June – Edgecombe County Cultural Arts Council**

Council appointed Ashley Stancil, Lucinda Plasencio and Rosena Ricks to fill the three expired terms.

**(4) Memo 18-52 – Edgecombe County/Town of Tarboro Trail Grant Partnership**

Councilman Brown made a motion, which was seconded by Councilman Woodard and passed unanimously, that Council approve the collaborative efforts between both Town and County staff in administering and implementing this grant program within the Indian Lake Trail System.

**9. OTHER REPORTS****A. Town Manager**

None.

**B. Town Attorney**

None.

**C. Council Members**

**Ward 1 – Councilman Woodard** – expressed concerns about speeding on Lincoln Road, he requested additional Police presence in the neighborhood.

**Ward 2 - Councilman Taylor** – expressed concerns about speeding on Summerfield Drive.

**Ward 3 – Councilman Burnette** – suggested Councilmembers refer citizens to staff when they present complaints to allow staff the opportunity to provide assistance.

**Ward 4 – Councilman Brown** – thanked staff for the July 4<sup>th</sup> celebration.

**Ward 5 – Councilman Jenkins** – suggested the Town implement a policy that would regulate issuing permits to customers that owed past due property taxes.

**Ward 6 – Councilmember Jordan** – None.

**Ward 7 – Councilmember Bynum** – thanked staff for the July 4<sup>th</sup> celebration.

**Ward 8 - Councilman Shepheard** – stated that the new signs entering the Town look nice.

**10. CLOSED SESSION PER NCGS 143-318.11.(a)(4) and NCGS §143-318.11.(a)(6)**

Councilman Burnette made a motion, which was seconded by Councilman Jenkins and passed unanimously, that Council enter into closed session.

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

Councilman Taylor made a motion, which was seconded by Councilman Brown and passed unanimously, that Council approve an above standard evaluation, which includes a 2% merit increase for Troy Lewis, Town Manager and make an adjustment to his contract to add terms for involuntary termination.

**11. ADJOURNMENT**

Councilman Shepheard made a motion, which was seconded by Councilman Brown and passed unanimously, that the meeting be adjourned.

---

Joe Pitt, Mayor

---

Leslie M. Lunsford, Town Clerk