

**Village of Misenheimer
Council Meeting Minutes-Public Hearing
Community Building
June 23, 2014 6PM**

Council Present:	Michael Herron, Mayor Mike Burrage, Mayor Pro Tem Micah Edquist, Finance Officer Judy Hammill Peter Edquist	Staff:	Pam Humphrey, Administrator Erik McGinnis, Zoning Officer
		Visitors:	Shannon Beamon, SNAP Mike Riemann-Village CTT Representative Jeff Watson

Call to Order: Mayor Herron called the meeting to order at 6:01 PM with a Council quorum being declared present.

Moment of Silence: Mayor Herron requested that a moment of silence be observed.

Ethics Statement: Humphrey, Administrator, read a statement regarding ethics and potential conflict(s) of interest asking Council members if they had any known or perceived conflict(s) of interest related to the meeting Agenda presented. None were noted.

Introduction of Visitors: The Visitors and Staff as noted above were welcomed to the meeting.

Approval of 6/23/14 Council Agenda: M. Edquist made a Motion to amend the Agenda as follows:

- Agenda Item #7 will be handled with Agenda Item #23
- Move Agenda Item #23 after Approval of the Amended Agenda
- Add an item to Agenda Item #23 to give the Oath to the new Council Member filling out the remaining term of Jim Gullledge's term
- Add an item to Agenda Item #14 to discuss Jim Gullledge remaining as Committee Chair of the Gladstone Academy Research Committee

Burrage seconded the Motion and it was approved by a vote of 4/0. (Hammill was eligible to vote with the approval of the 5/12/14 Council Minutes and forward.)

Announcement of Vacant Council Seat and Discuss Process to Fill Vacant Council Seat Through End of Term in November 2015: Mayor Herron advised Council that Jim Gullledge resigned from his elected Council position as of May 19, 2014 for personal reasons. Judy Hammill was asked if she would be interested in fulfilling the remainder of Gullledge's term. Ms. Hammill has served on the Village's Planning Board and Board of Adjustment. She is also currently a Committee member on the Gladstone Academy Research Committee. She agreed to be considered by Council.

M. Edquist nominated and made a Motion that Hammill fulfill the remainder of Gullledge's term which would end November 2015. Burrage seconded the nomination and Motion and it was approved by a vote of 4/0.

Humphrey, Administrator/Clerk, administered the Oath of office to Council member Hammill.

Approval of 5/12/14 Council Minutes: Burrage made a Motion to approve the 5/12/14 Council Minutes as presented. M. Edquist seconded the Motion and it was approved by a vote of 5/0.

Motion to Move to Public Hearing: M. Edquist made a Motion to move the Regular session of the Council meeting into Public Hearing pertaining public comments regarding the proposed FY 14/15 Budget Ordinance, Memo, and Pay Plan. Herron seconded the Motion and it was approved by a vote of 5/0.

Presentation and Public Discussion of Proposed FY 14/15 Budget Memorandum, Ordinance and Pay Plan: M. Edquist, Finance Officer, advised Council and the audience that no changes had been made to the FY 14/15 Budget packet (Memorandum, Ordinance, and Pay Plan) approved by Council at their May 12, 2014 Council meeting. The Village has budgeted \$409,820 in Revenues and \$409,820 in Expenditures during FY 14/15 which commences July 1, 2014. The FY

14/15 tax rate will remain the same as the FY 13/14 tax rate of .22 cents per \$100 value of real property. The Richfield Misenheimer Fire Department is allotted .07 cents of the total .22 cent tax rate.

No public comments were made.

Motion to Return to Regular Meeting: M. Edquist made a Motion to close the Public Hearing portion of the Council meeting and to return to the regular Council meeting. Burrage seconded the Motion and it was approved by a vote of 5/0.

Approval of FY 14/15 Budget Memorandum, Ordinance, and Pay Plan: M. Edquist made the Motion to adopt the FY 14/15 Budget Memorandum, Ordinance, and Pay Plan as presented. Burrage seconded the Motion and it was approved by a vote of 5/0.

Public Comment Period: No comments were requested to be made. However, Mayor Herron advised Council that Lori Fitts, resident, was concerned about the tall unmowed grass at the duplex rental property on Wesley Chapel Rd. Zoning Officer McGinnis commented that without a Nuisance Ordinance we have no ability to enforce the mowing of property.

M. Edquist whose property is next door to the duplex property advised Council that he has talked with the owner about keeping the property regularly mowed with no success to date.

Mayor Herron offered to write a letter to the owner requesting the mowing of the property for the safety of the neighborhood as snakes have been seen in the area.

Carolina Thread Trail (CTT) Acquisition:

Trail Acquisition Status: Dr. Michael Riemann, former Mayor and Village representative for the Tri Cities CTT Committee, advised Council that he and former New London Mayor Gaddy continue their efforts to secure access to property to be utilized for the New London, Richfield, and Misenheimer trail corridor. Some property owners are concerned about liability issues. However, Riemann explained that someone on a public trail has no more rights than a trespasser.

Interlocal Agreement: Dr. Riemann requested that Council review and consider for approval an Interlocal Agreement between Misenheimer, Richfield, and New London, that spells out the terms and requirements of this CTT grant phase for property acquisition of the trail corridor. P. Edquist made the Motion to approve the Interlocal Agreement. Hammill seconded the Motion and it was approved by a vote of 5/0.

Selection of Project Surveyor: Dr. Riemann requested that Council review and consider for approval the land surveyor that will be utilized for surveying trail corridor property located in Misenheimer. Council was provided with the qualifications of four (4) local surveyors. M. Edquist made the Motion to select Dent H. Turner, Jr. for the CTT surveying. Burrage seconded the Motion and it was approved by a vote of 5/0.

Selection of Project Counsel: Dr. Riemann requested that Council review and consider for approval the attorney to be utilized to prepare, review, and file legal documents related to trail corridor property located in Misenheimer. Multiple real estate attorneys had been requested to provide their qualifications; however, only one (1) responded. P. Edquist made the Motion to select Ms. Connie Josie with Brown, Brown, & Brown, P.L.L.C. to represent the Village for the CTT legal matters. Hammill seconded the Motion and it was approved by a vote of 5/0.

FY 13/14 Budget Amendment to Carry over CTT Fund Balance into FY 14/15: Humphrey, Administrator, advised Council that the unspent CTT Fund Balance of \$25,000.00 as of fiscal year-end at 6/30/14 required a Budget Amendment to carry over the balance into FY 14/15. M. Edquist made the Motion to approve the FY 13/14 Budget Amendment as presented. P. Edquist seconded the Motion and it was approved by a vote of 5/0.

Gladstone Academy Research Committee (GARC): M. Edquist, Committee member, requested Council's consensus to retain Jim Gulledge as the GARC Committee Chair. Council provided their unanimous consent to approve Gulledge's retention.

Recommendation of Building for General Purpose Assembly Purposes: M. Edquist advised Council that the GARC had approved to recommend to Council to consider the Gladstone Academy building and property to be utilized for general purpose assembly purposes. Defining a purpose is necessary at this time in order to provide direction for architectural

design purposes. Burrage made the Motion to accept the GARC's recommendation. P. Edquist seconded the Motion and it was approved by a vote of 5/0.

Recommendation to Expand Committee Responsibilities: M. Edquist advised Council that the GARC is requesting to continue to be involved in the restoration activities of the Gladstone Academy building and property. The GARC will continue to take instruction from the Council regarding their continued responsibilities. P. Edquist made the Motion to for the GARC to continue activities under Council's instruction. Burrage seconded the Motion and it was approved by a vote of 5/0.

Recommendation to Hold the Fall 2014 Village BBQ at Gladstone Academy: Hammill advised Council that it would be a positive move to "reintroduce" the Gladstone Academy to the community in order to increase interest in its restoration. Holding the Fall 2014 BBQ event at the Gladstone Academy property may serve as that opportunity. The Community Building could be utilized as an alternate site in case of rain. Burrage commented that perhaps the Fall 2015 BBQ should be considered. Council requested that the GARC continue to discuss this request and provide more details at the next Council meeting.

Recommendation of Architect for Design Study & Request for Contract Proposal: M. Edquist advised Council that the GARC had requested qualifications from three (3) architects that work with historic restoration. The GARC had reviewed the qualifications and determined that Jon Palmer, AIA, has the necessary qualifications to provide a design document for utilizing the Gladstone Academy property. Burrage made the Motion to accept the GARC's recommendation to select Jon Palmer, AIA, to provide a contract proposal for utilization design for Council's further consideration. P. Edquist seconded the Motion and it was approved by a vote of 5/0.

Administrative Report-May 2014 (Mayor, Police Chief, and Administrator)

Mayor: Attended 5/15/14 NCDOT/RRRPO TAC Meeting

Police Chief:

- Nothing of note on the May 2014 Police Report
- No update from NCDOT regarding Merner Terrace possible improvements
- Humphrey, Administrator, attended a Stanly County Project Review Committee meeting where a potential buyer for the tanning salon property was inquiring about utilizing the property as a restaurant. Current Village zoning allows this activity. However, there are challenges with the property regarding commercial septic requirements. The County will continue to provide her with necessary information to assist her regarding her inquiry.
- Herron inquired about no through traffic on Wesley Chapel Road (i.e. cut through for NC Hwy 49 and US Hwy 52). McGinnis advised that he would inquire to NCDOT.
- P. Edquist inquired about the speed limits on US Hwy 52 going from 35MPH to 55MPH going toward Gold Hill. McGinnis concurred and advised that he would inquire to NCDOT.

Administrator: Reminded Staff and Council to look at the upcoming dates and advise her regarding your availability for attendance status.

Review and Consider for Approval NCDOT Resolution Regarding Strategic Transportation Corridors (STC): Mayor Herron advised Council that the RRRPO requested that all municipalities consider sending in a Resolution regarding comments to NCDOT's draft STC as the current plan will hurt rural areas. Upon Council's review of the Resolution, M. Edquist made the Motion to approve the Resolution. Burrage seconded the Motion and it was approved by a vote of 5/0.

Approve FY 14/15 Contracts:

NCLM Workers Compensation: Burrage made the Motion to approve the FY 14/15 Workers Compensation insurance contract with the NCLM as presented. P. Edquist seconded the Motion and it was approved by a vote of 5/0.

NLCL Property/Liability/Auto/Crime: Burrage made the Motion to approve the FY 14/15 Property/Liability/Auto/Crime insurance contract with the NCLM as presented. P. Edquist seconded the Motion and it was approved by a vote of 5/0.

Willis/Beazley Info Security & Privacy Insurance with Breach Response Services: Burrage made the Motion to approve the FY 14/15 Info Security and Privacy insurance contract with Willis/Beazley as presented. P. Edquist seconded the Motion and it was approved by a vote of 5/0.

Audit Contract for 6/30/14 Audit with Maxton McDowell, CPA: Burrage made the Motion to approve the FY 14/15 audit contract for the 6/30/14 audit with Maxton McDowell, CPA as presented. P. Edquist seconded the Motion and it was approved by a vote of 5/0.

Waste Management Annual Renewal: Burrage made the Motion to approve the FY 14/15 waste and recycle contract with Waste Management as presented with a 2% CPI increase for FY 14/15 included. P. Edquist seconded the Motion and it was approved by a vote of 5/0.

Double-Hung Window Restoration Contract for Gladstone Academy: Burrage made the Motion to approve the window restoration contract for the window restoration and installation only at this time (Doors will be considered after the architectural design is completed). P. Edquist seconded the Motion and it was approved by a vote of 5/0.

FY 13/14 Financial Status:

FY 13/14 Financial Status-Unaudited at 5/31/14: M. Edquist, Finance Officer, reported to Council that the bank statements balances at 5/31/14 were as follows:

- General Fund \$490,748
- Powell Bill Fund \$ 28,329
- Carolina Thread Trail \$ 25,000 (Grant Funds)

In addition, he reported that Unrestricted Revenues received at 5/31/14 totaled \$377,070 and Unrestricted Expenditures totaled \$366,857 leaving a positive net fund balance impact of \$10,213.

FY 13/14 Financial Status-Unaudited at 6/23/14: Humphrey, Administrator, provided an unaudited FY 13/14 Budget vs. Actual financial statement for Council's review. This presentation includes all revenue and expenditures posted through 6/23/14. Other FY 13/14 revenue and expenditure items will be considered through 6/30/14 and into FY 14/15 to determine the final position at 6/30/14.

FY 13/14 Budget Amendment(s): Humphrey, Administrator, requested that Council review and approve the following FY 13/14 Budget Amendment:

Amend the Public Safety FY 13/14 Budget by increasing it by \$2,536.00 and reducing the Cultural and Recreational FY 13/14 Budget by \$1,557.00 and reducing the Zoning FY 13/14 Budget by \$979.00.

P. Edquist made the Motion to approve the FY 13/14 Budget Amendment as presented. Burrage seconded the Motion and it was approved by a vote of 5/0.

Nominate and Appoint Planning Board and Board of Adjustment Members for three (3) year terms ending 6/30/17:

Vacancy 1-A. Burrage's Planning Board and Board of Adjustment's term ended 6/30/14

Vacancy 2-J. Hammill's Planning Board and Board of Adjustment's term ended 6/30/14

P. Edquist made the Motion to approve the appointees noted below. M. Edquist seconded the Motion and it was approved by a vote of 5/0.

Planning Board:

Jeff Watson will serve as a Member with a term ending 6/30/17

Pat Henry will move from an Alternate position to a full Member position with a term ending 6/30/16

Judy Hammill will serve as an Alternate member with a term ending 6/30/17

Board of Adjustment:

Jeff Watson will serve as a Member with a term ending 6/30/17

Pat Henry will serve as a Member with a term ending 6/30/17

Nominate and Appoint Council Member to Vacant TAC Alternate Position: M. Edquist stated that he would consider the position and advise Council at the next Council meeting.

Nominate and Appoint Replacement for N. Stanly Ministerial Association: Chief McGinnis offered to move from an alternate position to a primary position. Humphrey offered to serve in an alternate capacity. M. Edquist made the

Motion to accept the staff representation as previously noted. Burrage seconded the Motion and it was approved by a vote of 5/0.

Discuss Process and Schedule to Review Proposed Revised Zoning Ordinances and Subdivision Ordinance: Humphrey, Administrator, advised Council that Mac McCarley, Village Counsel, had reviewed the proposed revised Zoning Ordinances and Subdivision Ordinance recommending verbiage changes related to legal considerations. David Fencl, NC Department of Commerce, has reviewed the requested legal changes and has updated the latest version of the proposed revised Zoning Ordinances and Subdivision Ordinance.

David Fencl, NC Department of Commerce, is available to facilitate Council's review of the proposed revised Zoning Ordinances and Subdivision Ordinance at future Council meetings. Council will need to carve out at least an hour to focus on the review of the proposed revised Zoning Ordinances and Subdivision Ordinance. Council agreed to schedule this review at the 7/14/14 Council meeting.

Other Business: There was no other business to discuss.

Closed Session Property Acquisition Pursuant to G.S. 143-318-11 (a) (5):

M. Edquist made the Motion to go into closed session. P. Edquist seconded the Motion and it was approved by a vote of 5/0.

P. Edquist made the Motion to return to the regular session. M. Edquist seconded the Motion and it was approved by a vote of 5/0.

Adjournment: The meeting was adjourned at 8:30PM.

The next Council Meeting is scheduled for Monday, July 14, 2014 at 6PM at the Community Building.

_____	_____	_____	_____
Mayor	Date	Pam M. Humphrey, Administrator/Clerk	Date