

**Town of Marshville  
Town Council Meeting  
Monday, December 19, 2011  
7:00 PM**

**Marshville Town Hall – 201 W. Main St.**

**PUBLIC HEARING:**

**To receive public input on a CDBG (Community Development Block Grant) to improve water lines**

**Followed by:**

**REGULAR MEETING**

**Public Hearing**

Present: Mayor Frank Deese, MPT Matthew Jefferson, CM Margaret Bivens, CM Dora Bridget, CM Norma Carpenter, CM Gary Huntley, ITM James Bennett, Clerk/FO Tonya Johnson, DPW Bivens Steele, PD Alan Thifault, Police Chief Carl Webber. Also present were Mr. James Luster, CCOG and John Edmondson of *The Home News*.

Open and hold Public Hearing

At 7:01 pm Mayor Frank Deese called to order the public hearing for the purpose of receiving public comment on a CDBG for water line improvements.

Public comments: Limited to 3 minutes per person, 15 minutes total, if any

There were no public comments.

Close Public Hearing

At 7:06 pm Mayor Deese closed the public hearing and proceeded into the regular meeting.

**Regular Meeting**

Open/Welcome/Invocation/Pledge of Allegiance

At 7:06 pm Mayor Deese opened the regular meeting of the Marshville Town Council by welcoming everyone in attendance. CM Margaret Bivens gave the invocation. All gave the Pledge of Allegiance.

Public comments: Limited to 2 minutes per person, 10 minutes total, if any

John Edmondson – 2100 High Ridge Church Rd., Marshville. Mr. Edmondson commented on the difficulty hearing comments during the meetings with the heat running. He suggested that council members speak louder or consider the use of microphones.

Adopt Agenda

A motion to accept the agenda as received was made by CM Dora Bridget and seconded by CM Margaret Bivens. Vote: All ayes.

Consent Agenda Items:

- a. Approve Minutes of December 5, 2011 meeting
- b. Receive Budget Report as of 11/30/2011
- c. Approve tax release from Tax Collector Morton
- d. Approve meeting calendar for 2012

Mayor Deese distributed a revised copy of the minutes from the December 5, 2011 meeting with a clarification. A motion to accept the revised minutes and approve the items on the consent agenda was made by CM Dora Bridget and seconded by CM Gary Huntley. Vote: All ayes.



At this time Mayor Deese asked that agenda item #13 be moved up to follow agenda item #9 since both are reports to be given by Mr. James Luster. It was the consensus of the council to then move item #13 to follow agenda item #9.

#### Report from Mr. James Luster regarding possible grant dollars

Mr. Luster informed council of a meeting that he and Mr. Bennett attended on December 12<sup>th</sup>. It was a presentation by the NC Dept. of Commerce regarding CDBG Programs. He gave council members a handout and reviewed the various programs (a copy of the handout is herein incorporated into these minutes). Mr. Luster commented that he feels the town might benefit from the new NC Catalyst Program. ITM Bennett commented that this could benefit the town with regard to code enforcement properties and the costs involved in demolition. Mayor Deese asked council members are they want to move forward to instruct Mr. Luster to seek out money through the NC Catalyst Program. Mr. Luster commented that we don't have to specify a specific area. ITM Bennett prepared a list of possible Catalyst Projects. Mr. Luster stated that the process is very competitive and is rated by the number of LMI (low to moderate income) people that will benefit from the project. Mayor Deese asked for a motion to move forward. CM Margaret Bivens made a motion to direct Mr. James Luster to see out grant dollars from the NC Catalyst Program and to call for a public hearing for January 3, 2012 for the purpose of public input regarding the submittal of a grant application. The motion was seconded by CM Dora Bridget. Prior to the vote MPT Jefferson inquired about a grant match. Mr. Luster replied that the match amount is five percent of the grant amount. Vote: All ayes.

Mayor Deese commented that the Small Business and Entrepreneurial Assistance grant was of interest to him, but Union County doesn't qualify. We'll keep looking for grant dollars and the possibility of regional partnerships. ITM Bennett commented that he and Mr. Luster are going to check with the Rural Center for possible grant dollars.

#### Discussion and possible action regarding proceeding with code enforcement

Mr. Luster discussed with council moving forward with properties with which to take additional legal action on regarding code enforcement. He stated he met with ITM Bennett and Attorney Griffin last week. The result of the meeting is to get title searches done. At that point, folks will be notified and properties will be posted and advertised. In some instances it may be necessary to obtain administrative search warrants to get inside of a property. Mayor Deese commented that as we move forward and are applying for grants there may be funds to help cover some of the costs of tearing properties down. ITM Bennett asked what would be the earliest date to expect demolition procedures to begin. Mr. Luster commented that it would likely be later in the year. He further stated that it would likely be about this time next year in hearing from a grant. Mayor Deese stated that our budget should include costs to cover code enforcement. CM Margaret Bivens commented that it seems as though we keep going through code enforcement steps but getting nothing done. ITM Bennett pointed out that we have to move diligently and cautiously to protect the Town. Mayor Deese thanked Mr. Luster for being at the meeting.

#### Planning Board

##### a. Reappointment of Nancy Ogburn to the Planning Board

Mayor Deese commented that Nancy Ogburn's term on the Planning Board is soon to expire. ITM Bennett stated he spoke with Ms. Ogburn and she would like to continue to serve. CM Norma Carpenter made a motion to re-appoint Nancy Ogburn to the Planning Board. The motion was seconded by CM Dora Bridget. MPT Matthew Jefferson if others were being considered. Mayor Deese commented that Norma Carpenter has to be replaced. MPT Jefferson inquired who the other candidates are. ITM Bennett named Virginia Morgan, Geraldine Barrino, and John Belk. MPT Jefferson stated it may behoove the council to look at other candidates. P.B. Chairman Rusty Johnson told council that it has been difficult to fill positions on the Planning Board and Board of Adjustment. CM Norma Carpenter commented that the seat she held was vacant for two years. ITM Bennett stated that of the four meetings he's attended Ms. Ogburn has been present for all except one. Chief Carl Webber commented that rules and procedures for planning board provide a mechanism to deal with



absenteeism. CM Gary Huntley asked that the names of the applicants be repeated. ITM Bennett named Virginia Morgan, Geraldine Barrino and John Belk. At this time council was ready to vote. Vote: All ayes. Mayor Deese stated his assumption that if council reappoints Ms. Ogburn to the Planning Board then that's an automatic reappointment to the Board of Adjustment. He asked if the council would prefer to do a separate vote for the Board of Adjustment. Attorney Griffin stated that the two are separate, independent boards and each should be voted on separately. MPT Jefferson asked if it's possible to consider all the applicants. CM Dora Bridget commented that as she understood it because of a lack of participation, if you serve on the Planning Board then you serve on the Board of Adjustment. Mayor Deese replied that she is correct. However, the two are still separate boards.

b. Review Planning Board applications and possible action regarding the appointment of someone to fill the unexpired term of CM Norma Carpenter

CM Norma Carpenter commented that the Board of Adjustment doesn't meet often. Mayor Deese offered a suggestion to the board regarding the appointments to the Planning Board and Board of Adjustment. He suggested that Virginia Morgan be appointed to fill CM Norma Carpenter's unexpired term on the Planning Board. Also, since Ms. Barrino's application was received first Mayor Deese suggested she be appointed to the Board of Adjustment. A motion to appoint Virginia Morgan to the Planning Board to replace Norma Carpenter and further to appoint Geraldine Barrino to the Board of Adjustment to replace Norma Carpenter, and finally to appoint John Belk to the Board of Adjustment to replace the seat rotated off by Nancy Ogburn was made by MPT Matthew Jefferson. The motion was seconded by CM Margaret Bivens. Vote: All ayes.

Discussion of the Citizen Survey Report

a. Explanation of the rating score used

ITM Bennett passed out a handout from Mr. Tollie Mitchell providing an explanation of the survey numerical scale. He attempted to translate the numerical scale into a categorical satisfaction scale.

b. Discussion of Section 7. Other Items

Mayor Deese read through each item in Section 7 and council determined/discussed the rating scores. MPT Jefferson commented that a way to improve our website access may be to put the website address on the town vehicles. Mayor Deese commented that it should also be on all letterhead. MPT Jefferson also suggested a section on the website devoted to water metering. He stated that folks don't understand how their bills are calculated so this information would likely be helpful. CM Dora Bridget brought up the fact that all folks don't have computers so there should also be another means of getting information to the public. Discussion ensued regarding developing a brochure to be circulated. Clerk/FO Tonya Johnson commented that staff has discussed working on a brochure and some utility information has been compiled. Mayor Deese directed staff to compile the information to develop a brochure. He suggested to council that they provide questions to help develop the brochure. Discussion continued regarding Section 7 of the survey. ITM Bennett reminded council that Section 6 would be discussed at the next meeting.

Discussion and possible action regarding whether to require department heads to attend each council meeting

Mayor Deese stated that this has been discussed previously. Under the Manager-Council form of government is it necessary to have the dept. heads attend each meeting? MPT Jefferson stated that many times, depending upon the discussion, dept. heads are needed to provide information and answer questions. CM Margaret Bivens commented that since the agendas go out early we would know what items are to be discussed so if needed they can be informed to attend. She doesn't feel they should be required to attend every meeting. Mayor Deese commented that pertinent information could be provided from the dept. heads as a handout to be included with the agenda. CM Bivens commented that they can also communicate with the manager. Mayor Deese informed council that he is talking with the NCLM about a training opportunity since converting to the Council-Manager form of government. Attorney Griffin commented that under this form of government the manager is the "CEO" for the council. He further stated he doesn't know why dept. heads are required to attend. Under this



form of government council needs to hold the manager accountable. The dept. heads can be called in as needed. Mayor Deese stated he needs a motion to not require dept. heads to attend each council meeting. The motion to not require dept. heads to attend each meeting was made by CM Margaret Bivens and seconded by CM Dora Bridget. Vote: All ayes.

#### Comments

PD Alan Thifault commented on several Christmas events that were successful. He said he's looking to do a few events during the year for adults.

DPW Bivens Steele commented that his dept. is busy with leaves, limbs and water leaks. When asked about televisions being picked up he responded that BFI will no longer pick up televisions. This is due to a new law. They must be carried to a recycle place. Mayor Deese inquired if there were a separate recycle program would BFI pick them up. DPW Steele stated that the town has looked into curbside recycling but it was too costly. He stated that the town can pick up a TV and take it to Union Co. but it is not included in the garbage pickup. ITM Bennett suggested the possibility of putting a notification on the water bill. Attorney Griffin commented that this should be looked at in the approaching budget. He suggested council direct the manager to look at what other towns are doing. A motion was made by CM Dora Bridget and seconded by CM Norma Carpenter to direct staff to look into this problem including what other towns do and bring suggestions back to council to make an informed decision. Vote: All ayes.

Chief Carl Webber commented on a rash of car break-ins. He urged folks to lock their cars and practice home safety. He warned about leaving valuables in cars. He informed council that Officer Blakney is now in full force and in field training. CM Margaret Bivens asked if there are two officers on duty each night. Chief Webber replied that is not the case every night but most nights there are two officers on duty.

CM Gary Huntley thanked staff for the job they do. He wished everyone a Merry Christmas and reminded everyone to remember our troops during the holidays.

CM Dora Bridget wished everyone a Merry Christmas & Happy New Year.

CM Margaret Bivens commented that the joint meeting with Union County was very informative and was a good thing to do. She wished everyone a Merry Christmas.

CM Norma Carpenter commented that she enjoyed the Christmas party and wished everyone a Merry Christmas.

MPT Matthew Jefferson apologized for missing the Christmas party. He too thought the joint meeting was productive and positive. He stated it was money well spent. He thanked ITM Bennett for his efforts. MPT Jefferson commended PD Alan Thifault for the Saturday night event, Tour of Lights.

ITM James Bennett stated that Chief Webber has been in contact with someone at the DA's office about restitution for the meth lab (\$850). He informed council that the tickets for the Martin Luther King event have been received. He is planning a board retreat for budget planning tentatively between March 1 and March 5. He informed council of a lunch meeting with Patrick Niland, Town Manager of Wingate. He received a letter from Union Co. Mgr. Cindy Coto providing a list of board appointment. ITM Bennett informed council of the FY2011 Audit Report received in their agenda packet. He commented that Mrs. Deneal Bennett will be at the January 3<sup>rd</sup> meeting.

Mayor Deese read several Christmas cards. He informed council of several police dept. awards received by Officers Thomas McClellan and Steven Sawyers. Mayor Deese wished all a Merry Christmas & Happy New Year.

Adjourn

At 9:00 pm a motion to adjourn the meeting was made by CM Dora Bridget and seconded by CM Margaret Bivens. Vote: All ayes.

These minutes approved this 3<sup>rd</sup> day of January 2012.

BY: \_\_\_\_\_

Frank Deese, Mayor

ATTEST: \_\_\_\_\_

Tonya D. Johnson, Town Clerk

*\*A brief recess may be called every 45-60 minutes, as desired by Council.*

