

Town of Franklin Board of Aldermen

Agenda

Monday, April 5, 2010

7 p.m.

1. Call to order – Mayor Collins
2. Approval of the March 1, 2010 minutes
3. Public session
 - (A) Proclamation for “Paint The Town Purple Month” for Relay For Life
4. Briefing on changes to the Alcoholic Beverage Control (ABC) law – Franklin ABC board members and manager Todd Mason
5. Forward Providence Builders special use application on Carolina Mountain Drive Development to the planning board for recommendation – Michael Grubermann
6. Planning board recommendation regarding corridor annexation and extraterritorial jurisdiction (ETJ) expansion – Michael Grubermann
7. Utility projects/financing
 - (A) Consideration of award for Crawford Branch sewer line project
 - (B) Set public hearing on financing package for water/sewer improvements
8. Discussion regarding water/sewer rate structure
9. Finance
 - (A) Consideration of appropriation of funding from NC Rural Center grant to Angel Medical Center
 - (B) Appropriation of funding for the town portion of the joint economic development initiative
10. Town Attorney
 - (A) Fire protection contract
 - (B) Policy language regarding dual employment standards
11. Consideration of NCLM Municipal Environmental Assessment Coalition Project Participation Agreement
12. Consideration of adoption of personnel policy as amended (effective July 1, 2010)
13. Discussion regarding town vehicle use policy (future appendix to the personnel policy)
14. Closed session regarding property acquisition
15. Adjourn

April 5, 2010

The regular meeting of the Town of Franklin Board of Aldermen was held on Monday, April 5, 2010 at 7:00 P.M. in the Town Hall Board Room. Mayor Joe Collins presided. Aldermen Joyce Handley, Billy Mashburn, Carolyn Pattillo and Bob Scott were present. Aldermen Verlin Curtis and Jerry Evans were absent.

Board members absence

Motion was made Scott, seconded by Handley to excuse Alderman Verlin Curtis and Alderman Jerry Evans from the meeting due to medical reasons. Motion carried. Vote: 4 to 0.

Approval of the minutes

Motion was made by Handley, seconded by Pattillo to approve the minutes for the March 1, 2010 meeting as presented. Motion carried. Vote: 4 to 0.

Public session

Lee Cloer said I live at 49 Ridge Road. He said we are planning to do a box soap derby on May 29, 2010. He said the purpose of the event is to raise money for Toys for Tots. He said we want to be able to close Phillips Street in Frogtown the night before. Information copy is attached. Mayor Collins said we will take this request under consideration.

Proclamation for “Paint the Town Purple Month” for Relay for Life

Anna Taylor said we want to have an event for Relay for Life at the square on May 1, 2010.

Motion was made Mashburn, seconded by Pattillo declare the month of May in 2010 as “Paint the Town Purple” in Franklin in recognition of the Relay for Life. Motion carried. Vote 4 to 0. A copy of the resolution is attached.

Briefing on changes to the Alcoholic Beverage Control (ABC) law

Todd Mason, manager of the ABC store, gave a brief report. A copy is attached. Also, in attendance were ABC Board members: Pat Pattillo and Russell Bowling.

April 5, 2010 meeting continued,

Forward Providence Builders special use application on Carolina Mountain Drive Development to the planning board for a recommendation

Michael Grubermann said we have an application from Providence Builders to develop a Planned Commercial Development located off Carolina Mountain Drive. Information copies are attached. He said the next step is to forward the application to the Planning Board for a recommendation.

Motion was made by Scott, seconded by Mashburn to forward the special use application from Providence Builders to the Franklin Planning Board for a recommendation. Motion carried. Vote: 4 to 0.

Planning board recommendation regarding corridor annexation and extraterritorial jurisdiction (ETJ) expansion

Michael Grubermann said the Planning Board is recommending the following on annexation: (1) future annexation should match our existing and future utility service extensions, (2) new applicants for utility services should be required to voluntarily annex, (3) there should be a binding agreement at a minimum, (4) parcels in the ETJ should receive first consideration upon petition and (5) parcels outside the ETJ should show willingness to conform with the UDO once annexed. Information copies are attached. The Board decided to further review the recommendation.

Consideration of award for Crawford Branch sewer line project

Sam Greenwood said we opened the bids on the Crawford Branch sewer line project on April 1, 2010. He said McGill Associates is recommending that we accept the low bid from Terry Brothers Construction Company, Inc. in the amount of \$1,343,140.00. Information copies are attached.

Motion was made by Mashburn, seconded by Pattillo to accept the low bid on the Crawford Branch sewer line project from Terry Brothers Construction Company, Inc. in the amount of \$1,343,140.00 and to authorize Town Manager Sam Greenwood and the Town Attorney to create the contract. Motion carried. Vote: 4 to 0.

Set public hearing on financing package for water/sewer improvements

Motion was made by Mashburn, seconded by Handley to set the public hearing on the financing package for the water and sewer improvements for Monday, May 3, 2010 at 7:15 P.M. Motion carried. Vote: 4 to 0.

April 5, 2010 meeting continued,

Discussion regarding water/sewer rate structure

Sam Greenwood said we need to start charging a capacity charge to set money back for future expansion of the water and sewer treatment facilities. He said when developers request water or sewer capacity from our system we would charge them. He said McGill Associates is recommending that we charge between \$3.00 and \$3.50 per gallon for water and \$3.50 and \$4.00 per gallon for sewer. Information copy is attached. The Board did not take any action.

Consideration of appropriation of funding from NC Rural Center grant to Angel Medical Center

Sam Greenwood said we will be receiving the North Carolina Rural Center grant for Angel Medical Center. He said we need to pass on this grant.

Motion was made by Mashburn, seconded by Handley to authorize the appropriation of \$22,746.90 from the North Carolina Rural Center grant to Angel Medical Center per the project agreement and to amend the budget as necessary. Motion carried. Vote: 4 to 0.

Appropriation of funding for town portion of the joint economic development initiative

Sam Greenwood said we agreed to share in the joint economic development initiative with Macon County in March 2009. He said we have received a request from Macon County for the \$7,000.00. Information copies are attached. Alderman Scott said we need a copy of the report. Mr. Greenwood said I will get a copy of the report.

Motion was made by Mashburn, seconded by Pattillo to authorize the payment of \$7,000.00 and to amend the budget from contingency. Motion carried. Vote: 4 to 0.

Fire protection contract

John Henning, Jr. said the fire protection contract has the correct language.

Motion was made by Handley, seconded by Mashburn to approve the fire protection contract as presented. Motion carried. Vote: 4 to 0. A copy of the contract is attached.

April 5, 2010 meeting continued,

Consideration of NCLM Municipal Environmental Assessment Coalition Project Participation Agreement

Sam Greenwood said this agreement will enable us to join other municipalities in the state in questioning the proposed changes in surface water quality standards. He said the cost would be \$250.00 this year and \$250.00 next year. Information copies are attached.

Motion was made by Scott to oppose the North Carolina League of Municipalities Municipal Environmental Assessment Coalition Project Agreement. Motion failed due to a lack of a second.

Alderman Scott said we need to wait on voting on this agreement.

Motion was made by Pattillo, seconded by Handley to join and accept the North Carolina League of Municipalities Municipal Environmental Assessment Coalition Project Participation Agreement. Motion carried. Vote: 3 to 1. Voting yes: Handley, Masburn and Pattillo. Voting no: Scott. A copy of the agreement is attached.

Administrative reports

Alderman Handley said what is the progress on the flood plain? Sam Greenwood said we have met with the state staff about two weeks ago. He said they are going to address the Town's questions.

Other business

Departmental reports are attached.

Closed session

The Board went into closed session at 8:30 P.M., on motion made by Handley, seconded by Pattillo to discuss property acquisition. Motion carried. Vote: 4 to 0.

The Board came out of closed session at 8:58 P.M., on motion made by Pattillo, seconded by Handley. Motion carried. Vote: 4 to 0.

Property acquisition

Motion was made by Handley, seconded by Pattillo to authorize John Henning, Jr. to offer up to \$5,000.00 to Mark Kresal for property off Wilkie Street. Motion carried. Vote: 4 to 0.

April 5, 2010 meeting continued,

Continuation of meeting

At 9:00 P.M., motion was made by Mashburn, seconded by Pattillo to continue the April 5, 2010 meeting until Monday, April 19, 2010 at 5:30 P.M. Motion carried. Vote: 4 to 0.

Call to order of the April 5, 2010 continuation meeting

The regular April 5, 2010 meeting of the Town of Franklin Board of Aldermen was continued at 5:30 P.M., Monday, April 19, 2010 in the Town Hall Board Room. Mayor Joe Collins presided. Aldermen Verlin Curtis, Jerry Evans, Joyce Handley, Billy Masburn, Carolyn Pattillo and Bob Scott were present.

Public session

Randy Hughes said I do not want to have a soap box derby on May 29, 2010 due to the cost of insurance. He said the plans are now to do a Fun Day for Toys for Tots on May 29, 2010 from 11:00 A.M. to 4:00 P.M. on Phillips Street along Frogtown.

Motion was made by Handley, seconded by Evans to support the Fun Day for Toys for Tots on May 29, 2010. Motion carried. Vote: 6 to 0.

Discussion regarding capacity charge for water/sewer rate structure

Sam Greenwood said developers ask for capacity from the Board. He said we need to put a dollar value on this capacity. He said we are providing a service. He said we would take these funds and put into a reserve account for the expansion of the treatment plants. Mayor Collins said I would like to see a draft policy on the capacity charge for the May meeting. Mr. Greenwood said we will have this information for you at the May meeting.

Consideration of annexation policy

Michael Grubermann said you have the Planning Board recommendation on the annexation policy. Mayor Collins said this recommendation needs to be cleaned up. Mr. Grubermann will have a policy on annexation for the May meeting.

April 5, 2010 meeting continued,

Policy language regarding dual employment standards

John Henning, Jr. said I have additional language to add under “dual employment standards”. A copy of the recommended language is attached. After discussion the Board agreed to take out “removed” on page 26 of the proposed personnel policy and to add Mr. Henning’s alternate list to page 26.

Motion was made by Scott, seconded by Handley to adopt the personnel policy with the changes proposed by John Henning, Jr. on dual employment standards with an effective date of July 1, 2010. Motion carried. Vote: 6 to 0. A copy is attached.

Discussion regarding town vehicle use policy

Sam Greenwood said the federal government continues to look for revenue sources. He said we need to look at establishing a vehicle use policy. He said we will need to do a commuting charge to employees taking town vehicles home. Alderman Scott said we need to continue to allow the police to keep individual vehicles. Mayor Collins said we may want to start having shift vehicles. He said we would have less vehicles and less cost. Alderman Scott said I disagree. Mr. Greenwood will bring a proposed vehicle policy to the May meeting.

Consideration of moving sesquicentennial historical marker

Sam Greenwood said Richie Jones has requested that the Town pay for the wording on the sesquicentennial historical marker. He said the cost is around \$2,000.00. He said you may want to move the marker to Town property. Alderman Pattillo said I think we need to ask the Macon County Historical Society first. The Board agreed to allow Alderman Pattillo and Alderman Scott to discuss this matter with the Macon County Historical Society and to bring that information to the entire board for action.

Adjournment

Motion was made by Evans, seconded by Handley to adjourn the meeting at 7:00 P.M. Motion carried. Vote: 6 to 0.

Joe Collins, Mayor

Janet A. Anderson, Town Clerk

