

# Town of HOLLY RIDGE

PO Box 145 \* Holly Ridge, NC 28445 \* Phone (910) 329-7081 \* Fax (910) 329-1593

## HOLLY RIDGE TOWN COUNCIL REGULAR MONTHLY MEETING June 11<sup>th</sup>, 2013

Mayor Padgett called the Regular monthly Meeting of the Holly Ridge Town Council to order at 7:00 pm. at the Holly Ridge Town Hall. Council members present were Mayor Pro-Tem Edwards, Councilman Hines, Councilman Wright, Councilwoman Stanley, and Councilwoman Dingler. Also present were Manager Maiorano; Town Clerk, Heather Reynolds; Finance Officer, Susan Prather, and Attorney Kitchen.

### *Invocation and Pledge*

Councilman Hines gave the Invocation and Mayor Padgett led the Pledge of Allegiance.

### *Adoption of Minutes*

A motion was made by *Mayor Pro-Tem Edwards* and seconded by *Councilwoman Stanley* to adopt the minutes of the Budget Workshop held on May 13<sup>th</sup>, 2013 and the Regular Meeting held on May 14<sup>th</sup>, 2013 as presented. *All Agreed.*

### *Adoption of Agenda*

A motion was made by *Councilwoman Stanley* and seconded by *Councilwoman Dingler* to adopt the Agenda as presented. *All Agreed.*

### *Persons Wishing to Address the Council*

There were none.

### *Parks and Recreation Report*

Manager Maiorano stated the Town is continuing on with vendors for the 4<sup>th</sup> of July and Heather will speak on those in a minute. He went on to say we have held several staff meetings in preparation and will be increasing the number of meetings as needed. Manager Maiorano said Heather has been working with J&J Snack Foods and the Base about having a static display for the 4<sup>th</sup> as well. He also mentioned the Town is dealing with Jean Beasley at the Topsail Turtle Hospital to see if we could have some turtles on display too. Manager Maiorano asked Heather to go over the vendors for the 4<sup>th</sup> of July. Manager Maiorano said the Town will know the final number of vendors on June 21<sup>st</sup> because this is the deadline to have the vendor applications turned in.

### **ONWASA Report**

Councilman Hines gave the following report:

- ONWASA will hold its budget public hearing this Thursday.
- There will be no rate increase and the budget is three million dollars less this year.

### **Public Hearings**

### **Discussion and Possible Adoption of the 2013-2014 Fiscal Year Budget Ordinance and Budget**

A motion was made by **Councilman Hines** and seconded by **Councilwoman Dingler** to enter into a Public Hearing. **All Agreed.**

Manager Maiorano said there was a change in the revenues of one dollar due to the rounding. Manager Maiorano stated last year the Council talked with Coastal Federation about restrooms being built at Morris Landing and the Town was approved for a grant from DENR for a total of \$84,000. Manager Maiorano said last year Coastal Federation stated they would handle all of the paperwork and we were asked to give \$8,000 which turned into \$10,500 later on in the year. He went on to explain since then the Town is being told we will need to pay all of the money upfront for the whole project. Manager Maiorano said the \$10,500 has not been expended because the project has not started, but the Town will need to add an additional \$63,000 in next year's budget to complete this project.

Manager Maiorano stated he told Mike Giles with Coastal Federation not to move forward with this project and it is up to the Council to proceed with this project or not. Manager Maiorano said if the Council decides not to proceed with the project then it would not be budgeted for.

A motion was made by **Councilman Hines** and seconded by **Mayor Pro-Tem Edwards** to return to Regular Session. **All Agreed.**

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Councilwoman Stanley asked if the Town would get their money back since a grant has been approved. Manager Maiorano stated yes the Town will receive \$63,000 back at the completion of the project. Manager Maiorano also mentioned the need for a 108 foot ramp due to the flood plain and this could cause the cost to increase above the amount of the grant.

Councilman Wright asked how much faith can be placed in what Mr. Giles says based on what has happened thus far. Manager Maiorano said this could leave the Town in a conundrum.

A motion was made by **Councilman Hines** to adopt the 2013-2014 budget with eliminating the \$10,500 that was to fund the bathrooms at Morris Landing.

Manager Maiorano said the \$10,500 would actually need to be moved into miscellaneous.

***Councilman Hines revised his motion to move the \$10,500 to miscellaneous.***

Manager Maiorano explained there would need to be a fund balance appropriation and then expenditure under miscellaneous.

***The motion was seconded by Mayor Pro-Tem Edwards. All Agreed.***

### Old Business

### New Business

#### Discussion on Procedure for Billing and Handling of Fines

Manager Maiorano presented a list of outstanding fines for the fire inspections and there are some that are the same people who do not pay their fines. Manager Maiorano said the Town tried to tie the collections in with the tax office but the general statues do not allow the tax office to collect fire inspections. Councilman Hines stated there needs to be a vehicle in place to collect the inspection fees.

Manager Maiorano suggested the attorney look into a vehicle to collect the unpaid fines and present it to the Council at a later time. Attorney Kitchen asked for clarification about what types of fines and fees needed to be addressed. Manager Maiorano stated some of these fines are for re-inspections.

There was much discussion between Chris Gandy, Larry Willaford, Attorney Kitchen, and the Town Council about procedures for collecting the fines.

A motion was made by **Councilman Hines** and seconded by **Councilwoman Dingler** to table this item until the Town can address the issues and look into what can be done about collecting

the penalties for fire inspections and how to get the inspections done that have not been done. *All Agreed.*

*Discussion on Procedure for Obtaining Street Performance Bonds from Developers*

Manager Maiorano stated this item was placed on the Agenda for advice from the Attorney. He went on to explain that the Town has home sites with construction going on but the trucks are causing damage on the streets. Manager Maiorano said the concern is what if one of the companies damage the streets and then does not repair them and it might require an ordinance change to protect the Town.

Attorney Kitchen stated he looked at performance bonds but there is nothing in the General Statutes that allow for a performance bond for streets that have been turned over to the Town. Attorney Kitchen presented the Town Council with an Ordinance from the City of Charlotte as an example of an ordinance the Town could possibly use.

Attorney Kitchen stated his recommendation would be an ordinance change because if the Town tries to enforce something they do not have authority to, then the consequences could be costly.

Councilman Hines asked if Attorney Kitchen could prepare the ordinance and bring it to the Town Council next month. Attorney Kitchen stated he could.

A motion was made by *Councilman Hines* and seconded by *Mayor Pro-Tem Edwards* to table this item until next month. *All Agreed.*

*Closed Session*

Mayor Padgett stated this Closed Session is for the purpose of attorney/client privileges per General Statute 143-318.11 (a) (3).

A motion was made by *Councilman Hines* and seconded by *Mayor Pro-Tem Edwards* to enter into Closed Session for the purpose of attorney/client privileges per General Statute 143-318.11 (a) (3). *All Agreed.*

Councilman Hines stated the action taken in Closed Session was to direct the Attorney and Town Manager to follow thru with what was talked about.

**Police Department Comments**

Major Bryant gave the following report:

- The Police Department is gearing up for the 4<sup>th</sup> of July fireworks.
- The next DWI Checkpoint is coming up in August.

**Fire Department Comments**

Fire Chief Brandon Longo gave the following report:

- The Fire Department is preparing for the 4<sup>th</sup> of July along with the Police Department and they are inviting Turkey Creek to help.
- Last month 31 medical related calls and 10 fire emergency calls.
- Preparing for a state matching grant on the rescue side of the house for new equipment.
- The training nights have moved to Tuesday nights to be able to train with other departments.
- 34 fire inspections scheduled for next month.

**Town Manager Comments**

Manager Maiorano mentioned that Heather recently graduated as a Certified Municipal Clerk and is still in the submittal process but has completed all of the training.

Manager Maiorano discussed the amplified ordinance and explained that it was presented to the District Attorney and the ordinance may or may not be able to be enforced because it does not give good footing. Attorney Kitchen stated he felt the ordinance was fairly solid. Councilman Hines stated he felt the Town should follow the ordinance and see what happens if someone shows up.

**Council Concerns**

Councilwoman Dingler mentioned the Onslow Winds will be at the Community Center this Friday for a free concert.

Councilman Wright congratulated Heather and thanked all the departments for doing a great job.

Councilwoman Stanley asked if the street lights were fixed on Dyson Street. Manager Maiorano stated yes they should be fixed. She also thanked everyone for coming and said she appreciates the Police Department and Fire Department.

Mayor Pro-Tem Edwards congratulated Heather on her achievement and spoke about the recent lay-offs at the County level.

Councilman Hines asked for clarification on the budget performance. He also commented on the slab that was completed by the Maintenance Department looks great and all the improvements around Town look great.

**Announcements**

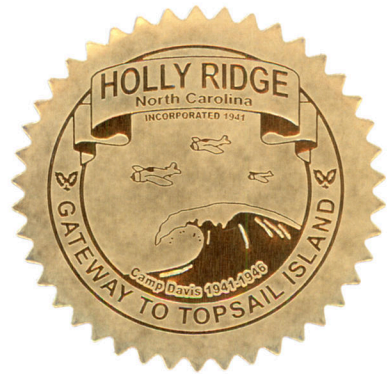
Mayor Padgett gave the following announcement:

- Four Town Meeting hosted by North Topsail Beach – Thursday, June 20<sup>th</sup>, 2013 at 6:30 p.m.
- Planning Board Meeting – Tuesday, June 25<sup>th</sup>, 2013 at 6:30 p.m.

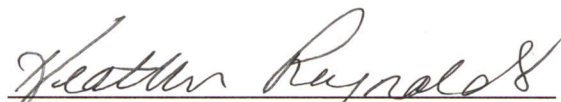
**Adjournment**

A motion was made by *Councilman Hines* and seconded by *Mayor Pro-Tem Edwards* to adjourn at 8:40 p.m. *All Agreed.*

*Attest:*



  
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*Elmer Padgett*  
**Mayor Padgett**

  
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*Heather Reynolds*  
**Heather Reynolds, Town Clerk**

*These minutes were recorded and prepared by Town Clerk Heather Reynolds.*