

June 2, 2008

The regular meeting of the Town of Franklin Board of Aldermen was held on Monday, June 2, 2008 at 7:00 P.M. in the Town Hall Board Room. Mayor Joe Collins presided. Aldermen Verlin Curtis, Jerry Evans, Joyce Handley, Billy Mashburn, Carolyn Pattillo and Bob Scott were present.

Approval of the minutes

Motion was made by Curtis, seconded by Evans to approve the minutes for the May 3, 2008 and the May 5, 2008 meetings as presented. Motion carried. Vote: 6 to 0.

Public Session

Dan Williams said I have a question. He said why do you have a town administrator and a town manager? He said explain that to me. Mayor Collins said Mike Decker is on the town manager's staff. He said they are both staying busy.

Maggie Buchanan said I live on Wayah Street. She said something needs to be done about the big dump trucks. She said they use their brakes from the red light at the Chamber of Commerce. She said the kids that use the sidewalk could be run over. She said I wish that they would go down Depot Street instead. Mayor Collins said we will be asking the North Carolina Department of Transportation for alternate routes. He said the police will be patrolling more for speeders.

Discussion regarding Crawford Branch/U.S. Army Corps of Engineers Issues

Daryl Gossett said you voted on April 7, 2008 to send a letter to the Corps of Engineers. He said it has not been sent. He said on May 23, 2008 we had further damage. He said the direction of the stream was changed and causes flooding. John Henning, Jr. said the letter has been sent. He said the delay is my fault. He said these are private property owner's issues. He said I do not think the Town's ordinances cover this situation. Sam Greenwood said erosion control falls under the county ordinance. He said it is limited. Dr. Gossett said we are having damages still. Mr. Greenwood said this may be tort issues between individual property owners. Mr. Henning, Jr. said I cannot take anybody's side as the Town's attorney. Alderman Scott said I made a motion for the Corps of Engineers to come on the site to see if the property owner had complied with the rules. Alderman Pattillo said is this the first time flooding occurred in this area? Dr. Gossett said the flooding started in 2004. Alderman Scott said we can pass an ordinance. He said the Crawford Branch is in the Floodplain. Mr. Henning, Jr. said any town ordinance will be superseded by federal control and regulations. He said I believe this is a tort claim. Alderman Curtis said the culvert on the American Legion property was removed. Tommy Nicholson said the letter has been sent. He said we appreciate your support. He said has the Floodplain Ordinance been adopted? Mayor Collins said no. He said the letter is asking the Corps of Engineers to come and look at the area.

June 2, 2008 meeting continued,

Consideration of proposed truck routes

Sam Greenwood said we want to propose two different truck routes to the North Carolina Department of Transportation. He said they would be (1) the Northern Access and (2) the Depot Street Connection. He said this would relieve the truck access within town. Copies are attached of the proposed routes. Mr. Greenwood said to pursue this issue it will take action by the Board. **Motion was made by Pattillo, seconded by Evans to approve the two proposed truck routes and authorize the staff to approach the North Carolina Department of Transportation. Motion carried. Vote: 6 to 0.**

Resolution declaring the week of June 9, 2008 as “Human Trafficking Awareness Week”

Sylvia Kochler said the Zonta Club is planning two education events on human trafficking. She said this is becoming an increasing problem in North Carolina. **Motion was made by Evans, seconded by Curtis to adopt the resolution declaring the week of June 9, 2008 as Human Trafficking Awareness Week in Franklin. Motion carried. Vote: 6 to 0. A copy is attached.**

Discussion regarding termination of agreement with Mill Creek

Chuck Siegel said there are three hundred forty residences in Mill Creek. He said they are on water meters. He said our largest concern is having to purchase the water. He said we do not want to do our own billing. He said we do not want to be a business. Sam Greenwood said you have been cited several times by the state. He said since you are an extension of the Town’s system, the state could decide to involve the Town. He said the Town does not own the lines inside Mill Creek. He said we are unsure of the conditions of the lines. He said by severing the relationship the Town can distance itself from the possible liability. Mr. Siegel said the maintenance of the system is the homeowners association’s responsibility. He said we want the problems corrected and we are willing to work with the Town. Alderman Evans said the Town only agreed to furnish the water and sewer. Mr. Siegel said the agreement has been changed in the past. He said the Town refused to take over the lift station. Everett Ferris said the lines have been deeded to the Homeowners Association. Mr. Greenwood said we still have the same basic issues. He said we are looking after the best interests of the Town. He said to be blunt we are distancing ourselves. Mr. Siegel said we will be meeting with the state tomorrow in Asheville. He said we are asking you to wait on the master meter concept. **Motion was made by Evans, seconded by Curtis to sever the Town’s agreement with Mill Creek and to hold the master meter in abeyance. Motion carried. Vote: 6 to 0.**

Schedule public hearing on special use application for June 16, 2008 at 7:30 P.M.

Motion was made by Mashburn, seconded by Evans to schedule the public hearing on the special use application for July 7, 2008 at 7:00 P.M. Motion carried. Vote: 6 to 0.

June 2, 2008 meeting continued,

Recess

Mayor Collins recessed the meeting at 8:20 P.M.

Mayor Collins reconvened the meeting at 8:30 P.M.

Presentation of the proposed FY 2008-09 town budget

Sam Greenwood presented the proposed FY 2008-09 town budget to the Board. A copy is attached. The Board decided to meet on June 9, 2008 at 5:30 P.M. to discuss the budget further. **Motion was made by Mashburn, seconded by Evans accepting the proposed FY 2008-09 budget. Motion carried. Vote: 6 to 0.**

Schedule public hearing on the proposed FY 2008-09 budget for June 16, 2008 at 7:00 P.M.

Motion was made by Pattillo, seconded by Curtis to set the public hearing on the proposed FY 2008-09 budget for June 16, 2008 at 7:00 P.M. Motion carried. Vote: 6 to 0.

Ratification of poll regarding lease agreement with Ron Franklin

John Henning, Jr. said Ron Franklin has offered us an option to purchase his building on Palmer Street for \$750,000.00 for ninety days. He said the rent would be \$3,000.00 per month with \$1,000 going toward the purchase price. Sam Greenwood said we can make a counteroffer of six months instead of ninety days. He said that would give us six months to decide if the present town hall can be brought up to code. **Motion was made by Handley, seconded by Pattillo to give John Henning, Jr. the authority to renegotiate the lease according to the Board's wishes and to enter into the agreement. Motion carried. Vote: 6 to 0.**

Consideration of reimbursement resolution for town hall renovations

Sam Greenwood said we can pay ourselves back if we pass the resolution. He said we need to get the financing package approved by the Local Government Commission for up to \$600,000.00. **Motion was made by Curtis, seconded by Pattillo to adopt the Resolution Designating the Town Clerk and Finance Officer of the Town of Franklin to Declare the Official Intent on Behalf of the Town of Franklin to Reimburse Expenditures Under United States Department of Treasury Regulations. Motion carried. Vote: 6 to 0. A copy is attached.**

June 2, 2008 meeting continued,

Reconsideration of tax refund regarding G&V Development

Sam Greenwood said based on the information we have now you need to reconsider refunding these taxes to G & V Development. He said the county changed the valuation. He said there was a clerical error in the county tax office. Mr. Greenwood said this gives the Town the legal basis to refund the taxes. **Motion was made by Handley, seconded by Curtis to refund 50 percent of the taxes paid by G&V Development in 2007. Motion carried. Vote: 6 to 0.**

Budget amendments

Janet Anderson presented budget amendments to the Board. Copies are attached. **Motion was made by Evans, seconded by Pattillo to approve the budget amendments. Motion carried. Vote: 6 to 0.**

Other reports

Alderman Pattillo said Hildegard Sandhusen donated eight pictures for the Burrell Building.

Alderman Curtis said I would like to see the David Whitmire situation be resolved. Alderman Scott said I agree. Sam Greenwood said we need some instructions or guidance from the Board. Alderman Evans said the letter from the district attorney is the stupidest thing I heard. Alderman Scott said I also disagree with the district attorney. Alderman Curtis said David Whitmire should have to pay for the estimate of the materials taken. Mr. Greenwood said we can give the amount to our attorney.

Alderman Handley said we need to get the custodian in place. She said the kitchen at the Jaycee Building was covered in grease.

Janet Anderson said the annual Fourth of July picnic will be held on July 3, 2008 at 12:00 noon at the Jaycee Building.

Departmental reports are attached.

Continuation of meeting

At 9:10 P.M., Mayor Collins continued the meeting until Monday, June 9, 2008 at 5:30 P.M.

Call to order

The regular June 2, 2008 meeting of the Town of Franklin Board of Aldermen was continued at 5:30 P.M., Monday, June 9, 2008 in the Town Hall Board Room. Mayor Joe Collins presided. Aldermen Verlin Curtis, Jerry Evans, Joyce Handley, Billy Mashburn, Carolyn Pattillo and Bob Scott were present.

June 2, 2008 meeting continued,

Closed Session

The Board went into closed session at 5:54 P.M., on motion by Evans, seconded by Curtis to discuss personnel. Motion carried. Vote: 6 to 0.

The Board came out of closed session at 6:17 P.M., on motion by Mashburn, seconded by Pattillo. Motion carried. Vote: 6 to 0.

Discussion of proposed 2008-09 budget

Alderman Scott said the budget message indicated that one goal was to accumulate enough earnings to cut the tax rate by one cent in next year's budget. He said we may not be able to reduce the tax rate by one cent and do all of our goals. Mayor Collins said I would like to use some type of solar application at the Burrell Building. Alderman Scott said Duke Energy is looking for sites for solar power. He said they are going before the Utility Commission. Sam Greenwood said the employees will get a two percent pay increase accrued to their salary and a three percent one time payment in July. He said in December they will get a two percent one time payment. He said the pay plan implementation is also included in the budget. Alderman Scott said I like the two percent cost of living raise. He said I think the remainder of the raises should be combined and then be divided equally among all the employees. Alderman Mashburn said I do not want a raise for the Board. Alderman Scott said I am not including the Board into the pot of money. Alderman Pattillo said I do not want to put the raises into a pot and divide it out. Alderman Curtis said I agree. Alderman Pattillo said the employees have different jobs and duties. Alderman Curtis said a bonus is a bonus. Alderman Scott said a percent raise is unfair to the lower paid employees.

Motion was made by Scott, seconded by Evans to pay the two percent cost of living raise and divide the remaining amount of the raise equally. Motion failed. Vote: 2 to 4. Voting yes: Evans and Scott. Voting no: Curtis, Handley, Mashburn and Pattillo.

Motion was made by Curtis, seconded by Handley to keep the Board's salaries at \$30,000.00 per year. Motion carried. Vote: 6 to 0.

Continuation of meeting

At 7:07 P.M., motion was made by Evans, seconded by Pattillo to continue the meeting until Monday, June 16, 2008 at 7:00 P.M.

June 2, 2008 meeting continued,

Call to order

The regular June 2, 2008 meeting of the Town of Franklin Board of Aldermen was continued at 7:00 P.M., Monday, June 16, 2008 in the Town Hall Board Room. Mayor Joe Collins presided. Aldermen Verlin Curtis, Jerry Evans, Joyce Handley, Billy Mashburn, Carolyn Pattillo and Bob Scott were present.

Public hearing on the proposed FY 2008-09 town budget

Mayor Collins opened the public hearing on the proposed FY 2008-09 town budget at 7:02 P.M.

The following persons spoke at the hearing:

Dan Williams said I have four questions. He said why did you spend \$1.575 million dollars on land. He said it is just sitting there. He said do you have a plan for it? Mr. Williams said why did you give the library that left Town \$100,000.00? He said why are you moving town hall? Mayor Collins said we are here to hear comments on the proposed FY 2008-09 budget.

Linda Harbuck said I am here from the Chamber of Commerce to beg for money. She read a letter to the Board. A copy is attached. Sam Greenwood said who told you that you are not eligible for the money from the county. Ms. Harbuck said after the county went to the funding pool, the chamber did not receive any money. Mr. Greenwood gave out a copy of the School of Government appropriations to Nonprofit Organizations. A copy is attached. Alderman Pattillo said can the fireworks event be separate from the funding of the \$3,000.00? She said the fireworks event is a major event in Town. Mayor Collins said we are doing a whole different process this year. He said personally I would like to see us give the Chamber the \$7,000.00 again this year. Ms. Harbuck said it is a lot of money to us.

Mayor Collins closed the public hearing at 7:22 P.M.

Consideration of adoption of the FY 2008-09 budget

Sam Greenwood said the fireworks event has been done in the past without a contract. He said the Town needs to have a contract so that it is not liable. He said the town attorney can do a contract before the release of the funds.

Motion was made by Handley, seconded by Evans to authorize the town attorney to do a contract for the fireworks event. Motion carried. Vote: 6 to 0.

Motion was made by Curtis, seconded by Pattillo to add a line item for the fireworks event in the amount of \$4,000.00. Motion carried. Vote: 6 to 0.

June 2, 2008 meeting continued,

Motion was made by Scott, seconded by Pattillo to add a line item for the \$3,000.00 to the Chamber for their operating budget and this amount to not come out of the \$25,000.00 pool. Vote: 5 to 1. Voting yes: Evans, Handley, Mashburn, Pattillo and Scott. Voting no: Curtis.

Alderman Evans said the Main Street funding concerns me. He said has the Main Street Director become a full time employee? He said I thought Main Street was to become self supporting. Alderman Pattillo said most of the directors are paid by their Towns. Alderman Evans said we are only doing the Main Street area. Alderman Pattillo said we are planning to do the whole Town. Alderman Mashburn said when will Main Street be self sufficient? Alderman Pattillo said by next year. Alderman Evans said what will we be paying Linda Schlott? Sam Greenwood said her salary will be \$34,000.00 per year. Alderman Mashburn said how will the non-profit pool work? Mr. Greenwood said there will be an application process.

Motion was made by Curtis, seconded by Handley to approve the FY 2008-2009 budget. Motion carried. Vote: 5 to 1. Voting yes: Curtis, Evans, Handley, Mashburn and Pattillo. Voting no: Scott. Alderman Scott said I am voting against the budget because of the way the cost of living raise is being given.

Recess

Mayor Collins recessed the meeting at 8:05 P.M.

Mayor Collins reconvened the meeting at 8:15 P.M.

Presentation on the National Flood Insurance Program

Angela Moore presented a Power Point on the Nation Flood Insurance Program. A copy is attached.

Budget amendments

Janet Anderson presented budget amendments to the Board. **Motion was made by Mashburn, seconded by Scott to approve the budget amendments. Motion carried. Vote: 6 to 0.**

Adjourn

Mayor Collins adjourned the meeting at 8:55 P.M.

June 2, 2008 meeting continued,

Joe Collins, Mayor

Janet A. Anderson, Town Clerk