

**Walter M. Gardner, Jr.**  
Mayor

**John Freeman**  
Administrator

**TOWN OF WARRENTON**  
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**April 12, 2010 Board of Commissioners Minutes**

The April 12, 2010 meeting of the Town of Warrenton Board of Commissioners was held at the Warrenton Town Hall.

Those present were:

Mayor Walter M. Gardner, Jr.	John Freeman, Town Administrator
Commissioner and Mayor Pro Tem Woody King	
Commissioner Jules Banzet	Town Attorney Mitch Styers
Commissioner John Blalock	Public Works Director Bill Perkinson
Commissioner Robert Davie	Police Chief John Younts
Commissioner John Mooring	Jennifer Harris, Warren Record
Commissioner Mary Hunter	
Commissioner Audrey Tippet	

Mayor Gardner called the meeting to order at 7:00pm. He then presented the proposed agenda for approval. Commissioner Blalock moved to approve the proposed agenda; Commissioner Banzet seconded the motion which passed unanimously.

Mayor Gardner then presented the minutes from the meeting of March 8, 2010 for approval. Commissioner Davie requested a correction in the last paragraph on page 3, saying that the two cell tower operators mentioned (Unity Communications and SBA) are in fact interested but have other commitments in the area. He had recommended American Tower Corporation as tower management company that would market the tower to all interested operators and which had no competing interests in the area. With that correction Commissioner Blalock moved that the minutes be approved; Commissioner Banzet seconded the motion which passed unanimously.

At this point Mayor Gardner said he was sorry to report the death the previous Sunday of long-time employee Clarence Watson, who had retired one year before. He expressed his appreciation for Watson's 31 years of service and the condolences of the Town to his family. He also recognized the note of thanks from Susan King for the Town remembering her family during her mother's recent illness and death.

**Public Comments**

Eddie Serls addressed the Board with a request for assistance with parking for customers on Main Street. He operates the Warrenton Supply Company and is concerned that the few parking spaces in front of his store are often blocked by cars parked for long periods, even entire days. Some of these cars are owned by employees of various businesses or out-of-town commuters, and his customers are not able to park conveniently. He asked that the Board enact or enforce a 2 hour limit. Mayor Gardner suggested that Mr. Serls help identify the owners of

those vehicles and the police could help contact them. He said he would like to address the problem up and down Main Street from the post office to the fire department.

Resident Bill Miller addressed the Board with a concern about the debris pickup policy that requires that items be bagged. He had put sticks and leaves in his gutter for pickup and had been told by a Town employee that they needed to be bagged. At his use rate he estimated that the Town would be putting 150,000 bags into the landfill each year, or a million in a few years. He expressed his concern about the quantity of non-biodegradable plastic in a landfill. He said from his knowledge of Milwaukee that they had ground the debris picked up from residents into mulch and sold it at a profit. They had also processed their sewage waste and sold it to residents as garden fertilizer. Mr. Freeman explained that the bags were required so that a single employee could load debris efficiently and Mr. Perkinson said that the bags were split open and disposed of separately and were not just thrown into the landfill.

Mayor Gardner thanked Mr. Serls and Mr. Miller for their comments

## **Committee Reports**

### **Zoning**

Commissioner Mooring said he had nothing to report at this meeting. Mr. Freeman reported that he had completed the review of all tax parcels and had assigned each its zoning designation. This will allow letters announcing the Vacant Property Registry to be mailed to the appropriate C-1 and C-2 property owners. He apologized for the delay and promised Mr. Mooring the draft of a letter in the near future.

### **Public Works**

Following Mr. Miller's comments Commissioner Davie began the Public Works committee report with reference to the request for a change in the leaf and debris collection policy that was on the agenda and included in Board preparation packets. Mr. Perkinson said it was not a change, but a strengthening of a long-standing policy. The end of the leaf collection season had traditionally been January 15 but there were some residents who waited until spring to rake their yards. The leaf machine is the only way to pick up these loose leaves, but requires three men and half a day to pick up a single pile of leaves, this at a time when many other seasonal needs demand the time of the small crew. The proposal is to inform residents who rake loose leaves to the street that they may bag the leaves within two weeks and take advantage of free pickup, or the Town will pick them up with the leaf machine and bill their utility accounts for the special service fee. Among the reasons stated by Mr. Perkinson were:

- It is time consuming and inefficient to pick up loose leaves with hand tools
- There are many other seasonal demands on the small street and sanitation crews in the spring
- There are traffic safety, fire safety and aesthetic concerns
- The leaves wash down and clog storm drains
- The equipment must be cleaned and prepared for storage after each use in the off-season which is not an efficient use of time for single pickups.

Commissioner Mooring asked if an alternative might be designating certain leaf-collection days during the spring (Mr. Freeman--takes workers away from other seasonal needs) or designating a place that residents could take their debris (Commissioner Hunter--concern about garbage being mixed in). Commissioners King and Blalock said they had no problem with the idea and Commissioner Davie expressed his concern that it be well publicized. There also followed discussion about the proposed fee that is the approved rate for special services (\$75 plus \$25 per man per hour). Commissioner Blalock moved that the policy be adopted: to notify residents who rake leaves to the curb out of season that the leaves must be bagged within two weeks or the Town will collect them and charge the special services fee to their utility accounts; Commissioner Tippet seconded the motion. There followed some discussion. Mayor Gardner thought the charge for man hours too open ended and Commissioner

Mooring suggested that \$100 would cover the basic service fee and man hours. There was consensus that it would be preferable to apply a single inclusive fee. Following that discussion Mr. Blalock rescinded his original motion and moved that the policy be adopted as with the previous motion but the fee be \$100; Mrs. Tippett seconded the motion which passed unanimously.

Commissioner Davie then introduced the subject of the American Tower Corporation for marketing the Town water towers as cell transmitter locations. This item was moved from Unfinished Business to be discussed in committee reports. He said Town Attorney Mitch Styers had reviewed the contract which reflected a previous recommendation. Mr. Styers said that the contract is fine but could be improved with some verbiage excepting Verizon and its future iterations, as Verizon is the one company that currently has a (non-exclusive) contract to utilize the King Street tower. Mr. Davie said that American Tower Corporation has the advantage of being the biggest tower operator with no local competing towers to diffuse their efforts to market the Town's towers. Mr. Davie moved that the contract be approved with the changes recommended by Mr. Styers; Commissioner Banzet seconded the motion which passed unanimously. (Mr. Blalock had been called out at 8:20, just before the vote, and was not present).

Mr. Perkinson went on to report that operations of the Water Sewer Department were normal. The focus had been on the Clean Water Management Trust Fund grant project of jetting and videoing the entire collection system. He said that that work was progressing well.

#### **Beautification/Facilities**

Commissioner Tippett asked Mr. Freeman if he had any building permits to report, but he responded that he had not received any. Mr. Styers said that he had suggested to Mr. Freeman that the ordinance be amended to make the property owner responsible by requiring that the building permit be brought back to the Town for approval. If this would require a change in the zoning ordinance a public hearing would be required.

Commissioner Tippett asked Mr. Freeman if the Town could do something about cleaning and weeding the sidewalks downtown, and he reported that in preparation for SpringFest on April 24 the beds had been trimmed and mulched, trash can holders repaired, trash cans replaced, historic banners cleaned to be reinstalled and lines repainted on parking spaces. The fire department volunteered to wash down the sidewalks. The need for weeding and other maintenance work would be reviewed. In response to his report on having the banners cleaned rather than replaced due to the cost of \$190 for new ones Commissioner Mooring suggested that the Town develop the artwork and own it; then it could be shopped around to various screenprinters for the best price. He also asked about the weeds around the Super10 building, which Mr. Freeman said had been trimmed by the Town last year and would need to be done again this year. He asked that the special services fee be charged to the owner's utility account as it is both appropriate and could help if the building goes into foreclosure and is acquired for tax value. Also on the subject of downtown street maintenance Mr. Freeman reported that he had just been informed by Progress Energy that the electrical outlets for the Christmas decorations would need to be replaced by Progress Energy at a cost of \$164 each or \$2.38 monthly, and that the low level outlets would have to be removed as none can be lower than 11 feet.

#### **Revitalization/Historical**

Commissioner King reported that the Revitalization Committee would meet on April 14 to finalize plans for SpringFest which is scheduled for April 24. He said that artist Dianne T. Rodwell had created an image of the Jacob Holt House which made a beautiful t-shirt and would be a collector's item. He also reminded the Board that there were two vacancies on the Revitalization Committee and invited suggestions for names of possible new members.

## **Public Safety**

There were no questions about the monthly activity report. Commissioner Blalock asked about staffing and how many vacancies existed. Chief Younts answered that there was one vacancy and that he was considering sponsoring a candidate through the academy and BLET training. This would be the first for the department, and the candidate would be employed with successful completion of the training.

Commissioner Davie then introduced the topic of parking enforcement, following up on the public comments of Eddie Serls. Chief Younts said that it had been a topic of discussion two years ago and that a survey had been conducted among every business owner with the result being 49% for, 49% against and 2% undecided. Because of the inconclusive result and commitment required the Board decided not to act on the question then. Mr. Freeman said that difficulties on court day had also been discussed then with the possible need to identify public parking lots. Unfortunately there are no truly public lots as the only two are the BB&T and county manager's lots. Chief Younts said that it would be a problem to redirect the one officer on duty from patrol to parking enforcement and he said he would need the explicit direction of the Board. He would try to obtain the services of a part time employee or volunteer so as not to remove the officer from patrol duties. Mr. Freeman said the cost of a part time employee would in part be paid by fines. Chief Younts recommended that the amount of fines be reviewed with all being either \$25 or \$50; a parking violation is now \$15 and his recommendation is that it be changed to \$25. Commissioner Blalock asked about the issues of enforcing 2 hour parking limits and Chief Younts said that there is no warning ticket, but an actual citation. A vehicle left in its spot would be subject to one ticket per day but if moved it would be subject each time. He said the most important times to mark parked cars would be 8:00-9:00am and 1:00-1:30pm with ticketing times from 10:00-11:30am and 2:30-4:00pm. Commissioner Davie said that it would be important to publicize the change in advance and it would help persuade people if they knew the reasons. Commissioner King moved that the 2 hour limit be enforced beginning on May 1 and Commissioner Blalock seconded the motion. There followed some discussion. Mr. Blalock said there should be a notice in the newspaper announcing the enforcement and Mayor Gardner recommended that an officer walk Main Street to inform each business owner. In answer to the question about court days, Mr. Blalock said that there should not be an exception and Mayor Gardner said that whatever is stated in the Ordinance would apply everywhere as stated in the Ordinance. Following that discussion the motion passed unanimously.

Commissioner Blalock reported that the fire department had been quiet. Mayor Gardner announced that the fire department would wash down the sidewalks Monday evening, April 12, at 7:30pm.

## **Human Resources/Information Technology**

There was no report.

## **Finance and Administration**

Commissioner Hunter began her report with a review of the four checks which she said appeared appropriate:

AECOM	\$15044.00	Reimbursable grant expense
MIT	\$11091.96	Monthly health insurance
Blackmon	\$47156.32	Reimbursable grant expense
Warren County	\$15269.49	Monthly water purchase

Mrs. Hunter then asked Mr. Freeman for his report. He began with introductory comments about the proposed budget for 2010-2011. He said that there were unresolved issues such as the state budget that could require changes, as well as other unanticipated expenses or errors. Regarding the General Fund he said that no new revenue sources had been found and that no increase in property tax was proposed, but revenues were expected to remain level. He said there are several new initiatives such as \$1800 to set up a Town website but others listed separately as unfunded priorities, such as a budget for tree removal and a replacement for the leaf truck.

He said the main focus would likely be on the Water Sewer Department and a revision of the rate structure. He said there was no good time to present such a significant change but it was best to address the need to build reserves and plan for major repair or replacement of the sections of the sewer system. For the past several years there had been sufficient revenue to cover the cost of operations but little to address capital needs or emergencies. In response the capital reserve account had been established in July 2008 and has accumulated \$70,000. This has been a step in the right direction but a paltry amount considering the cost of the sewer repairs anticipated with the completion of the current inspection grant. The proposed budget addresses the need by doubling the current reserve amount to \$80,000 (now termed depreciation) and including \$20,000 for Riggans pump station upgrades. This significantly impacts the budget but is still less than half of the annual depreciation of \$217,714. For a number of years customers had paid a basic rate that included 3000 gallons of water. Based on the model of the North Carolina Rural Water Association the proposed rates separate the cost of infrastructure as an availability charge and the cost of providing the water and sewer as operational charges. This affects the balance of revenue as 39% of customers use 1000 gallons or less and 59% use 3000 gallons or less. These low use customers would pay less than they do now with the higher use customers paying more. In addition out-of-town customers would pay significantly more. These customers pay more for basic service now and the same for excess use. In many towns they pay double the in-town rate. The proposed rate structure doubles the availability cost compared with in-town customers, adds the cost of the new work vehicles and a 60-40% ratio on excess use. Following this presentation Mayor Gardner suggested that three work sessions be scheduled for May 17, 24 and June 7 at 7:00, all on Monday night.

Mr. Freeman then reviewed the current year-to-date cash flow report, saying that the budget remained on target and that cash flow was ahead of the previous year. He cautioned against putting too much emphasis on that as significant expenses could come up at any time. He also said that Powell Bill expenditures had been deliberately held back to provide matching funds for the Ridgeway Street sidewalk project that was still a likely possibility. On that point Mayor Gardner asked that the utility cut on Ridgeway Street be addressed as it badly needed repair. Mr. Freeman then pointed to the state shared revenues as remaining in budget. Sales & Use Tax continued to be less than the previous year and he said it should be leveling off soon with gradual improvement foreseen. Franchise tax revenue remained ahead of the previous year. Ad valorem tax revenue had reached its budgeted amount and was expected to exceed that by several percent. The projections had been of concern following the county-wide reassessment but results were close.

Commissioner Mooring asked if the money budgeted for Town Hall renovation had been spent and Mr. Freeman said it had not but was still in the fund balance. Mr. Mooring said the building looks bad and is decaying, and would like to begin to spend the money on repairs. Commissioner Davie said the poor condition did not set a good example, particularly in light of the standards expected in the Vacant Property Registry. Mr. Freeman reported that three companies had been asked for quotations for roof repair; one had quoted \$43,500, one \$107,000 and one did not return a quote. He said that to apply for USDA grants an engineering study would have to be completed and the architectural engineer associated with AECOM was to submit a proposal. Mayor Gardner said that a number of architects had come from various state offices and historical organizations but none had returned with proposals.

### **Unfinished Business**

The agenda item for the American Tower Corporation contract was discussed during Public Works Committee report.

### **New Business**

Mr. Freeman introduced the agenda item of Penalties for Misdemeanor Infractions of Town Ordinances by saying that penalties for violating Town Ordinances in general were at times difficult to identify, and the Historic District Ordinance had not specified penalties. For this reason he had requested that Town Attorney Styers draft general penalties for Ordinance violations and specific penalties that would apply to the Historic District

Ordinance. Beginning with the HDC as the simpler one, Mr. Styers explained that it uses the Certificate of Appropriateness permit to establish compliance. He used statutory language for the authority and said fines would be debts owed to the Town, and in answer to Commissioner Davie's question, subject to collection through the debt setoff program. Regarding the general penalties he said that it could be added to the Code of Ordinances and spells out penalties for non-compliance where not specifically included in each article. Mayor Gardner asked if a public hearing would be necessary and Mr. Styers said it would not for the Historic District Commission because it refers to penalties, and should not be necessary for the general penalties. Commissioner Davie expressed the opinion that a public hearing would be a good idea, and Mr. Styers suggested that a series of public hearings could be scheduled to deal with several of the topics discussed such as the general penalties and extending the 2 hour parking areas. Commissioner Mooring recommended that the question be put on hold until after the budget had been dealt with.

The next item of New Business was the discussion about whether convicted felons should be prohibited from serving on Town boards and committees. There was consensus that this should be the case and Commissioner Mooring said it would dovetail with the ethics training that is now required by the state. Mayor Gardner asked Mr. Freeman and Mr. Styers to develop a policy to present at the next Board meeting.

Mr. Freeman withdrew the next agenda item, a sewer adjustment for Eddie Smith of 104 Ferguson Drive.

### **Resolutions**

Mayor Gardner presented a resolution confirming the Town support of May as Preservation Month and its theme of "Old is the New Green" as proclaimed by Preservation Warrenton, Inc. and the National Trust for Historic Preservation. A similar resolution had been passed the previous year. Commissioner Blalock moved to approve the resolution; Commissioner Hunter seconded the motion which passed unanimously.

### **Announcements**

There were no announcements.

There being no further business Commissioner Blalock moved to adjourn. Mayor Gardner declared the meeting adjourned at 8:50pm.

Respectfully submitted,

John Freeman  
Town Administrator