



**Trinity NC City Council Meeting
July 16, 2013
7:00 pm
City Hall Annex**

NCGS § 143-318.17 Disruption of official meetings

**A person who willfully interrupts, disturbs, or disrupts an official meeting and who, upon being directed to leave the meeting by the presiding officer, willfully refuses to leave the meeting is guilty of a Class 2 misdemeanor.
(1919, c. 655, s 1; 1993, c. 539, s. 1028; 1994, Ex. Sess., c. s. 14 (c).)**

Action may be taken on agenda items and other issues discussed during the meeting

Members Present: Mayor Carlton Boyles; Council members, Tommy Johnson, Linda Gantt, Chester Ayers, Karen Bridges, Debbie Frazier, Kristen Varner, Ed Lohr and Barry Lambeth.

Members Absent: None

Others Present: City Manager, Debbie Hinson; Public Works and Utilities Director, Rich Baker; Attorney Bob Wilhoit; Assistant Finance Officer, Lisa Beam; Assistant City Clerk, Annette deRuyter; Planning and Zoning, Julie Maybee and Members of the Media, and other interested parties

Call to Order (*Mayor Carlton Boyles*)

Mayor Boyles called the meeting to order at 7:08 pm.

- **Pledge of Allegiance**

Mayor Boyles led the Pledge of Allegiance.

- **Invocation**

Council member Lambeth gave the Invocation.

- **Welcome Guests and Visitors**

Mayor Boyles thanked all those present for their continued support for the City of Trinity.

- **Comments from Manager**

See attached letter: Attachment A; for the record.

▪ **Comments from Mayor**

Mayor Boyles made the following comments for the record

Mayor Boyles shared with those present the tough time for Debbie and how the staff stepped up to the plate. Mayor Boyles' intention is to put us all together and shared about what he saw at the doctor's office. Studies show that we forget 50% of what the mayor said today. I've thought and spent many hours searching for a better solution to aid us in problem solving to make better decisions to best serve our citizens. Trust is the first element that embraces our City Manager, staff, Council members and Mayor. Our oath of office ends with I will faithfully execute the duties of my office. On November 2010 Trinity's code of Ethics were adopted. Council member Grooms made a motion that was seconded by Council member Bridges to adopt the Code of Ethics. The vote was 5-0. The Code of Ethics defines professionalism as we do the business of this city for the residents; this is the basis of my disappointment after the June 28, 2013, on a Special Called Meeting at 3 pm. I know how very important the Budget Amendments were to satisfy the strong point. I and all the members of council received our last audit. They went so far to tell us if we did not address this issue it could impact us if we try to take on more debt, so that is the reason Manager Hinson and I responded to their letter. We indicated in our response letter that this issue would be researched and discussed with members of Council. A unanimous consensus was reached for our City Manager to submit for Budget Amendments to fix the sewer fund and general fund for better accounting for future sewer projects. Council member Bridges said it best that no prior Council intended to pay back the money loaned to the sewer fund. RDA doesn't pay for greenways, right of ways and many other things. RDA does establish the amount for the city to put into each phase of the sewer including the 3 million plus sewer adjustment for Colonial Circle over 1 million dollars of that 3 million is in that project. The results of our manager's budget amendments would remove from the sewer funds to pay back expectations. They would reduce the general return balance of over 9 million that includes the payback notes to over 6 million. I am personally indebted to our manager for her dedication to the city and the residents. We must find a better way to have a healthy environment and to have honesty and to be able to arrive at positive consensus as we do business for our citizens, they have a right for us to make choices that would best benefit our city. Our staff has shown a genuine attitude to do whatever it takes to show support for our manager during the days with her father. I am so proud of their efforts while sharing their grief of our manager. Annette said it best we do it for Debbie, because "we love her." So I think each of us need to step back and take a deep breath, then we need to determine how we can resolve to come to do our part to make this environment good. I am committed to do anything I can to make this City the best it can be. Debbie and I did not talk to each other before we shared our thoughts with our citizens tonight. It's like jumping up and down on an inner tube you don't let the air out of that spot it just moves to another spot. So what will take place when these adjustments are made instead of having an unreal balance in the General fund? You cannot spend what is not there. It is going to make it a real figure. So what Manager Hinson shared with us today is factual when the Council makes a decision.

A. Review, Amend, and Approve Agenda

Motion by Council member Lambeth to review, amend and approve the Agenda, seconded by Council member Johnson, and approved unanimously by all Council members present.

Public Comments

Citizens are invited to address the City Council on issues that are not listed on the agenda. Residents may speak on agenda items at the time the issue is discussed by the Council. Speakers should not discuss issues that concern the candidacy of any person seeking public office. Please sign up to speak prior to the meeting; when the Mayor calls your name, please step to the lectern and state your name and address for the record; remarks are limited to 3 minutes/speaker; speakers are encouraged to select a spokesperson if several people plan to make similar points. *(Policy adopted 2/17/04; amended 10/14/08; amended 01/15/13)*

Miles Talbert 6512 Cedarberry: Mr. Talbert, the Trinity 5 that is what you wanted to know and good for you on the job you have done for the city. Trinity resident have always paid their taxes so the people should be proud of you too.

Jessie Steele 5486 Braxton Craven Road: I have just a couple of questions to ask and I am sure Mr. Baker will answer them when he comes forward. We are still concerned about our sewer on Braxton Craven Road. When we came to the last meeting they said they would be starting to work on this phase in a couple of weeks. We are still haven't heard from anything and we are still looking for our sewer. Is there anyway lights can be installed on Braxton Craven? Mayor Boyles responded to Mrs. Steele and explained that the city has put street light projects on hold because of pending action that may occur during the state budget review.

Mitchell Childers 5829 Old Mendenhall Road: I am probably the newest resident to the City of Trinity. I would like to start out about the Trinity 5. I do not like dissention and division, Psalm 133:1 "Behold how good and how pleasant it is for brethren to dwell together in unity!" Unity is a key word in community and I hope Council can begin to work in unity. The City motto is a city of vision. And 121 years ago in 1892 there was Duke University and we must be positive not just a city with a highway through it. I noticed on the Agenda about Flint Trading tonight. For 3,500.00 investment and get a return of 325 thousand on Infrastructure, if you all do not approve that then you all are blind.

Ken Carico 4123 Forest Manor Drive: I appreciate the explanation and you all need to get together. The Trinity 5, shame on you for not trusting the staff. I feel you all need to step down for what you have caused here. We can get together on Trinity issues. You all must learn to trust these people.

Shirley Hamer 4969 Cedardale: I am so proud of the Trinity 5. You all have a backbone to stand up for what is best for the City of Trinity. This was absolutely nothing. I also want the news reporters to know that I do not have to take the paper. I do not have to read the paper even though I live to read. I go to the Thomasville Library and the Archdale Library to get books to read. Proverbs 22:1 says a good name is rather to be chosen than great riches. I want to have a good name but more importantly I want my town to have a good name and I am tired of the newspaper giving us a bad name. The Trinity 5 has saved us plenty of money over the past years, and I think that is great news. The Trinity 5 has kept taxes from increasing and the other members need to get on board and work for the residents. The entire council needs to get together and work together for the residents that elected them into office.

Lakisha Dow 5014 Warren Lane: Last week we have spoken to several people about our road. Our road is not paved or even scraped. Now it is gravel and mud and road is breaking up. We have been told for years by the city it is a private road. The trash service stopped because of the road conditions, nothing has not been done to our road since sewer has been installed .Mayor Boyles shared that this may not be a private road, city road or state road. Manager Hinson asked Ms. Dow for the name of the person she spoke to in Raleigh. The road never got recorded as a private road, a city road, or a state road. It is on the plat map, but this street sits as an orphaned

road. We have to report to the state every year on the Powell Bill and this street has never been in the report as a city street. When we spoke to the state that is not our street. There will not be a grant to help with this street. The cost would be approximately be \$100,000.00 dollars to bring it up to state standards. There are two people on that street and that would cost \$50,000 each. Ms. Hinson also shared that she had spoken to Handy's to make arrangements with you about getting your trash issue is under control.

Manager Hinson advised Ms. Dow that she will call the state about her road and she will contact Handy's Trash Service to get the garbage on her street as he does any other city resident.

Council member Bridges asked if sewer was available to this area. Mr. Baker and Mr. Mc Neill advised Council that they were going to share some information later concerning this area and its problems.

I. Standing Report

1. Infrastructure Projects Update (*Rich Baker, Utilities & Public Works, Director/Randy McNeill, Davis-Martin-Powell & Assoc.*)

A. Phase 4B Contracts 1 and 2

Mr. Baker stated that letters would be going out in reference to hook-up for this project. There are still some minor issues with Phase 4B-Contract1, but residents would be able to hook up.

Phase 4B-Contract 2: Mr. Wilhoit is still resolving some legal issues on this project. We are on schedule with this project.

B. Phase 5 Sewer Extensions

We have almost all easements and we will be getting in touch with Alan Hart our representative so that we can get this project underway.

C. Update on Sewer Infrastructure Project for Flint Trading

Mr. Baker and Mr. McNeill will give their update on this project when Item 2 is discussed.

Prior to proceeding with Item # 2, Mr. Baker discussed the Warren Road issue. The GIS claims it is a private road. He stated that he also spoke with Jennifer Britt with (DOT) who advised him this was a City road. Mr. Baker confirmed that Warren Lane was not a city street, and since the state does not assume any maintenance for this street, this street is being treated as an orphaned road. We as a city could look at the possibility of doing something about this and other orphaned road if that is Council's desire. If so, Mr. Baker suggested forming a task force to pursue this because it could open up several other projects down the road.

Council member Frazier asked how many roads were there in the city. Mr. Baker shared that we could have around 50 miles of orphaned roads within the city. This happens in a lot of subdivisions. The ball gets dropped when the state takes over various roads in the area and they sometimes fail to take all roads. Mr. Baker stated that the sewer runs along the back side of this road.

Council member Frazier asked “who was responsible for putting asphalt on the road then?”

Mr. Baker informed those present that Warren is a gravel road and it has never been paved. Before sewer was installed it was barely a passable road.

Mr. McNeill shared with council that the road was in terrible shape, homes were torn down and some were condemned and when he went to look at the proposed sewer project in that area he had to go in a truck. When sewer was being installed it was discovered there was actually a platted right of way on this street and the sewer was installed in the public right of way.

Typically we repair the road after the sewer is installed. We made repairs to this road with gravel and made it more passable. We will be glad to assist you in any way we can should you decide to pursue orphaned streets further.

II. New Business

- 2. Consider entering into Sewer Infrastructure Grant’s as applicant with NC Rural Center and as applicant for Community Development Block Grant. Said grants will be used to install sewer infrastructure to Flint Trading Company located at 4686 Turnpike Court. (Bonnie Renfro and Kevin Franklin)**

Mayor Boyles asked Bonnie Renfro to share some exciting news. Please see attached sheet.

We have received these grants in the past and the staff and engineering company are aware on how to follow through with these grants. Ms Renfro discussed with Council that Flint Trading will want to make changes to the current building and will need a building permit from Randolph County and that she will need a Letter of Intention from the City to apply for this grant.

Randolph County will meet on August 5, 2013 to discuss this project and make their decision.

Council member Ayers asked Ms. Renfro what was the company’s contribution to this grant. Ms Renfro replied that the company will invest \$10,000.

Council member Bridges was concerned about the septic system and asked if the company will be pumping their system until sewer is available.

Ms. Renfro discussed the pending submission and approval of the full grant application. The company can apply for a temporary permit for certificate of occupancy and hire someone to pump the system if necessary until the sewer line is in place.

Motion by Council member Bridges to set two public hearings, authorize letter stating our intent to apply for grant and match, contingent on their approval. Also to authorize letter to the company to begin hiring at their own risk, seconded by Council member Frazier, and approved unanimously by all Council members present.

Mayor Boyles and Mr. McNeill thanked Ms. Renfro for all she does for Randolph County through the EDC.

- 3. Consider continued funding for Piedmont Triad Partnership in the amount of \$500.00. (City Manager)**

Manager Hinson discussed a phone call received concerning the continuation of funding for this program. The city normally funds this from Economic Development. We did budget for this but wanted your (council) input on continued funding for this request. This item was budgeted in our new year budget but a description for it was not placed in the budget line item description.

Motion by Council member Ayers to discontinue funding Piedmont Triad Partnership, seconded by Council member Frazier, and approved 5 to 3 with Council member Lambeth, Johnson, and Varner voting Nay.

4. Continuation of earlier discussion during Budget Review to consider moving Fund Balance in Parks and Recreation previously reserved for City Park to General Fund. (City Manager)

Manager Hinson discussed funds in the Parks and Recreation Fund Balance that was reserved for a City Park being reverted back to the General Fund. If it is the desire of the Council, we will need a motion to transfer these funds back to the General Fund with the exception of \$11,370.83 which represents revenues collected for open space fees. If this is not the Council's intent the funds are ok where they are.

Motion by Council member Frazier to move the money back to the General Fund, seconded by Council member Bridges, and approved 7 to 1 with Council with Varner opposed.

III. Old Business

5. Review and approval of Budget Amendment relating to Capital Projects. (This amendment was not considered due to a lack of quorum at a Special Called Meeting on June 28, 2012)

Mayor Boyles opened this item and turned discussion over to Manager Hinson.

Manager Hinson referred to the document that she read earlier and called for any questions.

Council member Bridges asked if these amendments were included anywhere in the budget.

Manager Hinson stated no and explained that the appropriation that was included in the normal operating budget is for anything that comes up during that fiscal year. The \$85,000 was increased to reflect the difference of 3,025,000.00. That is what was owed to the sewer fund. The \$85,000 will be used to pay the interest on the debt payment to Thomasville that was not included in the budgeted amounts. Anything left will be sitting there. The only amount we will transfer will be the amount we owe. This has nothing to do with the operating budget and budget amendments are necessary to cover the Capital Project Ordinance.

Council member Bridges inquired how much this will reduce the General Fund balance

Ms. Hinson responded by \$3 million. Our audit reflects that our General Fund Balance at 9 million dollars. This takes into account everything in the receivable fund. It does not increase our expenditures because we have already paid these. The only effect it will have on the General Fund is to show us the true fund balance that we know is accurate in the amount of \$6 million

dollars. It releases the 3 million dollar debt on the sewer side where we currently have a deficient of \$3 million.

This should take us through 2013 for most of the projects. This transfer does not include the Phase 5 project.

Motion by Council member Frazier to approve this budget amendment as presented retroactive to June 30, 2013, seconded by Council member Johnson, and approved unanimously.

IV. Business from City Manager and Staff

Mayor Boyles wants to commend Council for doing the business of the residents in a positive way.

Manager Hinson presented the fire inspection report from Guil-Rand to Council. This is just for review and if you have any questions please advise me.

V. Business from Mayor and Council

Council member Gantt discussed the minutes being presented in a timely fashion and Council member Bridges requested that they receive the minutes for the current months without delays if possible.

Manager Hinson advised members of Council that minutes would be given to Council on a timely basis.

Mayor Boyles shared the Planning and Zoning Board would be meeting on Tuesday July 23, 2013.

Council member Ayers discussed how disappointed he was with the Mayor as to what he stated to the media. Mayor Boyles discussed how disappointed he was in the Council. When you take an oath you withhold that oath. We have adopted a Code of Ethics for the Council and we should all follow them.

VI. Adjournment

Motion by Council member Frazier to adjourn the July 16, 2013, seconded by Council member Varner, and approved unanimously by all members.

These minutes were approved by the Trinity City Council on August 20, 2013 at their Regular Meeting upon motion by Council member Johnson to approve the minutes as listed on the Consent Agenda. The motion was seconded by Council member Bridges and approved unanimously by all Council members present. There were no Council members absent at this meeting.

Carlton Boyles, Mayor

Date

Annette deRuyter, Assistant City Clerk

Date