



**Trinity NC City Council
Special Called Meeting Agenda
5/28/09
5:30 P.M.**

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

Members Present: Mayor, Fran Andrews; City Council members Barry Lambeth, Linda Gantt, Edith Reddick, and Barbara Ewings.

Members Late: Council member Tyler Earnst arrived late after the Mayor had called the meeting to order.

Members Absent: Council members Karen Bridges, Kelly Grooms, and Robbie Sikes.

Others Present: City Attorney, Bob Wilhoit; City Engineer, Randy McNeill; City Manager, Ann Bailie, and City Clerk, Debbie Hinson

ITEM I Call to Order

Mayor Andrews called the May 28, 2009 Special Called Meeting to order at 5: 35 p.m.

ITEM II

1. Closed Session to consult with the City Attorney concerning possible legal action as permitted under GS 143-318.11

After leaving Council Chambers and going into the conference room, Council members went into Closed Session to consult with the City Attorney concerning possible legal action as permitted under GS 143-318.11.

At the conclusion of Closed Session motion by Council member Reddick to return to Open Session, seconded by Council member Lambeth and approved unanimously by all Council members present with a vote of 5 ayes and 0 nays with Council members Bridges, Grooms, and Sikes absent.

ITEM III.

2. Consider Resolutions to proceed with Eminent Domain to obtain easements for Phase 4-A.

After returning to Open Session, Attorney Wilhoit advised Council that the easements were necessary for Phase 4-A Contract 1 sewer and public access for future greenways.

Council is aware that the city has tried to purchase lots in the Wood Acre Subdivision from **Dee Mitchell** who resides in Greenville, SC. Those documents are now in your hands. If we receive these documents back it will not be necessary to file a condemnation action on her property. However in case we do not receive these documents back before Monday I recommend that Council proceed to adopt a Resolution that would condemn lot number 12 in the Wood Acres Subdivision section 2 on the map provided to Council in the amount of \$14, 500.00. Council previously approved the purchase of this lot. In addition to that tract that would be taken in whole there are some easements across the following:

Lot 4 Wood Acres- Section 5	\$ 150.00
Lot 3 Wood Acres-Section 5	\$ 150.00
Lot 2 Wood Acres-Section 5	\$ 150.00
Lot 1 Wood Acres-Section 5	\$ 440.00
Lots 39-48 Wood Acres –Section 4	\$ 1,055.00

Attorney Wilhoit recommended that Council take action to proceed with property and easement acquisition by approving the Resolution declaring eminent domain in case these documents were not returned by Monday.

Mayor Andrews called for a motion to take action by approval of the Resolution on Section 2, Dee Mitchell property. *Motion by Council member Lambeth to take action as recommended, seconded by Council member Earnst, and approved unanimously by all Council members present with a vote of 5 ayes and 0 nays with Council members Bridges, Grooms, and Sikes absent.*

The next property belongs to **Lindy Hampton Brooks and wife Betsy Ballard Brooks**. These easements are for permanent utility, temporary construction, and public access and are identified as Easement A, Easement B, and Easement C. The just compensation as provided by an appraiser is \$20,400.00. Attorney Wilhoit recommended that Council take action by approving the Resolution declaring eminent domain to acquire the easements.

Mayor Andrews called for a motion to proceed as per Attorney Wilhoit’s request for this section as identified as Section 1 on the map. *Motion by Council member Earnst to take action as recommended, seconded by Council member Lambeth, and approved unanimously by all Council members present with a vote of 5 ayes and 0 nays with Council members Bridges, Grooms, and Sikes absent.*

Attorney Wilhoit advised Mayor Andrews and Council members that the property discussed in the next section belonged to **J. Lyndon Wall and wife, Kay D. Wall as well as Wall Properties, LLC**.

These easements are for permanent utility, temporary construction, and public access. Attorney Wilhoit recommended that Council approve the Resolution declaring eminent domain to acquire the easements which are identified by the last 4 numbers of the parcel identification. Just compensation as provided by an appraiser is as follows:

Parcel # 9064	\$ 265.00
Parcel # 1230	\$4,830.00

Motion by Council member Reddick to take action as recommended, seconded by Council member Earnst, and approved unanimously by all Council members present with a vote of 5 ayes and 0 nays with Council members Bridges, Grooms, and Sikes absent.

The following easements are necessary for permanent sanitary sewer utility, temporary construction, and public access. The property belongs to **Jay Lyndon Wall and wife Kay D. Wall** and are identified by the last 4 numbers of the parcel identification; just compensation is as provided by an appraiser:

Parcel # 2433	\$ 5,385.00 (Easement A)
Parcel # 2433	\$ 1,970.00 (Easement B)

These parcels are identified as Easement A and Easement B. Attorney Wilhoit recommended that Council approve the Resolution declaring eminent domain to acquire the easements.

Motion by Council member Lambeth to take action as recommended, seconded by Council member Gant, and approved unanimously by all Council members present with a vote of 5 ayes and 0 nays with Council members Bridges, Grooms, and Sikes absent.

The following property belongs to **Jay Lyndon Wall and wife Kay D. Wall**. Easements are necessary for permanent sanitary sewer utility, public access, and temporary construction. This property is identified by the last 4 numbers of the parcel identification and just compensations is as provided by an appraiser:

Parcel # 2857	\$ 1,790.00
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Attorney Wilhoit recommended that Council approve the Resolution declaring eminent domain to require the necessary easements.

Motion by Council member Reddick to take action as recommended, seconded by Council member Lambeth, and approved unanimously by all Council members present with a vote of 5 ayes and 0 nays with Council members Bridges, Grooms, and Sikes absent.

The following property belongs to **Jay Lyndon Wall and wife Kay D. Wall**. Easement is necessary for permanent sanitary sewer utility, public access, and temporary construction. This property is identified by the last 4 numbers of the parcel identification and just compensation is as provided by an appraiser:

Parcel # 5492	\$ 3,125.00
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Attorney Wilhoit recommended that Council approve the Resolution declaring eminent domain to acquire the necessary easements.

Motion by Council member Lambeth to take action as recommended, seconded by Council member Reddick, and approved unanimously by all Council members present with a vote of 5 ayes and 0 nays with Council members Bridges, Grooms, and Sikes absent.

The following property belongs to **Paul M. Duncan and wife Edith Duncan**. Easement is required for permanent sanitary sewer utility, public access, and temporary construction. This property is identified by the last 4 numbers of the parcel identification and just compensation is as provided by an appraiser:

Parcel # 3250 **\$ 6,350.00**

Attorney Wilhoit recommended that Council approve the Resolution declaring eminent domain to acquire the necessary easements.

Motion by Council member Earnst to take action as recommended, seconded by Council member Lambeth, and approved unanimously by all Council members present with a vote of 5 ayes and 0 nays with Council members Bridges, Grooms, and Sikes absent.

The following property belongs to **Paul M. Duncan and wife Edith Duncan**. Easement is necessary for permanent sanitary sewer and public access. This property is identified by the last 4 numbers of the parcel identification and just compensation is as provided by an appraiser:

Parcel # 1087 **\$ 2,925.00**

Attorney Wilhoit recommended that Council approve the Resolution declaring eminent domain to acquire the necessary easements.

Motion by Council member Lambeth to take action as recommended, seconded by Council member Earnst, and approved unanimously by all Council members present with a vote of 5 ayes and 0 nays with Council members Bridges, Grooms, and Sikes absent.

The following property belongs to **Keith Aikens (spouse- Wanda Aikens) and Andy Aikens (spouse –Carolyn Aikens)**. Easement is necessary for permanent sanitary sewer utility, public access, and temporary construction. This property is identified by the last 4 numbers of the parcel identification number and just compensation is as determined by an appraiser:

Parcel # 7415 **\$ 7,385.00**

Attorney Wilhoit recommended that Council adopt the Resolution declaring eminent domain to acquire necessary easements.

Motion by Council member Reddick to take action as recommended, seconded by Council member Gant, and approved unanimously by all Council members present with a vote of 5 ayes and 0 nays with Council members Bridges, Grooms, and Sikes absent.

ITEM IV. **Business from City Manager**

Manager Bailie called on Rachael Hawley to discuss the Face Book and Twitter accounts she has set up for the City. This information will be released to the press as illustrated by the Press Release placed at Council's seats.

Ms. Hawley advised Council that setting up these social networking sites was suggested by the Lawrence Group and marketing consultant Kathleen Rose. She advised Council that both the Face Book and Twitter were both up and running. Face Book is designed to display information about the City with background information, current events, discussion forums and links to other websites. As of today we have 90 members. The Twitter account provides a forum for members to discuss what is going on in the City for those that are text savvy. This account also provides links to other websites. As of today we have 23 followers.

ITEM V. **Business and Closing Comments from Mayor and Council**

None

ITEM VI. **Adjournment**

With no other business to discuss, *Motion by Council member Ewings to adjourn the May 28, 2009 Special Meeting at 6:21p.m., seconded by Council member Lambeth and approved unanimously by all Council members present.*