

City of Saluda Board of Commissioners



September 13th, 2010 7:00 PM

The Saluda Board of Commissioners met for their regular monthly meeting on Monday, September 13th, 2010 at 7:00 PM in the Saluda Public Library.

Mayor Baisden called the meeting to order at 7:08 PM. Reverend Henry Vegter opened the meeting with prayer, which was followed by the Pledge of Allegiance.

Attendance was taken, and present were: **Mayor Baisden; Commissioner Leon Morgan; Commissioner John Morgan; Commissioner Sweet; Commissioner Kinard; City Administrator, Erny Williams; Chief of Police, Jim Cantrell; Finance Officer, Ron Cole; Administrative Assistant, Monica Pace. City Clerk, Doris Marion was absent.**

Agenda Additions/Deletions:

- Bailey Nager made a request to add Item #6-A: Discussion of US Bankruptcy Court Ballot.
- Erny Williams made a request to add Item #2-A: Discussion of an October Fun Run
- Commissioner Sweet made a request to move Motion for Consideration: Re-Confirmation- Donation of \$1,000 to Carolina Foothills Chamber of Commerce for Maps from the consent agenda to Item #1-A of the regular agenda

Commissioner J. Morgan made a motion to adopt the agenda as amended. Commissioner Sweet seconded the motion, and the motion carried unanimously.

Consent Agenda:

Commissioner Sweet made a motion to adopt the consent agenda as amended, and Commissioner Kinard seconded the motion. The consent agenda and the following items were unanimously approved:

1. Minutes of the August 9, 2010 Board of Commissioners Meeting
2. Adoption of Proposed Code of Ethics for the Board of Commissioners
3. A Loan commitment from Macon Bank to purchase a Police vehicle

Presentation:

John Vining- Presentation of County Flag

Mr. Vining stated that the Polk County flag was designed by a Polk County High School student, and was officially adopted by the County Commissioners in 1996. The Polk County Board of Commissioners will be presenting each municipality within the county with a flag, with Saluda being the first to receive their flag. Mayor Baisden thanked Mr. Vining and accepted the flag for the City.

Public Comment:

Betsy Burdett announced that, thanks to financial help from Polk County Community Foundation, Saluda Community Land Trust will be purchasing a lot off of Highway 176 right next to the Saluda School Playground. Mrs. Burdette stated that the wooded lot would be used by the school during school hours and would be available to the public the rest of the time.

Department Reports:

Budget- Mr. Cole presented a summary report of the detailed report the Board had received under separate cover. Mr. Cole also reported that the current available fund balance was at 41.7%, and that the final collection rate for the 2009 levy was 97.48%.

Administration- Mr. Williams reported that the City had met with State officials regarding the City's request for funding after declaring a state of emergency during February's ice storm, but that he had not heard anything conclusive yet. Mr. Williams also reported that Becky Veazy from the MAPS Group had completed employee interviews for the City's salary schedule/job description update, and that he should hear back from Ms. Veazy within the next month.

Streets/Parks/Cemetery- No report

Buildings/Sanitation- Mayor Baisden reported that the Historic Saluda Committee had sent out importance scale surveys to all property owners, and that they hoped to get a good response to gain focus for future projects.

Water/Sewer- No report

Public Safety- Commissioner Kinard gave the monthly Police Department report. Report is attached to minutes.

Old Business

Item #1: Confirmation of Take Home Vehicles for Police Officers- Commissioner Kinard

Commissioner Kinard stated that he thought it would be beneficial for the officers to take home their city vehicle patrol cars. The patrol cars sit parked on Main Street when not in use, and have been vandalized in the past. Commissioner Kinard also stated that the officers would be on-duty once they get in their vehicle to come to work, to remain on-duty until they arrive home, and that having each officer with his own vehicle would cut down on response time by saving the officer the time it takes to switch all their equipment from personal vehicles to patrol cars. Commissioner Sweet stated that the benefit of a take home vehicle was considered part of their salary, and that the IRS might require them to pay income tax on the benefit of driving City vehicles. Commissioner

Kinard stated that the income tax on take home vehicles did not apply to law enforcement officers because the officers will be considered on-duty at all times when in the patrol cars. Commissioner Sweet stated that take home vehicles seemed to have several advantages, but also could be a source of complaints if officers make any stops going to and from work in the patrol cars. Commissioner L.Morgan asked if there was money in the budget for gas for take home vehicles. Commissioner Kinard stated that Police Department was currently running 3% under budget, so a budget amendment could be made. Mr. Cole stated that he was unsure of the impact the take home vehicles would have on the budget, but we should be able to tell within several months. Mayor Baisden stated that a mileage log needed to be completed by each officer for each shift worked, and should include mileages for when the officer leaves home, arrives at work, while at work, and each time they purchase gas. **Commissioner L.Morgan made a motion to allow take home patrol cars for the police department and re-evaluate at the end of 4 months. Commissioner Sweet seconded the motion, and motion passed unanimously.**

Item #1-A: Foothills Chamber of Commerce Donation for Maps- Commissioner Sweet

Mayor Baisden stated that the Saluda business Association had contacted the City and offered to contribute \$500 to match the \$500 the City contributed towards new maps through the Foothills Chamber of Commerce. Commissioner Sweet stated that the Saluda Business Association had expressed a desire to cooperate with the City on this project. **Commissioner L.Morgan made a motion to accept the check and thank the Saluda Business Association. Commissioner Sweet seconded the motion, and motion passed unanimously.** Commissioner Sweet thanked the SBA for their cooperation and support.

Item # 2: Discussion of Skate Board Park- Mayor Baisden

Mayor Baisden stated that a family had built the Saluda Skate Park and maintained it for several years, but that currently the skate park was closed to the public due to its state of disrepair and was used mainly by out of town visitors instead of local residents. Mayor Baisden stated that the Board would like to gather ideas for better ways to use the area to benefit more local residents and the community. Mayor Baisden stated that the City had missed out on funding because grant opportunities had passed the City by, and announced that Monica Pace would be looking into grant opportunities and learning how to apply for funding on the City's behalf to help with this project. Mr. Williams stated that the Board would need to allocate funds for grant writing training and classes. Mayor Baisden instructed Ms. Pace and Mr. Williams to get prices for some training and to consider using some local resources such as Isothermal Planning & Development Commission for direction.

No vote was taken.

Presentation

Mayor Baisden presented a Letter of Appreciation from the Board of Commissioners to Sheriff Donald Hill for his assistance with this year's Coon Dog Day festival. Sheriff Hill thanked the Board for their cooperation, and commended the Saluda Police Department for their hard work. A copy of the letter is attached to the minutes.

Item #2-A: Discussion of an October Fun Run- Administrator Williams

Mr. Williams stated that the City was looking for funding for the City Hall restoration project, and suggested a fall 5K run as a fundraiser. Mr. Williams stated that the course had been determined and mapped out, and that there seemed to be a lot of support for a fall run, where a little overhead money could turn a good profit for the project. It was discussed that a fundraising project would raise awareness for the project and promote funding. Commissioner J.Morgan expressed his enthusiastic support, stating that a run would be a great message promoting fitness in the community. Commissioner Sweet stated that grant administrators are always looking for effort on the part of the applicant, and this project would show that effort. Commissioner Kinard stated that the run may not make much money at first, but that it could snowball into an annual event that would profit the City's project. Commissioner Kinard made a motion to go forward with the run with October 23rd as the target date. Commissioner J.Morgan seconded the motion, and the motion passed unanimously.

Item #3: Discussion on Zoning Ordinance Text Amendments- Planning Board Chairman, Henry Bright

Mr. Bright stated that the Planning Board had reviewed the definition of a "home occupation" as defined in our current ordinance, previous ordinance, and other zoning ordinances in the area. The definition's key word in most cases is "customary" and permits no evidence of a business operation from the street. Mr. Bright stated that a more clear definition would be easier to interpret and enforce. Mr. Bright stated the following as items currently in the Zoning Ordinance that the Planning Board is recommending an amendment for:

- Sec.5.9 currently allows accessory structures to be as large as the footprints of the house, and includes no limitations as to number of accessory structures allowed. Recommendation to include limitations to size and number of accessory structures.
- Current ordinance allows 32 sq. ft. signs for residences and home occupation. Recommendation to reduce to 1 sq. ft. each.
- Currently no language regarding internet gambling. Recommendation to endorse language from the City Attorney prohibiting internet gambling in all areas except those zoned C-3.

Public Comment: Bruce Campbell stated that residents in R-1 district should be protected by the zoning ordinance, and that commercial businesses should not be allowed to decay the R-1 districts.

Commissioner J.Morgan thanked the Planning Board for enacting the clarification process, and stated that the amendments need some clarification, but that they were on the right track. Mayor Baisden stated that the zoning ordinance amendments should be discussed in a separate meeting so the Boards would have time to understand and discuss them. It was decided to find a time that suited both the Planning Board and the Board of Commissioners to have a joint meeting for the purpose of discussing the proposed amendments.

Item #4: Adoption of Amended Planning Board Ordinance- City Administrator

Attorney Bailey Nager stated that the ordinance being presented was the old Planning Board Ordinance carried forward, consolidated, and with a few additions. Mr. Williams stated that the Planning Board had reviewed and agreed upon the new ordinance.

Commissioner J.Morgan made a motion to adopt the new ordinance as presented with the most current changes from City Attorney Bailey Nager. Commissioner L.Morgan seconded the motion, and the ordinance was adopted as amended. A copy of the Ordinance is attached to the minutes.

Item #5: Discussion & Possible Action in Sign Fees- City Administrator

Mr. Williams stated that currently, the City charges \$50 for both temporary and permanent sign applications, and that the fees needed to be added to the City's Schedule of Fees. Commissioner J.Morgan stated that \$50 seemed high for a temporary sign and low for a permanent sign. Commissioner Sweet stated that the fees for the signs should reflect the administrative time taken to administer the permits. After some discussion, Commissioner Kinard made a motion to set the fee for temporary signs at \$10. After discussion, **Commissioner Kinard amended his motion to set the fee for temporary signs at \$25 and the fee for permanent signs at \$150 with fees not to apply for festivals or the Saluda Tailgate Market. Commissioner L.Morgan seconded the motion, and motion passed unanimously.**

Item # 6-A: Discussion of US Bankruptcy Court Ballot- Bailey Nager

Mr. Nager presented the Board with a copy of the ballot for City payback from the US Bankruptcy Court. The ballot proposed payback in full of City tax money owed, over the next 5 years at 8% interest. Mr. Nager recommended that the Board accept the ballot, as it seemed fair for the City. **Commissioner Kinard made a motion to accept the US Bankruptcy Court ballot. Commissioner Sweet seconded the motion, motion passed unanimously.**

Item #6: Request for Voluntary Annexation- Zachary Waldbillig

Mr. Waldbillig stated that he is requesting 10.1 acres to be annexed into the city limits, and that he plans to use 3.1 acres of that land as an RV campground. Mr. Waldbillig stated that his proposed use of the annexed land would be beneficial to Saluda by providing extra property tax base, as well as a nearby place for visitors to stay close to the downtown businesses. Commissioner J.Morgan stated that Mr. Waldbillig was willing to waive the right to water/sewer hook-up with annexation. Mr. Nager stated that the City should look into adopting a conditional use zoning classification, so the City can annex a property and zone it appropriately with restrictions attached to the zoning on that property. Commissioner J.Morgan stated that this annexation is a satellite annexation, and that the City needs to look at how much of that 10% limit is left to use. **Commissioner Kinard made a motion to instruct the Clerk to investigate the sufficiency of the petition and bring it back to the Board at the next meeting. Commissioner J.Morgan seconded the motion, and the motion passed unanimously.**

Item #7: Water Shortage Response Plan- City Administrator

Mr. Williams presented the Board with the proposed Water Shortage Response Plan for adoption. **Commissioner J.Morgan made a motion to adopt the Water Shortage Response Plan as presented. Commissioner L.Morgan seconded the motion, and the motion carried unanimously.**

Item #8: Consideration of 9 month evaluation for Officer Brent Cantrell

Mr. Cole stated that Officer Brent Cantrell's current pay is \$11.76 per hour, and a 3% increase will bring his pay to \$12.11 per hour. Training Officer, Sergeant Charles Connor stated that Officer Cantrell was doing a fine job. **Commissioner Kinard made a motion to approve the 3% pay increase for Officer Brent Cantrell. Commissioner J.Morgan seconded the motion, and the motion passed unanimously.**

Commissioner Sweet made a motion to adjourn into closed session per N.C.G.S. 143-318.11(a)(6)- Personnel- Interviews for Public Works. Commissioner Kinard seconded the motion, and meeting was adjourned into closed session at 9:20 PM.

Commissioner Kinard made a motion to return to open session. Commissioner L.Morgan seconded the motion, and meeting reconvened into open session at 10:24 PM.

Commissioner L.Morgan stated that he would like to vote to hire Brian Stepp. Commissioner J.Morgan stated that he felt both final candidates were good choices, but that he would like to vote to hire James Lunsford. Commissioner Sweet stated that he would like to vote to hire Brian Stepp based on his continuous past employment record and good interview demeanor. Commissioner Kinard stated that he liked both final candidates, but that he would like to vote to hire James Lunsford based on his qualifications. Mayor Baisden stated that he would like to vote to hire Brian Stepp based on reviews from previous employers and supervisors.

After discussion, Commissioner L.Morgan made a motion to hire Brian Stepp to fill the vacant Public Works position. Commissioner Sweet seconded the motion, and motion carried unanimously.

With no further business to discuss, Commissioner Sweet made a motion to adjourn. Commissioner L.Morgan seconded the motion, and the meeting was adjourned at 10:31 PM.

Respectfully submitted by _____, Administrative Assistant

Adopted this _____ day of _____, 2010.

Fred H. Baisden, Mayor

Doris T. Marion, CMC, City Clerk