**Town of Haw River**

**Town Council Meeting**

**Monday, August 5, 2013**

The Town Council of the Town of Haw River held its Town Council Meeting on Monday, August 5, 2013 in the Haw River Municipal Building at 7:00pm.

Council Members Present: Lee Lovette, Jeff Fogleman, Buddy Boggs, Kelly Allen, and Ashley Warren

Council Members Absent: n/a

Also Present: Manager Jeff Earp, Clerk Melanie Hamilton, Attorney Charlie Davis

The Mayor called the meeting to order and gave the invocation at 7:00 pm.

**Consent Agenda**

7:00 pm

**The Council reviewed minutes from the July 8, 2013 Council Meeting.**

Councilmember Allen made a motion to approve the consent agenda. Motion carried 5-0.

**New Business**

7:01 pm

**The Town Council considered options to complete the 18th Cycle Inspections for Federal Surface Transportation Act that requires the Department of Transportation to assure that municipal bridges are inspected and load rated every two years.**

Manager Earp presented the Council with a letter from the NCDOT concerning the need for the Town to have its bridge on Lang Street inspected. This inspection is needed to comply with the Federal Surface Transportation Act that requires the Department of Transportation ensure that municipal bridges are inspected and load rated every two years. The process for obtaining inspections in the 18th Cycle is being initiated with this letter. All municipalities have three options for compliance. Manager Earp recommended that the Council choose option C as has been done in prior years. This option allows for the NCDOT to employ a qualified private engineering firm to perform the inspections and load rating.

After discussion, Councilmember Lovette made a motion to approve choosing option C with the NCDOT for the Town of Haw River Bridge Inspection. Motion carried 5-0.

7:04 pm

**The Town Council reviewed and considered a draft Whistle Blower Policy for the Town.**

Manager Earp informed the Council the HRPD applied for a Governor’s Crime Commission Block Grant in January of 2013 to purchase patrol rifles and surveillance equipment for illegal drug operations. HRPD was awarded $7500 from the Governor’s Crime Commission. A condition of this grant award is that the Town of Haw River have a Whistle Blower Policy in place for employees and contractors.

After review the proposed policy, Councilmember Allen made a motion to approve the Town of Haw River Whistle Blower Policy presented by Manager Earp. Motion carried 5-0.

7:06 pm

**The Town Council reviewed and considered a resolution concerning Alamance County performing Tax and Assessment collections for the Town.**

Manager Earp spoke to the Council regarding liens/assessments on property tax bills. When liens or assessments are placed on property, Alamance County collects these for the Town of Haw River at the sale of the property. This year, the County has informed the Town that a newly executed resolution will need to be received from the Town each year in order to continue assisting in this process.

After brief discussion, Councilmember Lovette made a motion to approve the Order of Tax Collection and Assessment Collection Resolution for Alamance County. Motion carried 5-0.

7:09 pm

**The Town Council will review and consider a request to donate the 1957 Fire Truck to the Haw River Museum.**

At the July 8, 2013 meeting, the Council accepted the donation of a 1957 Fire Truck from Mr. Herman Johnson. Manager Earp informed the Council that due to liability issues and the desire for the public to view this truck, the HRFD is asking that the Council consider donating this truck to the Haw River Museum. The HRFD would make this recommendation with an understanding that their volunteer fire committee still has access to the truck for restoration.

Following brief discussion, Councilmember Fogleman made a motion to approve the donation of the 1957 Fire Truck to the Haw River Museum with the understanding the Haw River Volunteer Fire Department will restore the truck. Motion carried 5-0.

7:13pm

**The Town Council will review and consider the Town’s paving list and bids for the 2013-2014 year.**

In the 2013-2014 HR Budget, money has been allocated for resurfacing projects in the Town. After inspection of the Town roads and streets, staff is recommending that Hollar Street, South State Street, and the portion of Pine Street between North State and Wilkins Road be resurfaced. Staff contacted four vendors and requested bids for this project. The Town received 3 bids ranging from $48,753 to $96,892.

After discussion, Councilmember Allen made a motion that the Town contract with Riley paving for this resurfacing project at a cost of $48,753. Motion carried 5-0.

7:19 pm

**The Town Council reviewed and considered a Resolution by Governing Body of Applicant to apply for a loan or grant for the rehabilitation of a wastewater collection system.**

Manager Earp spoke to the Council regarding an opportunity for low interest, interest free financing, or possible grant funding for money to rehabilitate the wastewater collection system. The Federal Clean Water Act Amendments of 1987 and the North Carolina Water Infrastructure Act of 2005 have authorized the making of loans and grants to aid eligible units of government in financing the cost of construction of wastewater collection system rehabilitation. A resolution approving application will be required in order for the Town to apply for these funds.

Following brief discussion, Councilmember Lovette made a motion to approve the Resolution by Haw River Town Council to apply for loan or grant funding available from the Federal Clean Water Act and the NC Water Infrastructure Act. Motion carried 5-0.

7:25 pm

**The Town Council discussed the recently passed State Budget and the effects on the Town.**

Manager Earp presented the Council with a summary of effects that the Tax Simplification and Reduction Act (House Bill 998) will have on Haw River. Hold harmless funding will be distributed at 50% of the prior year funding this year. It has not been extended beyond the current year. Franchise and excise taxes will be collected on a sales tax base starting July 1, 2014. Manager Earp anticipates that this will result in lower revenue for Haw River. Additionally, feasibility studies are being done at the state level that could result in the Town losing the ability to assess privilege license fees. Manager Earp also discussed other legislative law changes affecting the Town including changes to concealed carry gun laws and other various items.

Manager Earp discussed with the Council recommendations for uses of the unbudgeted $50,000 worth of hold harmless funds that will be received in September 2013. Manager Earp suggested that the Council only consider onetime cost projects such as capital improvements (HVACS, roof repairs, etc). Regardless of whether the funds are spent now or in the future, they should be reserved for that purpose. The Council then asked Manager Earp to obtain more detailed information about the Town’s needs in regards to capital expenditures.

7:36 pm

**Manager’s Update**

* The Town’s 2012-2013 Audit will begin next week.
* The Powell Bill report has been completed and submitted.
* Various year end state agency reports have been completed and submitted as required.
* Alley Williams Carmen and King is working on getting the final two property easements and then the project will be put out for bid.
* Family Dollar construction is almost complete.
* Council set a public hearing for rezoning of 2541 Bason Road for Monday, September 9, 2013 at 7pm in the Council Chambers at 403 E Main Street.
* Alamance County made an error on the 2013 property tax bills. Haw River’s taxes were assessed at $0.45/$100 valuation instead of the actual $.48/$100. The error was discovered by Haw River staff two days after the original invoices were mailed. Alamance County was immediately made aware of the error and new tax bills are being generated with an explanation of the error. The Town expects that it will be held harmless in any revenue loss due to the County’s error.
* Attorney Davis briefly spoke to the Council regarding the pending sweepstakes lawsuit. Attorney Flannigan, hired by the NCLM to represent the town, has filed a response to the initial complaint denying any wrongdoing.

Councilmember Lovette publicly commended Captain Harrison and Manager Earp on their efforts to keep the Town cleaned up. Mr. Lovette recently participated in a ride along with Captain Harrison and Manager Earp and was impressed at the progress that has been made recently.

7:47 pm

Councilmember Fogleman made a motion to adjourn. Motion carried 5-0.

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Buddy E. Boggs, Mayor Melanie R. Hamilton, Clerk