

Mayodan Town Council
Regular Meeting
March 14, 2016 - 7:00 p.m.
James A. Collins Municipal Building

Present:

Mayor Jeff Bullins

Council: Darrell Allred, James "Bud" Cardwell, Glenn Chatman, David Holland, and Andrew "Buddy" Martin

Absent:

Staff Present:

Town Attorney: Phil Berger

Town Manager: Michael Brandt

Town Clerk: Melessa K. Hopper

Others Present:

Dallas Britt, Madison Messenger

The Mayodan Town Council met at 7:02 p.m., March 14, 2016, in the council room of the James A. Collins Municipal Building, and with a quorum present Mayor Bullins called the meeting to order.

Public Comments

Item 1:

No one wished to speak.

Approval of Minutes

Item 2A-C:

MOTION by Councilman Allred, seconded by Councilman Chatman, to approve the regular meeting minutes of February 8, 2016 and continued meeting minutes of February 23 and March 2, 2016, as well as closed session minutes of February 8, 2016 as presented. Ayes: Councilmen Allred, Cardwell, Chatman, Holland, and Martin. Nays: None. Motion carried unanimously.

Old Business

Item 4A:

Mayor Bullins asked Council to consider a resolution in opposition to hydraulic fracturing techniques in Mayodan or the extraterritorial jurisdiction.

MOTION by Councilman Allred, seconded by Councilman Cardwell, to approve the resolution in opposition to hydraulic fracturing. Ayes: Councilmen Allred, Cardwell, Chatman, Holland, and Martin. Nays: None. Motion carried unanimously.

RESOLUTION OPPOSING NATURAL GAS EXTRACTION USING THE HYDRAULIC FRACTURING TECHNIQUE IN THE TOWN OF MAYODAN AND ITS EXTRA-TERRITORIAL JURISDICTION

WHEREAS, the North Carolina Mining and Energy Commission has drafted rules concerning the extraction of natural gas in this State as directed by the North Carolina General Assembly; and, WHEREAS, the North Carolina General Assembly has adopted these rules in legislation governing the use of hydraulic fracturing in North Carolina; and, WHEREAS, the legislation and rules governing the use of the hydraulic fracturing technique remove all local authority with respect to the extraction of natural gas and fail to provide local governments with adequate compensation, either direct or indirect, for the impact of the extraction on the

March 14, 2016

local economy, physical infrastructure, or resident's health; and, WHEREAS, a shale layer that may be suitable for gas extraction by use of the hydraulic fracturing technique has been identified as lying under the Town of Mayodan; and, WHEREAS, the legislation and rules governing the use of the hydraulic fracturing technique are not foolproof and do not adequately protect the environment of our Town in case of accidents, negligence, or malfeasance; and, WHEREAS, while there are demonstrated benefits to the use of the hydraulic fracturing technique, there are also demonstrated health problems and environmental issues with the technique when there are accidents, negligence, or malfeasance in the implementation of the technique; and, WHEREAS, the Town of Mayodan has been asked by concerned citizens to consider the effects of the use of hydraulic fracturing within our town limits and our extra-territorial jurisdiction; and, WHEREAS, the Town of Mayodan relies upon a uncontaminated Mayo River for the continued well-being of our water customers and citizens as well as for economic development opportunities; and, WHEREAS, the Town of Mayodan has begun promoting the use of our abundant natural resources for outdoor activities and healthy living initiatives as part of an economic development plan approved by the Mayodan Town Council; and, WHEREAS, the existence of a hydraulic fracturing operation in or nearby the town is not consistent with the image being promoted by the Town of Mayodan.

NOW, THEREFORE, BE IT RESOLVED by the Town Council of the Town of Mayodan that the Town Council does hereby oppose the extraction of natural gas using the hydraulic fracturing technique in the Town of Mayodan and its extra-territorial jurisdiction.

S/ _____, Jeffrey G. Bullins, Mayor

Date:

ATTEST:

s/ _____, Melessa K. Hopper, Town Clerk, CMC

Item 3B:

Mayor Bullins asked Council to consider an ordinance amendment to the Town of Mayodan Code of Ordinances, Chapter 7, Article 15, parking prohibited to address parking issues in the public access turnaround on Wray Street.

MOTION by Councilman Martin, seconded by Councilman Chatman, to approve the ordinance amendment to Chapter 7, Article 15, parking prohibited as presented. Ayes: Councilmen Allred, Cardwell, Chatman, Holland, and Martin. Nays: None. Motion carried unanimously.

Ordinance 2016-02

TOWN OF MAYODAN

AMENDMENT TO MAYODAN TOWN CODE OF ORDINANCES

CHAPTER 7, TRAFFIC

ARTICLE 15, STOPPING, STANDING, OR PARKING RESTRICTED OR PROHIBITED ON CERTAIN STREETS

SECTION 7.173 PARKING PROHIBITED AT ALL TIMES - 101 APPENDIX I

WHEREAS, the Town Council of the Town of Mayodan finds it necessary and desirable to amend the Mayodan Code of Ordinances, CHAPTER, 7, **TRAFFIC**

ARTICLE 15, STOPPING, STANDING, OR PARKING RESTRICTED OR PROHIBITED ON CERTAIN STREETS,

SECTION 7.173 PARKING PROHIBITED AT ALL TIMES - 101 APPENDIX I, and

WHEREAS, said ordinance was adopted previously by the Town of Mayodan.

March 14, 2016

NOW, THEREFORE BE IT HEREBY ORDAINED by the Town Council of the Town of Mayodan, State of North Carolina amendments be made as follows:

ARTICLE 15

STOPPING, STANDING, OR PARKING RESTRICTED OR PROHIBITED ON CERTAIN STREETS

Section 7.173 PARKING PROHIBITED AT ALL TIMES - 101 APPENDIX I.

Section 101 Parking prohibited at all times on the following streets (See Section 7.173):

(5) On the north side of Wray Street between 303 and 307 Wray Street (The area on the north side of Wray Street between 303 and 307 Wray Street is designated by Council for public access turnaround).

Approved this 14th day of March, 2016

ATTEST:

s/ _____

Melessa K. Hopper, CMC

Town Clerk

s/ _____

Jeffrey G. Bullins, Mayor

Item 3C:

Mayor Bullins informed Council he was working with Town Attorney Phil Berger to develop a draft easement contract for the residents of 1st Avenue Loop with regard to the private drive's use by the Town for services such as water and sewer and garbage collection. Once a draft is submitted and residents have signed the contracts, they will be presented to Council for approval.

New Business

Item 4A:

MOTION by Councilman Allred, seconded by Councilman Martin to approve the reappointment of the following Board and Committee members:

Eric Whitten, inside member Planning and Zoning Board/Board of Adjustment; Gerry Williams and L. Ed Shelton, outside members Planning and Zoning Board/Board of Adjustment; Councilman Darrell Allred, M-M Recreation Commission Liaison; Keith Webster, M-M Recreation Commission; Tom Barksdale, Councilman Glenn Chatman, and Town Manager Michael Brandt, Farris Memorial Park Commission; Councilman David Holland, Firemen's Relief Fund Committee; Councilman Buddy Martin, Fire Department Appeals Board; and Mayor Bullins, Piedmont Triad Regional Council.

and the Appointment of the following members:

Councilman Bud Cardwell, Firemen's Relief Fund and Farris Memorial Park Commission

Ayes: Councilmen Allred, Cardwell, Chatman, Holland, and Martin. Nays: None. Motion carried unanimously.

Mayor Bullins reappointed Mr. Dickie Wray as the citizen representative to the Fire Department Appeals Board.

Mayor Bullins asked that appointments to fill vacancies on the Planning and Zoning Board/Board of Adjustment and Farris Memorial Park Commission be tabled until the April meeting.

March 14, 2016

Item 4B:

Mayor Bullins asked Council to consider amendments to the Utility Use Ordinance; however Town Attorney Phil Berger asked Council to delay action on the amendments until he has the opportunity to review and make some revisions based upon other legal considerations. His draft recommendations will be presented to Council in April.

Item 4C:

Mayor Bullins asked Council to consider action to formally cancel the agenda meetings for April and May, 2016.

MOTION by Councilman Martin, seconded by Councilman Chatman, to approve the cancellation of the April and May 2016 agenda meetings. Ayes: Councilmen Cardwell, Chatman, Holland, and Martin. Nays: Councilman Allred. Motion carried.

Manager Comments/Announcements

Mr. Brandt gave information regarding his meetings with the Recreation Resource Services who assists in the evaluations, trainings, and advising for recreation boards around the state. Information presented would include a three-step process of board training, development a management study review with the Director and staff, and a parks and recreation master plan with a programs plan and general review of all the recreation activities.

Mr. Brandt related to Council the Washington Street Ext. property has been demolished by the owner. The 2nd Avenue property under mandate continues to move forward with property owners signing for the demolition of the structure. Three of seven property owners have already signed and Mr. Brandt would like to give an additional 30 days for the final signatures giving permission to move forward with the demolition before taking further action in the condemnation procedures.

Mr. Brandt informed Council the water treatment plant filter repairs are complete and back in service.

He also gave information to Council regarding camera installation at Elliott Duncan Park and downtown Mayodan.

Mayor/Council Comments/Announcements

Mayor Bullins informed Council that Rockingham Community College had opened the Western Rockingham County Mayodan site on 10th Avenue with a standing paddleboard techniques class and fly fishing instruction.

MOTION by Councilman Holland, seconded by Councilman Chatman, to enter closed session pursuant to N.C. G.S. 143-318.11(a)2, consideration of honoraria and 143-318.11(a) 3, attorney/client privilege. Ayes: Councilmen Allred, Cardwell, Chatman, Holland, and Martin. Nays: None. Motion carried unanimously

Council went into closed session at 8:02 p.m.

MOTION by Councilman Allred, seconded by Councilman Martin, to return to open session. Ayes: Councilmen Allred, Cardwell, Chatman, Holland, and Martin. Nays: None. Motion carried unanimously.

Council returned to open session at 8:34 p.m.

March 14, 2016

No action was taken from closed session.

MOTION by Councilman Chatman, seconded by Councilman Martin, to enter closed session pursuant to N.C. G.S. 143-318.11(a)4, economic development. Ayes: Councilmen Allred, Cardwell, Chatman, Holland, and Martin. Nays: None. Motion carried unanimously

Council went into closed session at 8:35 p.m.

MOTION by Councilman Allred, seconded by Councilman Martin, to return to open session. Ayes: Councilmen Allred, Cardwell, Chatman, Holland, and Martin. Nays: None. Motion carried unanimously.

Council returned to open session at 8:50 p.m.

No action was taken from closed session.

MOTION by Councilman Allred, seconded by Councilman Cardwell, to adjourn. Ayes: Councilmen Allred, Cardwell, Chatman, Holland, and Martin. Nays: None. Motion carried unanimously.

Council adjourned at 8:53 p.m.

ATTEST:

Melessa K. Hopper, CMC, Town Clerk

Jeffrey G. Bullins, Mayor