

# TOWN COUNCIL MINUTES

None

#### REGULAR MEETING

NOVEMBER 16, 2010 at 6: 30 pm

**COUNCIL MEMBERS PRESENT:** 

COUNCIL MEMBERS ABSENT

Mayor

Dean Lambeth

Mayor Pro Tem

Chuck Keener

Commissioner

Jim Dugan

Commissioner

Barry Nelder

Commissioner

Emilie Swearingen

### STAFF PRESENT

Town Clerk

Nancy Avery

Finance Officer

Arlen Copenhaver

Police Chief

Dennis Cooper

Town Attorney A. A. Canoutas was in attendance. There was a quorum of the Town Council present.

Mayor Lambeth called the meeting to order at 6:30 pm. Laurie Taylor, Federal Point Help Center delivered the invocation. Mayor Lambeth led in the pledge of allegiance.

## PUBLIC HEARING

Mayor Lambeth opened the public hearing at 6:32 pm stating the purpose of the hearing is to hear public comment on proposed amendments 5-106.1 "Unsafe Buildings" and 106.2 "Action in event of failure to take corrective action" that add language to the existing ordinance in the Code of Ordinances on condemnations in Chapter 5, Buildings and Building Regulations, Article V Minimum Housing Code. Notice of this hearing was posted at Town Hall and advertised in the Island Gazette twice as per General Statute requirements.

Mayor Lambeth asked Building Inspector Batson to give a synopsis of the amendments. Building Inspector Batson stated the amendment gives us more teeth to deal with condemnation of buildings and is directly taken from the State General Statutes.

#### Public comments:

There were no public comments.

Mayor Lambeth closed the public hearing at 6:35 pm.

Discussion and consideration of proposed amendment to Chapter 15 as referenced above

MOTION – Mayor Pro Tem Keener made the motion to adopt both amendments as presented.

SECOND – Commissioner Dugan

VOTE – Unanimous

Said amendments are herein incorporated as part of these minutes.

## RECOGNITION AND AWARDS

Police Chief Cooper stated:

- Officer Ed Palmeter has worked for the Town since 2002 and has been a blessing.
- He is retiring.
- The ambassador for the Police Department hands down is Ed Palmeter.
- I have seen him do without to see that the guys he works with have what they need.
- He is the best friend to everybody and I can't replace that.

## Officer Paul Hubbard said:

- You won't find anyone with a better attitude.
- Ed works with senior citizens and brings food to needy families.
- He is a quality person.

Mayor Lambeth presented retiring Officer Palmeter with a resolution of appreciation of service.

Officer Palmeter thanked everyone and thanked the Chief for the chance to do his lifelong dream of being a police officer.

## APPROVAL OF CONSENT AGENDA

- 1. Accept resignation of Ronnie Pernell from the TDA committee -term ends 12/31/10
- 2. Approval of contract for the MAKO Band to perform at the 2011 Street Festival at a cost of \$800
- 3. Approval of contract for Palace Theatre in amount of \$1,134 for Parks and Recreation Committee sponsored trip
- 4. Accept resignation of Lisa Humphrey from the Citizens Finance & Budget Advisory committee
- 5. Adopt Resolution R10-15 Appreciation of Service to retiring officer Ed Palmeter
- 6. Approve budget amendments 11-12, 11-13, 11-14, 11-15, 11-16, 11-17, 11-18, 11-19, and 11-20
- 7. Finance Department report October 2010
- 8. Building Department report October 2010
- 9. Fire Department report October 2010
- 10. Police Department report October 2010
- 11. Meeting Minutes
  - a. 10/19/10 regular
  - b. 10/19/10 closed legal/personnel
  - c. 10/22/10 special Ocean Front Park

MOTION – Commissioner Swearingen made the motion to approve the consent agenda with no changes.

SECOND - Commissioner Nelder

VOTE - Unanimous

## ADOPTION OF THE AGENDA

Mayor Pro Tem Keener and Commissioner Dugan stated they would like the following changes to the agenda:

- Move item # 6 of new business to number 1
- Move item # 5 of old business move to number 2
- Delete item # 3 on old business (irrigation meters put off for month)

MOTION - Commissioner Nelder adopt revised agenda

SECOND - Commissioner Dugan

**VOTE** - Unanimous

## PRESENTATIONS TO COUNCIL

Greg Adams of Thompson, Price, Scott & Adams on FY09-10 audit

Mr. Adams presented Council with a copy of the unqualified audit stating

• 1<sup>st</sup> page – call if questions

Read # from first page – quote from audit for WF and GF

- Undesignated \$
- The minimum required 8% Town's is 44.67% ??
- Tax collection rate is 99.25% well above the State average
- There were no significant audit findings, no difficulties encountered and no uncorrected items.
- There were no disagreements with management.
- There was one finding which was segregation of duties. Most Towns this size are too small to segregate duties for optimum segregation of duties.
- We recommend the Town set a Fixed Asset policy with capital item additions at \$5,000. Right now it is at \$500. You shouldn't depreciate anything less than \$5000.
- GASB 54 goes into effect next year and changes the way fund balances are described, so will see some changes in reporting.
- Arlen (Finance Officer) has a lot of experience. I think journal entries next year will be slim to none. You are in good hands with Arlen.

Question from audience: are there contingent liabilities such as significant lawsuits? Mr. Adams replied the only contingent liability is the retiree health care benefits. There are no significant lawsuits we could put a dollar amount on.

\$98,340 GF \$14, 6??? WF page 36

## PERSONS TO ADDRESS COUNCIL

- 1. Priscilla Smith, Chairman of Beach Protection committee:
  - Thanked Department Heads saying the committee couldn't accomplish what they do without staff help.
  - Handed out the committee's accomplishments and asked Council to read.
  - Brought to Council's attention that the committee met with Fire Chief Heglar to discuss beach safety interests. The committee feels there is a need for an additional lifeguard tower for the south end because there are more people in that area. They want Council to approve one additional lifeguard tower for the south end for next year.
  - We think the access on Davis Road needs building up and additional.
  - We want to see additional ticketing on items left on the beach to send a strong message to people. We will continue to petition Council to support this item.

Mayor Lambeth stated the Council will consider another lifeguard tower when doing next year's budget.

- 2. Grace McGee, Citizens Finance and Budget committee stated:
  - The audit talked about where you stand now. Our committee is considering how
    you spend the money and where you spend and want to help with making the
    decisions.
  - There is a macro environment in the country that says funds are going to be restrictive. Taxes won't be growing as they have in the past. This means more emphasize needs to be put how Council spends.
  - As part of the preparation for the upcoming budget, we want to look at what the Town is about, why it is an independent town as opposed to having the county provide services?
  - We want to take ideas and flesh them out into what services the Town can do and does do and the goals for that service. We want a statement as to what functions each department is for what is their mission? Are they required or mandated by State, Federal, County or Town discretion? We want each department to identify their services as to whether they are mandated or discretionary and then look at the Council's idea of services to be provided and role those up into goals for the Town.
  - This is a long term process to encourage the Council to look at what we do first before looking at numbers. It will make Council's job easier with demands on limited funds.
  - We ask Council to consider adding a 5 year capital projection and breaking out current activities into mandatory or discretionary. The committee is offering their services to work with Council and committees to help. This would be step one prior to the January retreat to scope out individual missions and goals of the departments. It would help to look at are whether there are other ways of doing what we do. Do we need to reallocate resources? This will help you know the big picture.

Ms. McGee handed out back up material to Council.

Commissioner Swearingen commented that the committee is thinking out of the box about how we can operate more efficiently from a financial standpoint. Council needs a mission statement and so do the departments. We need to know priorities for budgeting and we hope to address this further at the retreat in January.

3. Discussion and consideration of resignation of Tony Garibay from the Storm water committee and the committee request for an alternate member.

MOTION – Commissioner Swearingen made the motion to accept the resignation of Tony Garibay from the Storm water committee.

SECOND: Commissioner Dugan

VOTE: Unanimous

MOTION – Mayor Lambeth made the motion to add an alternate to the Storm water committee.

SECOND – Commissioner Nelder

VOTE - Unanimous

## DEPARTMENT HEAD ITEMS

Town Clerk Avery requested permission to close Town Hall at 11:30 am on Wednesday, 11/24/10 to allow staff to attend the employee appreciation luncheon and have the afternoon off.

MOTION – Commissioner Dugan made motion to close Town Hall at 11:30 am on Wednesday, 11/24/10 to allow staff to attend the employee appreciation luncheon and have the afternoon off.

SECOND - Commissioner Nelder

VOTE – Unanimous

Finance Officer Copenhaver requested Council adopt a Capital Assets Policy raising the level for capital assets from \$500 to \$5000 retroactive to July 1, 2010. He stated that adoption of the policy will help with financial reporting.

## Discussion:

Mayor Lambeth asked if this had been discussed with the Department Heads. Finance Officer Copenhaver replied that he had not discussed with Department Heads as it doesn't impact them. It is a reporting matter and will make the audit process easier.

MOTION – Commissioner Swearingen made the motion to adopt the Capital Assets Policy as presented by the Finance Officer retroactive to July 1, 2010.

SECOND – Commissioner Nelder

VOTE - Unanimous

#### OLD BUSINESS

- 1. Discussion and consideration of parking
  Jim Smith, a member of the SLAP committee reported on a conversation with Lanier
  Parking stating:
  - Lanier Parking provided us with a design to arrange parking at the corral and Joe Eakes Park to allow twenty- seven regular spaces with two handicap spaces at the corral and ninety-seven regular and four handicap spaces at Joe Eakes Park.
  - We want Council to review the design and approve it so Public Works Director Beeker can buy bumpers and install before the season begins.
  - The funding would come from the SLAP budget.

#### Discussion:

So there is no change in the corral entrance? (Dugan)

Mr. Smith – no, according to Lanier we lose four spaces by using an easement on the AT&T property as the entrance to the corral.

Is this only grass, no gravel? Was this run by the Fire Chief? (Swearingen) Mr. Smith – yes, Joe Eakes Park can only be grass.

Mr. Smith – I haven't shown it to the Fire Chief. Town Clerk Avery stated that all Department Heads were given a copy of the parking design and asked to respond.

MOTION – Mayor Pro Tem Keener made the motion to approve fixing the corral and Joe Eakes Park with parking as per the plan presented and authorize Public Works Director Beeker to purchase one hundred plus bumpers for parking to be paid for out of the SLAP budget

SECOND - Commissioner Nelder

**VOTE** - Unanimous

2. Discussion and consideration of directing the SLAP committee to look into paid parking on the east side of 421 to encourage day trippers to park on the west side of 421 and therefore better utilize existing parking

Commissioner Nelder stated he wants to direct the SLAP committee to look into paid parking on the east side of 421, to determine what price might be suitable to make it profitable or enough for the Town to hire whatever needs to be, to encourage more parking utilization on west side of 421.

## Discussion:

Are you proposing paid parking in the B1 and on east side of Fort Fisher? (Lambeth) Nelder – not just the B1.

What are the north and south parameters? Nelder – N Avenue and Davis Road

Based on the last two studies, it's my understanding it will be individual meters for each space. Have you talked with the committee? (Dugan)

Nelder – that would be for SLAP to decide. I have talked with the liaison.

I think it is something SLAP wants to do. At least let's get the facts. (Keener)

MOTION – Commissioner Nelder made the motion to have the SLAP committee look into paid parking on the east side of 421 not necessarily in the business district depending on what they determine and what the charge would be to make it feasible between N Avenue and Davis Road.

SECOND - Mayor Pro Tem Keener

VOTE – Motion carried by a vote of three to two with Keener, Nelder, Dugan in favor and Swearingen and Lambeth opposed.

2. Discussion and consideration of change order from Lisle Architecture & Design in amount of \$13,700 and any other items related to the Ocean Front Park

Discussion on change order:

An audience member asked what the changes were and stated we were in the preliminary stages.

Commissioner Dugan read the changes on the change order.

Mayor Lambeth asked if these changes were in their contract. Town Clerk Avery replied that they were in addition to their contract.

Has there been any discussion with the firm? (Dugan)

CONSENSUS - Commissioners Swearingen and Dugan and Town Clerk talk with Lisle Architecture and Design and get more information.

Discussion on pavilion design:

Mayor Lambeth stated that the consensus of the folks in the audience at the public hearing held earlier in the evening was for design option number two with a pavilion without the widow's walk.

We should move the stage back so there is less classroom and more stage, less depth not width. (Swearingen)

Withers and Ravenel Greg Lambert replied that it is not going to gain anything by doing that. There is no way to make the stage wider.

MOTION – Commissioner Dugan made the motion to proceed with design option number two for the pavilion as presented.

SECOND - Commissioner Nelder

VOTE – The motion carried by a vote of four to one with Lambeth, Keener, Nelder and Dugan in favor and Swearingen against.

Discussion on parking:

Mayor Pro Tem Keener stated:

- We had a terrible time trying to come up with a design and we had the same issue with parking. I want to address and put that to bed. It has been a big struggle.
- There are two sides. One side wants no parking removed and the other side wants no parking in front of the park at all.
- I have been working with Dan Bell (attorney for Mike Robertson) on a compromise. If you go by the drawing used to get the grants, it removes six spaces, not sixteen. I propose only removing six spaces and build a new walkway in the center of the park. Where ever you are in the park you have a view of the ocean and pier, but you can't really see the ocean from the park. I asked CAMA about moving the walkway.
- The compromise removes only six parking on the east side of Atlantic Avenue and allows two parking spaces on the west side in front of the public restroom for maintenance and two on the other end for two loading zones.
- The conservation easement doesn't prohibit parking on Atlantic Avenue. Since some of the funds are from the Department of Coastal Management (DCM), they want as many parking spaces as possible to remain. Since they are giving us \$200,000 it wouldn't hurt to listen to them.

The crosswalk was designed in relation to the infiltration system. We can't move it. (Lambeth)

Where we are right now is we removed a number of spaces to be not less than ten nor more than twelve on the east side. The compromise is to add parking? (Dugan)

Keener – the compromise is to remove only six spaces and add four loading zones. The business section is fighting the whole park and has contacted all our grant representatives, etc to stop parking from being removed. I believe this will stop their efforts if we compromise.

This takes out the chicane. Are you aware of the letter from DCM from October to Mr. Bell? (read letter) The chicane was put in specifically to slow traffic. I'm not sure the loading zone has not been overlaid with the infiltration system. Have you done that? The engineer says that it is not to be driven over. I would be reluctant to agree with a loading zone at the south end of the park until we see the layout of the storm water system. Do you plan on these loading zones being permeable? It will affect the square footage cost. My own measurements of the original concept with chicane makes me think we could get away with only removing nine spaces when actually laid off. (Lambeth)

Keener – with three parking spaces do you want the opposition to continue against the Park?

I personally would like to see the chicane. (Lambeth)

The letter you read didn't say anything about the chicane. (Swearingen)

Withers and Ravenel representative Greg Lambert stated the committee wanted to slow the traffic and give a direct view to the ocean from the majority of the park. If we look at the concept of the park, it lines up with the existing crossover. If you have more cars, you lose vegetation. If you keep the road straight you are losing a good part of lawn area and the heart of park.

An audience member commented that in some of the original meetings, I said we couldn't lose more than four spaces. SLAP's position was not to lose more than six. It was reps from marketing and other committees that live in the B1 that were adamant about no parking.

## Attorney Dan Bell stated:

- There are two issues: parking and a compromise for the Town.
- I represent Mike Robertson. He doesn't like this compromise. H wants to keep all the spaces because it is good for his business. That isn't what is good for the
- There are issues for CAMA accesses if you take them away. The Heritage grant fund wanted to take out the road. Mayor Montgomery wrote a letter stating there would be a compromise. The next document was an easement that has been recorded with the Register of Deeds and attached to that is a drawing showing six spaces are removed.
- I have been in contact with the Heritage Trust fund and they want to say the only reason for the attachment is permeable pavers. From a legal standpoint that doesn't make any sense. If necessary, we will go forward. There are four issues:
  - o access to the beach
  - o a need to not unnecessarily harm the businesses
  - o maintenance where will the Town truck park
  - o where are the people/ bands/ etc to park?
- I invite anyone to come with me to the park spot and I will walk through and guarantee you can't see the ocean only the benches. If you walk from one end to the other, you have a million dollar view of the ocean either way. Other ways to slow traffic down are to use bumpers, better signage or hike up the cost of a ticket in that area. This compromise is the best all around solution and I give Chuck (Keener) credit. We will write a letter tomorrow to all people that whatever opposition we have is gone, if you pass this. It should be about compromise and move it forward so it benefits the whole Town and not one individual. I urge you to accept it.

You have brought up a couple of times that there is a reduction in beach accesses – where does that occur? (Dugan)

Bell – I said a reduction in parking, not a reduction in beach access.

Chuck is a great mediator. I appreciate the time he put into this and I'm sorry we got to this point, so that every time we do something someone doesn't like they take it out on us. (Swearingen)

I can't assess this compromise until the points of contention with the loading zone areas are overlaid with the infiltration system. I don't know they can't be put there. We have to run the numbers again with Engineering Services based on non pervious surface. A compromise might be in order, but we are putting the cart in front of the horse. (Lambeth)

MOTION – Mayor Pro Tem Keener made the motion to accept the compromise plan. SECOND – Commissioner Nelder

VOTE – The motion carried by a vote of three to two with Keener, Nelder and Swearingen in favor and Lambeth and Dugan against.

- 3. Discussion and consideration of proposed sign ordinance final amendment Planning and Zoning (P&Z) Chair Craig Galbraith stated:
  - The original sign ordinance was in 2003 and it was an incomplete ordinance.
  - Issues are that we need to clean up the language and fill any loop holes while looking at the Sawyer study.
  - Council has had a public hearing. Most of the concerns expressed at the last public hearing were for parts that were already adopted. The have already passed and been incorporated in the ordinance for a year and a half.
  - Essentially what we have is the base 2003 ordinance and 2009 amendments. The document before Council has different colors and additional elements. There are a number of problems. There are things adopted that are in the draft amended sign ordinance.
  - The controversial issue is amortization.
  - I thought the 'intent' section had already been added as part of the ordinance, but it hasn't. I recommend Council adopt the intent section tonight.
  - I also recommend adding the definition of canopy signs.
  - I recommend adding the definition on Extraterritorial jurisdiction tonight.
  - I recommend replacing the table in 19-382 with the schedule of signs P&Z has recommended. The existing sign ordinance has an 'x' for what is not allowed. But there is nothing in the spaces.

#### Discussion:

Is it within our power to make a motion to not let a part of our sign ordinance not be in effect for a portion of time? (Dugan)

Attorney Canoutas – yes, that's a moratorium and requires a public hearing.

Is there action we can take until another council meeting to stop anything being passed under sign ordinance? (Dugan)

Attorney Canoutas - no

Galbraith – this was all presented at a public hearing last month. The issue of moratorium is that there are significant loop holes that need to be closed. I propose Council approve elements that were part of the discussion.

Attorney Canoutas – Council may adopt a proposed new sign table for 19-382 as presented at the public hearing. This will take care of the existing problem. Any other changes have to have another public hearing.

How does this impact non - conforming? (Swearingen) Galbraith -- it doesn't impact non - conforming. That is only for new signs.

I think we should adopt it because it doesn't have anything to do with existing signs. (Nelder)

MOTION – Commissioner Nelder made the motion to adopt the 'intent' section and the schedule of sign regulations to close the loophole that doesn't impact new signs. SECOND - Commissioner Dugan

**VOTE** - Unanimous

Said 'intent' section and schedule of sign regulations is herein included as part of these minutes.

4. Discussion and consideration of Coeco contract for printer in Town Hall Attorney Canoutas stated he recommends agreeing to the terms of the rewritten maintenance agreement with potential savings of \$100 a month. We can't get out of the contract because it was budgeted.

Mayor Lambeth called a recess at 8:30 pm. Mayor Lambeth resumed the meeting at 8:40 pm.

## **NEW BUSINESS**

1. Discussion and consideration of request from Community Center committee to allow those renting center to bring in an alcohol vendor.

Mayor Pro Tem Keener stated that the Community Center wants permission to allow those renting the center to bring in a vendor to serve alcohol.

## Discussion:

Is the Community Center going to charge more for people having alcohol? (Lambeth) Keener – no, the alcohol vendor will pay more.

Lori Eccleston, committee member, stated that they don't want to be the vendor, but want to allow the renter to contract with a vendor so we can rent the center more.

Have you done any checking on this one time use for alcohol permit? (Dugan)

Ms. Eccleston—no, only Chuck. I talked with the alcohol vendor that did the street festival.

Are there other municipalities that offer this service? I think we don't have enough information. (Dugan)

Attorney Canoutas stated that the Town has two ordinances, 12-56 and 3-1 subsection b that will have to be changed. Normally, if an individual rents Town property and wants to sell alcohol, he goes to ALE and gets a permit for one day. The contract is between the party getting the permit and ALE. The individual homeowner policy will kick in. It generally requires a special event policy naming the Town as an additional insured. We want to do that if the individual serves a person too much and there is injury or death, the Town will be sued, but the policy will protect.

Is that insurance required for ALE permit? (Lambeth) Canoutas – no

Ms. Eccleston – how will it fit with dances and we allow people to bring their own alcohol?

Canoutas – they are breaking the law.

Debbie Price asked what happens if a committee sponsors an event? Canoutas – the committee is the Town. The Town has to give you permission. We would rely on are own liability policy. I suggest the committee check with Wilmington's attorney.

Commissioner Dugan suggested the committee liaison research further.

If this comes about, do we have to have public hearing to change ordinance? (Swearingen)

Capoutas – no

CONSENSUS- Mayor Pro Keener to research more.

2. Discussion and consideration of selling Town property on Sandman and using proceeds to help pay for the Ocean Front Park land debt

Mayor Lambeth stated he thinks there are four lots on the property the Town owns on Sandman. I think the property should be plotted. There may be an easement on one of the lots.

Discussion:

If we sold that property, Beach Walk owned property at the end would be land locked. (Nelder)

Lambeth – that property was originally land locked.

In this repressed real estate market what do you think we could get for these lots? (Nelder)

Lambeth - \$250,000 each

You would gain more money if you sold one lot of the Ocean Front Park. We have very little green space and you are willing to sell what green space we have to pay for the Ocean Front Park? You could cordon off one lot that has been subdivided into four lots, where they were going to build four ocean front houses. They would go for \$800,000 or a million. If you sell one of those, you would have enough to pay off the debt. (Nelder)

How much will that cost? (Swearingen) Lambeth - \$600 to \$700

That's my backyard, so I won't comment. (Keener)

MOTION – Mayor Lambeth made the motion to have four lots on Sandman plotted and find the easement.

SECOND – Commissioner Dugan

VOTE - The motion carried four to one with Nelder against.

3. Discussion and consideration of appointment to TDA due to resignation of Ronnie Pernell

Mayor Lambeth stated that the number of terms the current member Ronnie Pernell may serve is expiring this December. County Commissioners appoint the Town's representative to the Tourism Development Authority committee. They are accepting applications until December 12, 2010. The applicant must be an owner or manager of a hotel in Kure Beach and must live in New Hanover County.

MOTION – Commissioner Nelder made the motion to advertise for this position SECOND – Commissioner Dugan VOTE - Unanimous

4. Discussion and consideration of letter agreeing to changes to the Cape Fear Arch Conservation Collaboration Memorandum of Understanding (MOU) extending the term of the MOU for successive five year terms beginning March 2010 and agreeing to the Town's continuing support

Commissioner Nelder stated that thirty odd different organizations are part of the Cape Fear Arch from Georgetown to Atlantic Beach. They are a conglomeration of environmentally concerned organizations.

#### Discussion:

What services do they provide to the Town of Kure Beach? (Dugan)

Nelder — it is an information consortium and would provide whatever information the

Town would like regarding environmental issues.

Does it cost anything? (Swearingen) Nelder - no MOTION – Commissioner Nelder made the motion to continue membership for the next 5 years.

SECOND – Commissioner Dugan

VOTE - Unanimous

5. Discussion and consideration of scheduling retreat for late January 2011 to have a mid-year budget review and begin pre budget discussions for new fiscal year.

Mayor Lambeth recommended scheduling a retreat for late January 2011.

#### Discussion:

Is the intent for it to be budgetary only? (Dugan) Lambeth—it will be all encompassing

Long range planning would be a part of it. Did we have a mission statement? (Swearingen)

Attorney Canaotus – yes we did but it wasn't followed.

MOTION – Mayor Lambeth made the motion to schedule a retreat for Wednesday, January 19, 2011 starting at 9 am until finished. The Town will provide lunch. SECOND – Commissioner Dugan

**VOTE** - Unanimous

#### CLOSED SESSION

MOTION – Commissioner Dugan made the motion to go into a closed session to discuss legal/personnel matter at 9:11 pm.

SECOND - Mayor Pro Tem Keener

VOTE - Unanimous

MOTION - Commissioner Nelder made the motion to return to open session at 10:10 pm.

SECOND – Mayor Pro Tem Keener

VOTE – Unanimous

#### ADJOURNMENT

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MOTION—Commissioner Nelder made the motion to adjourn at 10:12pm.

ECOND - Mayor Pro Tem Keener

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Unanimous

Dean Lambeth, Mayor

y Aver Town Clerk