

Minutes

Rutherford College Town Council Meeting

December 5, 2011

CF3, Track 11

6:30 PM Agenda Review

Mayor Huffman called the Agenda Review to order with all Council except Tom Wallrichs present. Town Manager, Mr. Geathers, stated that he had just received a letter on behalf of Abernethy Memorial United Methodist Church asking the Town to allow the Church to turn over their small percentage of interest in 1000 Malcolm Blvd to the Town. Mr. Geathers proposed adding this to Old Business Item V: Miscellaneous. Mr. Geathers further proposed adding an Item VI for Auditor's Contract. The Clerk also asked the Council to consider moving New Business Item I to before the Oath of Office for newly elected Council.

7:00 PM Regular Meeting

CALL TO ORDER/ Mayor Jimmy O. Huffman, Sr.

(All Council was present.)

MOMENT OF SILENCE/ Pastor Sally Queen led a moment of silence in remembrance of LaVaida Baker.

PLEDGE OF ALLEGIANCE/ Led by Pastor Sally Queen

INVOCATION/ Sally Queen

APPROVE/AMEND AGENDA/ Council McClure made a motion to make the following changes to the agenda:

1. Move New Business Item I: "Resolution Honoring the Service of Thomas Wallrichs and Richard Icard" to before the Oath of Office for newly elected Council members.
2. Add "Acquisition of 1000 Malcolm Blvd." to New Business Item V: "Miscellaneous"
3. Add New Business Item VI: "Auditor's Contract Renewal"

Vote was unanimous.

APPROVE/AMEND MINUTES/ Council Satterwhite moved to approve the minutes for the November 7th and 21st meeting with a change on the November 21st minutes of acknowledging the Public Comment period during the Public Hearing in which there was no comments from the audience. Vote was unanimous.

PUBLIC COMMENTS/ There were no comments made at this time.

MANAGER'S REPORT/ Town Manager, Kenneth Geathers, asked if the Council had any questions or concerns regarding his manager report which was included in their agenda packets. The following concern was brought to the Manager's attention.

1. Council Satterwhite stated that the "Water & Sewer Accounts" report on page 3 showed a significant amount of water in which we are not billing for. He further stated that the Town may need to look into the feasibility of having Rural Water use their resources to find any leakage. The Town needs to look into identifying where we are losing water. Mr. Geathers stated that there are a lot of tangibles involved including the fact that the water system infrastructure is 45 years old. Mr. Geathers will continue to look into the situation.

RESOLUTION/ Honoring the Service of Thomas Wallrichs & Richard Icard

Mayor Huffman read a Resolution honoring Thomas Wallrichs and Richard Icard. See attached Resolutions. The Mayor stated that Mr. Wallrichs and Mr. Icard were great assets to the Town Council and its citizens. He further stated that Mr. Icard had resigned his position earlier in the year, but both individuals will be missed. Council Gary McClure addressed Council Wallrichs by saying that it had been a privilege serving with him, and that he will always value the guidance that Mr. Wallrichs has given him through the years.

OATH OF OFFICE FOR NEWLY ELECT COUNCIL

Town Manager, Kenneth Geathers, led the Oath of Office for re-elected Bill Satterwhite and newly elected Wayne Annas. Newly elected Mark Stinson was unable to attend due to work related issues. His oath will be taken at the January meeting. See attachments.

NEW COUNCIL TO BE SEATED

VOTE FOR MAYOR PROTEM/ Each member of the board voted via silent ballot. After reviewing the ballots, Attorney Ayers stated that Council Gary McClure will be the Mayor Protem for the 2012/2013 term.

NEW BUSINESS:

- I. ***Elect WPCOG Policy Board Delegate and Alternate/*** Council Satterwhite moved to elect Council McClure as the Delegate and Council Annas as the Alternate for the Western Piedmont Council of Governments Policy Board. Vote was unanimous.
- II. ***Amend WPCOG Contract for Technical Service/*** Mr. Geathers recommended that the Town Council amend the WPCOG Technical Assistance contract to cut Mr. Wear's hours from eight (8) a week to four (4) a week effective January. Mr. Geathers stated that his managerial duties will involve both Land Use Planning and Code Enforcement. Mr. Wear will still be available as needed outside of those assigned hours. Mr. Geathers further stated that the WPCOG will still be a vital part of our operations. Council McClure moved to amend the Western Piedmont Council of Government's contract for technical service from eight (8) hours a week to four (4) hours, effective January. Vote was unanimous.
- III. ***Change January Meeting Date due to New Year's/*** Council Satterwhite moved to change the next regularly scheduled meeting date from January 2nd to January 9th due to the New Year's holiday. Vote was unanimous.
- IV. ***Miscellaneous***
 - a. **Public Nuisances Ordinance/** Mr. Geathers stated that the Planning Board has made a recommendation to approve changes to the Public Nuisance Ordinance. Mr. Geathers asked the Council to review the revised ordinance and to be prepared to set a Public Hearing at the January Meeting.
 - b. **Acquisition of 1000 Malcolm Blvd/** Mr. Geathers stated that Abernethy Memorial United Methodist Church has offered to transfer its 2% interest in 1000 Malcolm Blvd. to

the Town. Attorney Ayers stated that there appears to be a pending lawsuit, possibly a partition lawsuit, on this property, and that he recommends letting him research this lawsuit and see what this would mean for the Town if they accept this offer. He will report back at the next meeting.

- c. Town's Finances/** Mr. Geathers recommended that the Town Council consider letting the administration research the prospect of moving finances to another institution. The only facility that has been researched so far is BB&T which has a slightly lower interest rate than First Citizens. The reasoning for this consideration is due to the fact that although First Citizens hold all of the Town's account, they failed to finance the property at 920 Malcolm Blvd. BB&T has offered to do the financing for the property. Council Gary McClure moved to transition the Town's banking from First Citizens to BB&T. Vote was unanimous of Council present. Mr. Geathers confirmed that the CDs currently at First Citizens will be left to mature before they are transferred.
- V. Auditor's Contract Renewal/** Mr. Geathers stated that in this new contract the price has increased from \$83 per hour to \$85. He further emphasized the great relationship the town and finance officer has had with Mr. Bowman through the years. Council Satterwhite moved to renew the contract of \$85 per hour for the 2012 year. Vote was unanimous.

COMMENTS/OTHER

Mayor Huffman reminded the Council and audience that the Rutherford College Parade will be held at 3:00pm on December 10th. The Christmas in the Park festivities will be held immediately after in the town park.

Council Abernethy questioned whether anything is being done about buffering the recycle containers on Campus St. This had been discussed in a previous meeting and is being researched. Mr. Wear did confirm that the town ordinance does require buffering for garbage/ recycle bins, if they were not grandfathered in prior to the ordinance being adopted.

Council Satterwhite stated that also at a prior meeting the Council voted on repairing the pull-off onto recycle bin area. The water has washed away the entrance causing it to be a hazard to vehicles. This has yet to be fixed.

ADJOURN/ Council Satterwhite moved to adjourn the meeting at 8:00pm. Vote was unanimous.

Respectfully submitted,

Jessica S. Bargsley
Town Clerk

Approved:

Mayor Jimmy O. Huffman, Sr.

Date: _____