

CITY OF EDEN, N. C.

The regular meeting of the City Council, City of Eden, was held on Tuesday, June 21, 2011 at 7:30 p.m. in the Council Chambers, 308 E. Stadium Drive. Those present for the meeting were as follows:

Mayor:	John E. Grogan
Mayor Pro Tem:	Wayne Tuggle, Sr.
Council Members:	Donna Turner
	Darryl Carter
	Jerry Epps
	Gene Hagood
	Jim Burnette
	Jerry Ellis
(absent)	
City Manager:	Brad Corcoran
City Clerk:	Sheralene Thompson
City Attorney:	Erin Gilley

Representatives from Departments:

Representatives from News Media: Latala Payne, Eden News; Roy Sawyers, RCENO; Lisa Doss, Edens Own Journal; FOX 8 News; WXII News; Brian Ewing, Greensboro News & Records

MEETING CONVENED:

Mayor Grogan called the regular meeting of the Eden City Council to order and welcomed those in attendance. He explained that the Council meets the third Tuesday of each month at 7:30 p.m. and works from a prepared agenda; however, time would be set aside for business not on the printed agenda.

He also stated that he was so excited because they have a number of people there who worked extremely hard on their project to become an All American City. He then asked them all to stand and raise their hands. They had 30 people go out there and most of them did not know each other, but they were certainly one big happy family now. He also wanted to thank Mr. Roy Sawyers of RCENO as he had placed the presentation on his website. He added that since they won what a proud day it was and he wanted to thank the people who gave donations as it took all of that to help them go. He explained that they did not use any city money.

INVOCATION:

Council Member Epps gave the invocation followed by the Pledge of Allegiance led by Fire Chief Tommy Underwood.

PRESENTATION:

(a) Presentation by American Legion Post 254.

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Mayor Grogan asked Mr. David Turner, Post Commander for American Legion Post 254 to come forward.

Mr. Turner came before them to make a presentation of a photograph of the flags their Post placed at Freedom Park, along with a plaque, thanking the Council for letting them give something back to the city and hopefully this was the beginning of something that they continue in the future, veterans helping veterans and veterans making this community better. He added that he was glad they were an All American City and hopefully they can help participate in the future. He thanked them again for letting their Post do this project.

Mayor Grogan thanked him and pointed out that this was what an All American City does.

SET MEETING AGENDA:

A motion was made by Council Member Epps seconded by Council Member Carter to set the meeting agenda. All Council Members present voted in favor of this motion.

PUBLIC HEARINGS:

(a) Consideration a zoning text amendment request and ordinance to amend Section 11.24(p) – the Mobile Home Overlay District of the City of Eden Zoning Ordinance to allow only double wide or greater manufactured homes in the Manufactured Home Overlay District. Request submitted by the Planning Board. ZONING CASE Z-11-08.

The City has received a zoning text amendment request initiated by the Planning Board to amend Section 11.24(p)(1) – the MH Mobile Home Overlay district of the City of Eden Zoning Ordinance to allow only double wide or greater manufactured homes.

The Planning Board considered this request at their regular meeting on May 24, 2011, and recommended that the amendment be approved.

Mayor Grogan called for a public hearing and asked Ms. Kelly Stultz, Director of Planning & Inspections for a report.

Ms. Stultz explained that the Manufactured Home Overlay District (MH) is established to provide greater flexibility and increased alternatives for the siting of manufactured dwelling units. It is the intent of these regulations to ensure that such dwelling units are located so as to conform to the greatest extent possible with the character of the existing housing stock in the surrounding area.

The MH district regulations currently specify only “Class A manufactured homes”. The original intent of the ordinance was that specifying “Class A manufactured homes”, along with length-to-width ratios and square footage minimums (specified in Sec. 11.29(a), *Manufactured Home: Class A*) would allow for only double wide manufactured homes. Staff is of the opinion that specifying double-wide or greater manufactured homes makes the district regulations more clear. In addition, specifying double-wide or greater manufactured homes helps to ensure that any new manufactured homes located in the district will conform more closely to the existing dwellings already in these districts.

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Based upon the foregoing information, staff recommends in favor of the request.

Mayor Grogan called for a public hearing asked if anyone would like to speak in favor or in opposition of this request. As no came forward or had a comment he then called the public hearing closed.

A motion was made by Council Member Tuggle and seconded by Council Member Hagood to approve a zoning text amendment request and ordinance to amend Section 11.24(p) – the Mobile Home Overlay District of the City of Eden Zoning Ordinance to allow only double wide or greater manufactured homes in the Manufactured Home Overlay District. All Council Members present voted in favor of this motion.

(b) Consideration of a zoning map amendment request and ordinance to rezone property on Riverside Drive, off of Decatur Street and off of Grove Street from Residential-4 and Industrial-1 to Residential-4/MH (Manufactured Home Overlay). Request submitted by Spray Cotton Mills and Irvine River Company. ZONING CASE Z-11-06.

The City has received a zoning map amendment request filed by Spray Cotton Mills and Irvine River Company for property on Riverside Drive, off of Decatur Street and off of Grove Street. The request is to rezone the property from Residential-4 and Industrial-1 to Residential-4/MH (Manufactured Home Overlay).

The Planning and Inspections Department recommends approval of the map amendment request. At their May regular meeting, the Planning Board voted to recommend that the City Council approve this request.

Mayor Grogan called for a public hearing and asked Ms. Kelly Stultz to come forward for a report.

Ms. Stultz explained that the request is to rezone approximately 7.06 acres from Residential-4 and Industrial-1 to Residential-4/MH (Manufactured Home Overlay). The R-4 district is established as a district to serve the needs of the public for dwelling units, including manufactured homes, while maintaining a standard of land use to uphold the purpose and integrity of the Zoning Ordinance. The construction of manufactured homes and dwellings are regulated by different codes, therefore the manufactured homes are permitted as conditional uses to maintain a standard for the health, safety and well-being of all citizens. The I-1 district is established as a district in which the principal use of land is for industries which can be operated in a clean and quiet manner. The Manufactured Home Overlay district (MH) is established to provide greater flexibility and increased alternatives for the siting of manufactured dwelling units. It is the intent of these regulations to ensure that such dwelling units are located so as to conform to the greatest extent possible with the character of the existing housing stock in the surrounding area. A MH overlay district may be established upon any residential zoning district. All uses and regulations for the MH overlay district are supplemental to those uses and regulations in the underlying district, except where such regulations conflict. In cases of such conflict, the more stringent regulations shall apply. The MH overlay district allows only Class A manufactured homes; it does not permit single-wide mobile homes, but only allows double-wide manufactured homes on permanent foundations (see Sec. 11.29(a) Definitions, Manufactured Home: Class A.)

The subject property consists of 18 parcels located along Riverside Drive and Warehouse Street in a residential neighborhood. The property is bordered on the south side by existing I-1 property which used to contain a former textile mill, now demolished. The property to the north and west of the subject property (across Riverside Drive) is an existing R-4 neighborhood containing older single

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family homes. Adjacent to the subject property (on the east side) is undeveloped R-4 property bordered by a canal and the Smith River. The 2007 Land Development Plan recommends Traditional Neighborhood development for this area.

The subject property contains several older single family dwellings. The adjoining residential neighborhood contains older single family homes, including some existing mobile homes. There has been no recent development pressure in the area.

Based upon the character of the area and the high density residential uses in the area, staff recommends in favor of the request.

Mayor Grogan asked if anyone would like to speak in favor or in opposition of this request. As no came forward or had a comment he then called the public hearing closed.

A motion was made by Council Member Epps seconded by Council Member Tuggle to Consideration of a zoning map amendment request and ordinance to rezone property on Riverside Drive, off of Decatur Street and off of Grove Street from Residential-4 and Industrial-1 to Residential-4/MH (Manufactured Home Overlay). All Council Members present voted in favor of this motion.

REQUESTS AND PETITIONS OF CITIZENS:

Tiffany Haworth, 413 Church Street Eden addressed Council:

Ms. Haworth explained that she was the director of the Dan River Basin Association (DRBA) that was formed to preserve and promote the rivers. DRBA has worked with Eden in partnership to create a greenway, a river festival and three new river access points which has helped with tourism. She pointed out that those were the words she spoke less than a week ago in Kansas City which in front of a jury of experts from all over the country then voted to have Eden be an All American City because it was so focused on the environmental impact of its rivers and promoting it and using those rivers to brand the city and help with economic development as well as tourism.

She stated that there was a proposal for a landfill here in Eden which will destroy their chances to promote and preserve their river and also the health of their citizens here in Eden. She stated that she was there to oppose publicly and get it on record that DRBA had passed a resolution to oppose this landfill here in Eden for many reasons. She explained that she hoped that the City Council would also adopt a resolution to ban this landfill to keep Eden clean and a place where the environment matters, where people's health matters, their drinking water matters and where they could truly call themselves an environmental city.

Ms. T Butler, the corporate secretary of the DRBA, explained that she was also a proud member of the River Development Committee. She then read the following resolution:

DAN RIVER BASIN ASSOCIATION RESOLUTION OPPOSING CONSTRUCTION OF LANDFILL BESIDE DAN RIVER

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Whereas, the Dan River Basin Association is a 501c3 not for profit organization whose mission is to preserve and promote the natural and cultural resources of the Dan River Basin through stewardship, recreation, and education; and,

Whereas, the Dan River is a source of municipal drinking water for the City of Eden, North Carolina, the City of Danville, Virginia, and other municipalities both upstream and downstream; and,

Whereas, the Dan River is a major resource for the economic development of the City of Eden and Rockingham County, being used for recreation, tourism and industrial and residential development; and,

Whereas, the Whitt Family Farms LLC owns a 1700 acre tract having 4 miles of frontage on the Dan River, and including numerous wetland areas and intermittent streams that drain into the Dan River; and,

Whereas, the NC Wildlife Resources Commission has identified several Federal and State endangered, threatened, and rare species in the Dan River and has stated that the Dan River Aquatic Habitat, a Significant Natural Heritage Area, is within Dan River adjacent to and downstream of the property; and

Whereas, PBK Holdings, LLC has applied to Rockingham County for a Special Use Permit to build a private sanitary landfill on the Whitt Family Farms property; and,

Whereas, Mr. Kevin Combs, spokesman for PBK Holdings, LLC has stated in a public meeting that the proposed landfill will accept waste from out of state, with up to 500 trucks coming in daily to carry waste that includes the products of coal combustion, including coal ash, and will be a potential customer for out of state waste from energy drilling, included waste from beneath bedrock; and,

Whereas, the maps provided by PBK Holdings, LLC, with the Application for Special Use permit show road access to the landfill crossing the floodplain and indicate that landfill cells would be built within approximately 200 feet of the floodplain and within approximately 600 feet of the Dan River; and,

Whereas, the proposed landfill's proximity to the Dan River means that a single accident, storm event, failure of a landfill liner, or instance of human error has extremely high potential to cause toxic waste from the landfill to contaminate the Dan River; and,

Whereas, the presences of a riverside landfill that accepts industrial waste would cause harm to the economy of the City of Eden and Rockingham County by deterring businesses and industries from choosing to locate near such a site; and,

Whereas, contamination of the Dan River from a landfill on the Whitt Family Farms would jeopardize public health, safety and welfare for downstream users, including the City of Eden and Rockingham County, by polluting the drinking water supply, making the water unsafe for recreation, and causing costly shutdown of residential and industrial users of the river;

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Now, therefore be it resolved that the Board of Directors of the Dan River Basin Association, meeting on June 8, 2011, does hereby declare its opposition to the building of a landfill on the Whitt Family Farms near Eden, North Carolina.

Signed by Wayne Kirkpatrick, President; T Butler, Secretary; and Mark Bishopric, Treasurer.

Ms. Butler then presented a copy of the resolution to each member of Council.

Mr. William Osborne, 162 Oak Ridge Drive, addressed Council:

Mr. Osborne explained that he was chairman of the Rockingham County Democratic Party and he was there tonight speaking for the party. First of all he wanted to make a personal comment as he knew Grayson Whitt and that he was a fine and upstanding citizen who had represented his business well in this community and he hoped that going forward people would respect the quality man that he and his family were. With that he wanted to begin the comments of the Democratic Party.

He reviewed the recent earthquake in Japan and that it was easy to call that an extraordinary event that resulted in untold human, financial and environmental damage. He explained that what they have to remember when they look at that process, those reactors were designed by some of the world's finest nuclear engineers, physicists, and contractors he was sure, and they were under the scrutiny and regulation of the Japanese government and they had a system to avoid a nuclear breach, they had a backup system in case the primary system failed and they had a redundant system in case the backup system failed. There was to be no nuclear breach. He noted that they have seen how that worked out.

He stated that if you go to Kingston, Tennessee and the Tennessee Valley Authority where an embankment gave way releasing fly ash. The cleanup cost associated with that will be \$1.2 billion dollars. He pointed out that he was confident that that embankment facility and the containment facility for that fly ash were under the scrutiny of regulators.

He stated that if you go to Willow Creek in Alabama. There was a gypsum containment there and it ended up contaminating Willow Creek and eventually the Tennessee River. His point was the best science in the world cannot protect you from the unforeseen and people like to refer to these three events as being extraordinary. If they were going to accept the definition of extraordinary, the fact that a tornado hit Stoneville would be considered an extraordinary event, yet it did hit and someone died.

He explained that what they had in common to all of these three issues was a systemic failure of science to predict the unpredictable. The EPA makes it very clear and they did this in 2007, when they talk about the liners that are used in landfills. They will fail. They will degrade and they will fail. That was rule number one. Rule number two was that developers, scientists and engineers cannot change rule number one. They will fail.

It was complicated to understand the environmental science that goes with the landfill. What becomes even trickier was to understand the economics that were associated with this whole project. It was not inconceivable that the presence of this landfill, particularly in conjunction with the fact that they were looking at uranium mining to the north and fracking to their western border, those three environmental nightmares will leave them in an excellent position to never see another industry come to this area.

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They had to imagine themselves as a corporate recruiter and how do you sell that. As a real estate agent if you were working in your office and a customer calls in and was looking to move to Rockingham County, you ask that customer, do you want to be near the uranium mine, the toxic land dump or would you prefer to be near the fracking and all the chemicals associated with that. They were looking at attacks from all three sides and he hoped the City Council will take all three of these issues seriously.

He stated that the simple truth of the matter was when they talk about economics; most people assume that economics refer to the land values that were next to the landfill. Economics was a far more complicated than that. When you talk about economics, you talk about risk analysis, cost to benefit ratio, and you talk about consumer behavior. They live in an age where a Youtube video can go viral and be all over the world in less than 10 minutes. It was not hard to imagine a situation where someone shows a picture of a garbage truck dumping toxic waste, paddles down the river in a canoe 2.6 miles, takes a picture of the water intake for the City of Eden and then flashes on the screen a sign of Miller Brewing.

This issue was not unique to Miller Brewing. Coca Cola Bottling and Nestles Foods were located in Danville. This was not a local Eden issue. If you look at the cost benefit analysis of this situation they are talking about paying this county \$2 million. Take that \$2 million over a hundred years and you have \$200 million. Cleaning up Kingston Tennessee was \$1.2 billion, and that does not count the intangibles, the damage that has been done to that community. They tell them that they have a water monitoring system that was going to detect groundwater contamination. Well he had a fire alarm in his house. In the middle of the night when that fire alarm goes off he was glad to be awake but it did not put out the fire. They can talk about the fact that the developer was going to provide a bond, well by the bond it was much like life insurance. It does not pay off until you are dead. In this case the bond does not even come into effect until the developer has defaulted or moved beyond his means to handle the situation. So things that were being presented before this body as being real attributes are really nothing else but a means of controlling the disaster after it has happened and they do not work.

As for bringing up the issue of Miller, Nestle and Coca Cola, if you do not believe issues such as consumer behavior matter, consider the fact that in 1982 Tylenol had a tampering case in Chicago where six people were killed. Their market share fell from 33% to 7%. They lost millions of dollars and spent years trying to reclaim their image. There was another copycat case that affected Proctor & Gamble. Their product was so badly damaged that it never came back to the market. He stated that he believed that they, as the City Council, needed to establish the precedent here that water was their resource and they need to protect it. As a Democrat this was a really bizarre situation to him because this was one of the few times when the environmentalists were trying to protect the industry, but they were trying to protect the environment and the industry.

He explained that when he was in graduate school one of the ways they talked about the history of treating mental illness and one of the ways they treated it was to drill a hole in a person's brain to let the demons out. Those in graduate class just sat there laughing and asking "what are they doing?" He stated that he could envision a hundred years from now some man sitting on the banks of the Dan River wearing a HazMat suit and respirator saying "what were they thinking?" This was real and it was not just his or his son's generation. This was for thousands of years to come. If you look at the

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decay factor of Uranium-238 it was over 300,000 years. If you look at what the chemical substrate of what was in coal or fly ash, there was mercury, zinc, copper, arsenic; really the list goes on and on. These things do not go away overnight and they know the liners will fail.

He explained that he had been instructed by the executive board of directors and by the elected precinct officials, and by the general membership of the Democratic Party representing 27,000 in this county to advise the Eden City Council, the Rockingham County Planning Board, the Rockingham County Commissioners and any judicial body that has legal standing in this matter that the Democrats of Rockingham County are absolutely, firmly in opposition of this landfill construction. He thanked them for letting him speak.

Mr. Malcolm Allen addressed Council:

Mr. Allen explained that recently a group of concerned and dedicated citizens ventured to Kansas City to enter a national competition for an All-America City award. They were successful and they realize images are important. He noted that if you watch Lebron James, you know that the image defeats the product in many cases. He hoped that Rockingham County will be known as the county with two All-America Cities and not the dump of the South. Miller-Coors Brewing Company operates on their water supply. He asked what would happen if their water became contaminated. They could lose their largest industry. He asked should not the spills in the Gulf teach them that safety was not always first or second to profit with many corporations. Right now they have patch panels on Harrington Highway with existing traffic so what would happen when they add 500 trucks in and 500 trucks out per day. The odor would be unbearable for miles and would those who would have their property decreased have their taxes lowered. He stated that their county has come too far to dump it all into a massive dump. They were 100% against this project. He asked them to not destroy the image so many have worked so hard to create.

UNFINISHED BUSINESS:

- (a) Approval and adoption of amendment of the 2011-2012 Budget Ordinance G.S. 159-15 (revising the current tax rate to revenue neutral).

The Rockingham County Tax Department provided final Tax Base Estimates for 2011-2012 Budget on May 25, 2011. Based upon the NC Department of State Treasurer’s (Local Government Commission) Neutral Property Tax Worksheet, we calculated a revenue neutral tax rate. Please find attached the revised 2011-2012 Budget Ordinance amending Section 16 to lower the current tax rate of \$0.62 to a revenue neutral tax rate of \$0.609 (the change is bolded).

**CITY OF EDEN, NORTH CAROLINA
2011-2012 BUDGET ORDINANCE**

BE IT ORDAINED by the City Council of the City of Eden, North Carolina in regular session assembled:

Section 1: The following amounts are hereby appropriated for the operation of the City of Eden government and its activities for the fiscal year beginning July 1, 2011, and ending June 30, 2012, according to the following summary and schedules.

Summary (Funds)	Estimated Revenues	Total Budget Appropriation
General	\$12,667,700	\$12,667,700

June 21, 2011

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Self Insured Insurance	\$2,008,200	\$2,008,200
Emergency Communications	\$178,700	\$178,700
Water and Sewer	\$14,961,500	\$14,961,500
Police Pension	\$206,400	\$206,400
Runabout Travel	\$24,000	\$24,000
Municipal Service Tax District	\$8,600	\$8,600
(Less inter-fund transfers)	<u>\$1,826,400</u>	<u>\$1,826,400</u>
(Less Appropriated Fund Balances)	<u>\$2,994,500</u>	<u>\$2,994,500</u>
(Less Grants/Principal Forgiveness Loans)	<u>\$2,805,500</u>	<u>\$2,805,500</u>
(Less Loan Proceeds)	<u>\$1,908,200</u>	<u>\$1,908,200</u>
(Less Pass Thru Funds – Ex. Runabout Travel)	<u>\$32,600</u>	<u>\$32,600</u>
TOTAL	<u>\$20,487,900</u>	<u>\$20,487,900</u>

Section 2: That for said fiscal year there is hereby appropriated out of the General Fund the following:

<u>Code</u>	<u>Department</u>	<u>Appropriation</u>
10-4110	City Council	\$36,000
10-4120	Administration	\$132,500
10-4125	Environmental Services	\$59,200
10-4130	Finance/Human Resources	\$209,400
10-4135	Economic & Tourism Development	\$231,900
10-4145	Information Technology	\$102,300
10-4150	Legal	\$56,200
10-4310	Police	\$4,069,100
10-4340	Fire	\$1,463,400
10-4350	Engineering	\$60,500
10-4510	Streets	\$1,349,500
10-4515	Powell Bill	\$467,200
10-4710	Solid Waste	\$1,813,400
10-4910	Planning & Code Enforcement	\$577,600
10-6120	Recreation/Facility Maintenance	\$1,117,500
10-6220	Public Building Services	\$69,600
10-6920	Fleet Maintenance	\$243,400
10-9100	Special Appropriations	\$359,000
10-9990	Contingency	<u>\$250,000</u>
TOTAL		<u>\$12,667,700</u>

Section 3: It is estimated that the following General Fund Revenues will be available during the fiscal year beginning July 1, 2011, to meet the foregoing General Appropriations:

<u>Code</u>	<u>Revenue Source</u>	<u>Appropriation</u>
3189-11092	Ad Valorem: Prior Years – Rock Co.	\$93,400
3189-18000	Interest on Delinquent	\$22,000
3190-11000	Ad Valorem: Current Year	\$4,720,400
3190-12093	DMV-Vehicle Tax – Current Year	\$418,100
3190-12093	DMV-Vehicle Tax – Prior Year	\$79,000
3190-12094	Short Term Rental Vehicle Tax	\$10,000
3190-15000	Dog License	\$1,500

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3190-18000	Interest on Current Taxes	\$17,500
3190-19097	Payment in Lieu of Annexation	\$623,800
3190-19098	Rockingham Co. DMV Collection Fee	(\$8,000)
3190-19099	Prepaid Tax Discounts	(\$21,000)
3190-19100	Occupancy Tax	<u>\$60,200</u>

Tax Revenue Total \$6,016,900

<u>Code</u>	<u>Revenue Source</u>	<u>Appropriation</u>
3260-11000	Privilege Licenses	\$41,700
3260-17000	Privilege License Penalties	\$100
3270-11000	Franchise Fees/Time Warner	\$27,400
3270-12000	Franchise Fees – State	\$145,100
3343-41000	Building Permits	\$35,000
3343-41100	Plumbing Permits	\$8,500
3343-41300	Mechanical Permits	\$16,000
3343-41400	Sign Permits	\$600
3343-41500	Electrical Permits	\$23,000
3434-48000	Fire Department Permits	\$2,000
3491-41100	Planning Zoning Permits	<u>\$300</u>

Licenses & Permits Total \$299,700

<u>Code</u>	<u>Revenue Source</u>	<u>Appropriation</u>
3350-00200	Donations & Fees – Pottery Festival	\$3,700
3350-00300	Farmer’s Market Fees	\$900
3413-58000	Misc/Returned Checks	\$100
3431-41800	Police Controlled Sub State Excise Tax	\$1,000
3434-49000	Fire on Behalf Payments	\$15,800
3612-48000	Freedom Park Concessions	\$29,000
3612-48100	Bridge Street Center Concessions	\$2,000
3612-48200	East Eden Center Concessions	\$6,100
3612-48300	East Eden Pool Concessions	\$7,000
3612-86000	Pool Admissions	\$14,700
3612-86100	Building Use	\$16,500
3612-86200	Field Use & Lights	\$7,700
3711-58000	G/F Return Check Fee	\$100
3831-49000	Interest: Checking	\$1,500
3831-49100	Interest: Temporary Investments	\$28,500
3831-49500	Interest: NC Cash Mgt. Trust	\$2,000
3831-49700	Interest: Powell Bill Funds	\$400
3831-49900	Eden PD/Forfeiture Interest	\$200
3839-89000	Miscellaneous Revenue	\$4,000
3850-85000	Insurance Proceeds	\$20,000
3984-95000	Contribution to Emergency Communications	<u>\$17,400</u>

Use of Money & Property Total \$178,600

<u>Code</u>	<u>Revenue Source</u>	<u>Appropriation</u>
3231-31000	Local Option Sales Taxes	\$847,700
3232-31000	½ Cent Sales Taxes	\$619,700
3233-31000	½ Cent Sales Taxes	\$423,900
3234-31001	State Hold Harmless Payment	\$647,100
3234-31002	Solid Waste Disposal Tax Distribution	\$10,000

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3322-31000	Wine & Beer Taxes	\$67,700
3324-31000	Utilities Franchise Taxes	\$751,000
3325-33000	Powell Bill: State Street Aid	\$466,800
3335-32000	County Grants: Fire Department	\$2,400
3336-33000	County Grants: School Resource Officer	\$83,900
3431-86000	Federal Grants: COPS Program	\$95,300
3612-48400	Recreation Grant-Sr. Center	\$4,000
3837-89000	ABC Revenues	\$97,300
3837-89100	ABC Revenues: Law Enforcement	<u>\$2,000</u>
Other Agencies Revenues Total		<u>\$4,118,800</u>

<u>Code</u>	<u>Revenue Source</u>	<u>Appropriation</u>
3350-00100	Historic Preservation Book Sales	\$600
3412-41000	Other Departmental Revenues	\$4,500
3431-41000	Police Revenue: Dog Fines	\$300
3431-41100	Police Security Charges	\$50,000
3431-41200	Police Security Fringe Benefit Charges	\$10,000
3431-41300	Court Costs	\$7,200
3431-41400	Parking Violations	\$1,500
3431-41500	Police Fingerprinting Supplies	\$800
3431-41600	Police Department: Sale of Materials	\$200
3431-41700	Police Revenue	\$600
3431-84000	Police Department Restitution	\$500
3434-41000	Outside Fire Protection Charges	\$6,900
3435-82000	Engineering Testing Fees	\$3,000
3451-41100	Street Dept. Revenue: Driveways	\$4,000
3451-81000	Street Mowing	\$9,800
3491-40000	Planning Dept. Nuisance Fees	\$34,000
3491-41000	Planning Department Applications	\$900
3491-41600	Planning: Code Compliance Ins.	\$900
3491-81000	Planning Department Sale of Materials	\$200
3491-84400	Comm. Appearance Projects Revenue	\$1,300
3612-41000	Non-city User's Fees	\$5,600
3612-41100	League Entrance Fees	\$8,000
3612-41200	Recreation Dept. Revenue: Lesson	\$1,300
3612-86400	Recreation Dept. Miscellaneous	\$15,000
3612-87000	Fuel Purchases – County Agencies	\$25,000
3839-49900	Cash Discounts Earned	<u>\$300</u>
Charges for Current Services		<u>\$192,400</u>

<u>Code</u>	<u>Revenue Source</u>	<u>Appropriation</u>
3471-41100	Residential Fees – Solid Waste	\$1,368,000
3471-41101	Commercial Fees – Solid Waste	\$462,100
3471-81000	Sale of Material/Scrap – Solid Waste	\$3,500
3471-81100	Recycling Income – Solid Waste	\$14,000
3471-81200	Sale of Compost/Mulch–Solid Waste	\$5,000
3471-81400	Demolition – Abatement	\$5,700
3714-52000	Dumpster Late Fee	<u>\$3,000</u>
Total Solid Waste Revenue		<u>\$1,861,300</u>

Minutes of the regular June 21, 2011 meeting of the City Council, City of Eden:

General Fund Revenue Total \$12,667,700

Section 4: That for said fiscal year there is hereby appropriated out of the Self Insured Insurance Fund the following:

<u>Code</u>	<u>Department</u>	<u>Appropriation</u>
4145-18300	Group Insurance Fixed Cost	\$449,300
4145-30000	Claims	<u>\$1,558,900</u>
Self Insured Insurance Fund Total		<u>\$2,008,200</u>

Section 5: It is estimated that the following Self Insured Insurance Fund Revenues will be available during the fiscal year beginning July 1, 2011 and ending June 30, 2012, to meet the foregoing Self Insured Insurance Fund Appropriations:

<u>Code</u>	<u>Revenue Source</u>	<u>Appropriation</u>
3351-01000	Charges to other Funds/GF	\$1,557,300
3351-03000	Charges to Other Funds/W/S	\$391,600
3351-07700	Charges to Other Funds/Pension	\$34,500
3831-49000	Interest: Checking Acct.	\$800
3839-83000	Refunds	<u>\$24,000</u>
Self Insured Insurance Fund Total		<u>\$2,008,200</u>

Section 6: That for said fiscal year there is hereby appropriated out of the Emergency Communications Fund the following:

<u>Code</u>	<u>Department</u>	<u>Appropriation</u>
4330-32100	Telephone M/R	\$28,200
4330-76000	Lease Payments	\$125,700
4330-76100	Lease Payments – Interest	\$7,400
4330-99000	Transfer to General Fund	<u>\$17,400</u>
Emergency Comm. Fund Total		<u>\$178,700</u>

Section 7: It is estimated that the following Emergency Communications Revenues will be available during the fiscal year beginning July 1, 2011 and ending June 30, 2012, to meet the foregoing Emergency Communications Fund Appropriations:

<u>Code</u>	<u>Revenue Source</u>	<u>Appropriation</u>
3255-34000	NC 911 PSAP	\$154,100
3831-49000	Interest Checking	\$300
3991-99100	Fund Balance Appropriated	\$24,300
Emergency Comm. Fund Total		<u>\$178,700</u>

Section 8: That for said fiscal year there is hereby appropriated out of the Water & Sewer Fund the following:

<u>Code</u>	<u>Department</u>	<u>Appropriation</u>
7110	Water Resources	\$338,200
7115	Billing & Collections	\$1,637,600
7120	Water Filtration	\$1,364,200
7125	Collection & Distribution	\$1,449,900
7130	Water Reclamation	\$1,300,900
8120	Water Construction	\$300,000
8130	Sewer Construction	\$5,894,700
9920	Special Appropriations	<u>\$2,426,000</u>

Minutes of the regular June 21, 2011 meeting of the City Council, City of Eden:

9990	Contingency	<u>\$250,000</u>
Water & Sewer Fund Total		<u>\$14,961,500</u>

Section 9: It is estimated that the following Water & Sewer Fund Revenues will be available during the fiscal year beginning July 1, 2011 and ending June 30, 2012 to meet the foregoing Water & Sewer Fund Appropriations:

<u>Code</u>	<u>Revenue Source</u>	<u>Appropriation</u>
3362-51200	Sale of Water	\$4,272,900
3362-53000	Leak Adjustments/Water	(\$15,000)
3363-51300	Sewer Service Charges	\$2,769,400
3363-53000	Leak Adjustments/Sewer	(\$28,000)
3363-53900	One-Time Pool Adj.	(\$1,500)
3711-58000	Miscellaneous Returned Checks	\$4,500
3713-53000	Pre-Treatment Charges	\$16,700
3714-42000	Water Service Application Fees	\$18,000
3714-51000	W/S Meter Tampering Fees	\$400
3714-52000	Reconnection Charges	\$173,000
3714-52200	Water Taps	\$8,000
3714-52300	Sewer Taps	\$5,000
3831-49000	Interest: Checking	\$9,000
3831-49100	Interest: Temp. Investments	\$17,000
3831-49300	CWMTF – N. Smith River III	\$1,175,400
3831-49400	CWSRF – Dry Creek Phase II	\$461,100
3831-49410	CWSRF – Kuder Street Phase III	\$400,000
3831-49800	Golden Leaf Grant – Mega Park	\$769,000
3834-86000	Rent of Equipment	\$25,000
3835-81000	Sales of Materials	\$1,000
3839-49900	Cash Discount Earned	\$200
3839-89000	Miscellaneous Revenues	\$2,000
3850-86000	Loan Proceeds	\$1,908,200
3991-99100	W/S Fund Balance Appropriated	<u>\$2,970,200</u>
Water & Sewer Fund Total		<u>\$14,961,500</u>

Section 10: That for said fiscal year it is hereby appropriated out of the Police Pension Fund the following:

<u>Code</u>	<u>Department</u>	<u>Appropriation</u>
4310-12900	Separation Payments	\$190,400
4310-18100	FICA	\$15,500
4310-19300	Professional Services	<u>\$500</u>
Police Pension Fund Total		<u>\$206,400</u>

Section 11: It is estimated that the following Police Pension Fund Revenues will be available during the fiscal year beginning July 1, 2011 and ending June 30, 2012 to meet the foregoing Police Pension Fund Appropriations:

<u>Code</u>	<u>Revenue Source</u>	<u>Appropriation</u>
3831-49000	Interest: Checking	\$300
3981-98000	Pension Fund – Contribution from G/F	<u>\$206,100</u>
Police Pension Fund Total		<u>\$206,400</u>

Minutes of the regular June 21, 2011 meeting of the City Council, City of Eden:

Section 12: That for said fiscal year there is hereby appropriated out of the Runabout Travel Fund the following:

<u>Code</u>	<u>Department</u>	<u>Appropriation</u>
9100-31200	Runabout Travel Expense	<u>\$24,000</u>
Runabout Travel Fund Total		<u>\$24,000</u>

Section 13: It is estimated that the following Runabout Travel Fund Revenues will be available during the fiscal year beginning July 1, 2011 and ending June 30, 2012 to meet the foregoing appropriations:

<u>Code</u>	<u>Revenue Source</u>	<u>Appropriation</u>
3612-84000	Runabout Travel Fees	<u>\$24,000</u>
Runabout Travel Fund Total		<u>\$24,000</u>

Section 14: That for said fiscal year there is hereby appropriated out of the Municipal Services Tax District Fund the following:

<u>Code</u>	<u>Department</u>	<u>Appropriation</u>
4135-29900	MSD Tax – Leaksville	<u>\$7,000</u>
4135-29901	MSD Tax – Draper	<u>\$1,600</u>
Municipal Service Tax District Fund Total		<u>\$8,600</u>

Section 15: It is estimated that the following Municipal Services Tax District Fund Revenues will be available during the fiscal year beginning July 1, 2011 and ending June 30, 2012 to meet the foregoing appropriations:

<u>Code</u>	<u>Revenue Source</u>	<u>Appropriation</u>
3190-19200	MSD Tax – Leaksville	<u>\$7,000</u>
3190-19300	MSD Tax – Draper	<u>\$1,600</u>
Municipal Service Tax District Fund Total		<u>\$8,600</u>

Section 16: There is hereby levied for the fiscal year ending June 30, 2012 the following rate of taxes on each one hundred dollars (\$100) assessed valuation of taxable property as listed as of January 2011 for the purpose of revenue, and in order to finance foregoing appropriations:

A GENERAL FUND (for the general expense incident to the proper government of City of Eden, North Carolina) TAX RATE of \$0.609 per hundred dollars (\$100) of assessed valuation.

Such rates are based on an estimated total appraised value of property for the purpose of taxation of approximately \$879,421,647 with an assessment ratio of 100% of appraised value. Estimated collection rate of 98.05%.

Section 17: The Tax and Service Rates section of the FY 2011-2012 budget sets forth the applicable fees for the fiscal year beginning July 1, 2011 and ending June 30, 2012.

Section 18: The Personnel section of the FY 2011-2012 budget sets forth the grade and positions classification plan for the fiscal year beginning July 1, 2011 and ending June 30, 2012.

Section 19: Copies of this Budget Ordinance shall be furnished to the Director of Finance & Personnel and City Manager of the City of Eden, to be kept on file by them for their direction in the collection of revenues and expenditures of amounts appropriated.

June 21, 2011

City of Eden, N. C.

Minutes of the regular June 21, 2011 meeting of the City Council, City of Eden:

Section 20: The City Manager, by authority of this ordinance, may transfer/reallocate between & within departments up to a maximum of ten percent (10%) of the moneys appropriated within any of the above stated funds, not including any transfers between funds.

Adopted this the 21st day of June, 2011.

John E. Grogan
Mayor

ATTEST:

Sheralene Thompson
City Clerk

A motion was made by Council Member Hagood for a 0.57 tax rate, eliminating the large contingency line in the budget.

Council Member Burnette questioned what they would do if something came up and you had no contingency to which Council Member Hagood replied that they would fall back on the reserve as they have always done.

Action on the motion was as follows: This motion failed for lack of a second.

A substitute motion was made by Council Member Tuggle seconded by Council Member Carter to approve and adopt the 2011-2012 budget ordinance amendment. All Council Members present voted in favor of this motion. This motion carried.

NEW BUSINESS:

(a) Consideration of Resolution Opposing Landfill Near Eden & Beside Dan River.

RESOLUTION IN OPPOSITION OF PROPOSED LANDFILL

WHEREAS, the Whitt Family Farms LLC owns a 1,750 acre tract of land located immediately adjacent to the extraterritorial jurisdiction of the City of Eden, said tract of land containing four miles of frontage on the Dan River, including numerous wetland areas and intermittent streams that drain into the Dan River; and

WHEREAS, said tract of land is also located 11,074 feet from the City of Eden raw water intake site, this being the intake for the public drinking water supply site, located on the Dan River; and

WHEREAS, PBK Holdings, LLC has applied to the County of Rockingham for a Special Use Permit for the purpose of constructing and operating a private Modern Regional Landfill and Recycling Center on a maximum of 350 acres of the 1,750 acre tract owned by Whitt Family Farms, LLC; and

WHEREAS, said application proposes that the landfill facility site be located within the Dan River Water Supply Watershed Protected Area and the proposed cells be located approximately 200 feet from the floodway and as close as 500 feet to the Dan River; and

WHEREAS, said application proposes that the landfill facility would receive municipal household waste primarily from counties within a 60-mile radius, with additional specified waste coming from other states; and

Minutes of the regular June 21, 2011 meeting of the City Council, City of Eden:

WHEREAS, said application proposes for the entrance to the landfill facility to be located on Harrington Highway located in the City of Eden with a maximum of 500 trucks a day entering and exiting the facility; and

WHEREAS, the City Council desires to publicly declare its strong opposition to the proposed landfill facility; and

NOW, THEREFORE, BE IT RESOLVED, by the City Council for the City of Eden, that it is strongly opposed to the proposed Modern Regional Landfill and Recycling Center because of the potential harm to the Dan River, including public drinking water supply, the location of the landfill being in a protected watershed and its proximity to the flood plain, the negative effect on the quality of life of our citizens, the negative effect on the economy and the ability of the City to attract new industry and maintain its current industrial base, and for the potential addition of 500 trucks along Harrington Highway and other highways in our City.

APPROVED, ADOPTED AND EFFECTIVE this 21st day of June, 2011.

CITY OF EDEN

By: John E. Grogan, Mayor

ATTEST:

Sheralene Thompson, City Clerk

A motion was made by Council Member Burnette seconded by Council Member Tuggle to approve and adopt the resolution opposing the landfill near Eden and beside the Dan River and also to have the city staff send a copy to the County Planning Board and County Commissioners, along with any other information the city has on this issue.

Council Member Hagood stated that he had said “any other information that we have”. He was not so sure they have all seen that. He stated that he knew they have what was written up here and that covered a lot of ground.

Council Member Burnette explained that he was speaking of information that people might have submitted to tonight or anything else along that same line.

Council Member Hagood questioned that there had been no previous meetings or that sort of thing in the last couple of weeks.

Council Member Burnette asked the City Manager if there had been any meetings the last couple of weeks and Council Member Hagood stated that he thought the Mayor and Manager had some. Council Member Burnette agreed that he had provided a list of questions to them in his weekly report.

Mr. Corcoran replied yes and that all members of council receive whatever information that comes out of his weekly report.

Council Member Hagood stated that for clarification, there was nothing in addition to that.

Mayor Grogan explained that to make the folks in the audience aware, he along with the City Manager and some staff members had a presentation from Mr. Combs and they talked about their pluses and

Minutes of the regular June 21, 2011 meeting of the City Council, City of Eden:

what they wanted to do and how much it would mean to the county and to the city. They said that the city would be treating such and such and the city would make \$200,000 a year and they got some additional information that they had asked for. But the bottom line after all this was done, they had Council people coming in saying that they did not agree with some of the minutes that were sent out and they wanted to make a resolution in opposition to the landfill and recycling center. So that was where the conversation was coming from right now.

Action on the motion was as follows: All Council Members present voted in favor of this motion. This motion carried.

(b) Approval of updated Drug Free Workplace and Substance Abuse Policy for clarifications and changes in the law regarding substance abuse testing.

Council received an updated Drug Free Workplace and Substance Abuse Policy. The current policy was adopted in November 2002. There have been numerous clarifications and changes in the law regarding substance abuse testing. This policy complies with current case law. Significant changes in the policy include the following:

- The addition of the definition of safety-sensitive employees
- Random testing only allowed for safety-sensitive employees.
- The addition of a section for the police department that complies with the Criminal Justice Education and Training Standards Commission.

The City Attorney recommended that Council adopt this policy.

A motion was made by Council Member Carter seconded by Council Member Hagood to approve the Drug Free Workplace and Substance Abuse Policy updates and clarifications. All Council Members present voted in favor of this motion.

REPORTS FROM STAFF:

There were no reports at this time.

CONSENT AGENDA:

- (a) Approval and adoption of minutes: May 17, 2011.
- (b) Approval and adoption of amendment to Chapter 10 Article XII of the Eden City Code.

The City of Eden Safety and Loss Control Committee is in the process of updating the OSHA & Safety and Loss Control Manual. Section C of the manual is Chapter 10 Article XII of City of Eden North Carolina Code of Ordinances. We have updated this section to reflect changes in wording and job descriptions (see separate attachment, "revised section C ARTICLE XII-marked up"). Changes are in red. The City of Eden Safety and Loss Control Committee's recommendation is that the changes to this article be made.

- (c) Consideration of Request for a permit for the display of fireworks at the Old Fashioned 4th of July Celebration.

Minutes of the regular June 21, 2011 meeting of the City Council, City of Eden:

We have an applicant, Hale Artificier ,Inc., who is requesting a permit for the display of fireworks at the "Old Fashioned 4th of July Celebration" that is sponsored by the Kwanis and held every year. Mr. Hale on behalf of Artificier Inc. made application with the clerk. I have investigated this and prepared a report to the council as required by the ordinance. A copy of the report and proof of insurance are also attached. All requirements from the North Carolina General Statute and from the city ordinance have been met. Based upon this, I would recommend that you issue Hale Artificier Inc. a permit to display fireworks at the 4th old July celebration. Please give this consideration and feel free to contact me if you have any questions.

- (d) Consideration of Request for a temporary sign from the Steppin' Out Shag Club for the Third Annual "Reunion at the Rock" on August 6, 2011.

The Planning Department has received a request for a temporary sign to be located in the public right-of-way at NC 14 and Arbor Lane (at BB&T). The request was submitted by John Wise, President of the Steppin' Out Shag Club for their third annual "Reunion at the Rock" to be held on August 6, 2011.

We respectfully request that you consider this item at the June Council meeting. If you have questions, please do not hesitate to call.

- (e) Consideration of Request for a temporary sign from the Three Rivers Chapter of the Antique Auto Club for the monthly Eden Cruise events to be held on July 9, August 13, September 10 and October 8.

The Planning Department has received a request for temporary signs to be located in the public right-of-way at NC 14 and Arbor Lane (at BB&T). The request was submitted by Tim Lancaster on behalf of the Three Rivers Chapter of The Antique Auto Club for the monthly Eden Cruise events to be held on July 9, August 13, September 10, and October 8. The banners will be displayed from Wednesday through Saturday the week of the scheduled event.

- (f) Approval and Adoption of Budget Amendment 21.

When the City purchases vehicles with installment purchases, it is required to show the loan proceeds as revenue and the payment to the vendor as an expenditure in the financial statements. This amendment increases the General Fund revenue line item "loan proceeds" and also increases the Solid Waste C/O Vehicles line item for the purchase of a 2011 road tractor.

	Account #	From	To	Amount
General Fund Revenues				
GF Loan Proceeds	10-3850-86000	\$ -	\$ 120,200.00	<u>\$ 120,200.00</u>
General Fund Expenditures				
Solid Waste C/O Vehicles	10-4710-55000	\$ -	\$ 120,200.00	<u>\$ 120,200.00</u>

To allocate loan proceeds for the Solid Waste road tractor.

Adopted and effective this 21st day of June, 2011.

Minutes of the regular June 21, 2011 meeting of the City Council, City of Eden:

Attest:

Sheralene Thompson, City Clerk

John Grogan, Mayor

(g) Approval and Adoption of Budget Amendment 22.

The attached budget amendment allocates fund balance in the Municipal Service District Tax fund to the Leaksville District line item. The fund balance at June 30, 2010 for this fund was \$12,808, which is money that has been collected from the Municipal Service District tax in prior years but not spent.

	Account #	From	To	Amount
Municipal Service District Tax Fund Revenues				
Fund Balance Appropriated	17-3991-99100	\$ -	\$ 2,000.00	<u>\$ 2,000.00</u>
Municipal Service District Tax Fund Expenditures				
MSD Tax Expense - Leaksville	17-4135-29900	\$ 6,800.00	\$ 8,800.00	<u>\$ 2,000.00</u>

To allocate fund balance to the Leaksville District expenditures.

Adopted and effective this 21st day of June, 2011.

Attest:

Sheralene Thompson, City Clerk

John Grogan, Mayor

(h) Approval and Adoption of Budget Amendment 23.

The attached budget amendment allocates donations that have been received for the All-American City Project.

	Account #	From	To	Amount
General Fund Revenues				
All-American City Donations	10-3350-00600	\$ -	\$ 50,800.00	<u>\$ 50,800.00</u>
General Fund Expenditures				
All-American City Expenses	10-4135-29500	\$ -	\$ 50,800.00	<u>\$ 50,800.00</u>

Minutes of the regular June 21, 2011 meeting of the City Council, City of Eden:

To appropriate donations received for the All-American City project.

Adopted and effective this 21st day of June, 2011.

Attest:

Sheralene Thompson, City Clerk

John Grogan, Mayor

(i) Approval and Adoption of Budget Amendment 24.

The attached budget amendment allocates Emergency Communications fund balance for the purchase of an Audiology Max-Pro Recording System for the Police Department. This purchase is an approved purchase with 911 funds.

	Account #	From	To	Amount
Emergency Communications Fund Revenues				
Fund Balance Appropriated	24-3991-99100	\$ 79,600.00	\$ 110,600.00	<u>\$ 31,000.00</u>
Emergency Communications Fund Expenditures				
Emergency Comm C/O Equipment	24-4330-57000	\$ 65,700.00	\$ 96,700.00	<u>\$ 31,000.00</u>

To appropriate Emergency Communication fund balance for the purchase of an Audiology Max-Pro Recording System for the Police Department.

Adopted and effective this 21st day of June, 2011.

Attest:

Sheralene Thompson, City Clerk

John Grogan, Mayor

(j) Approval and Adoption of Budget Amendment 25.

The attached budget amendment allocates safety grant funds received from NC League of Municipalities for the purchase of an explosion proof blower. The expenditure has been shared among the Water Filtration, Collection & Distribution, and Wastewater departments.

	Account #	From	To	Amount
Water & Sewer Fund				

Minutes of the regular June 21, 2011 meeting of the City Council, City of Eden:

Revenues

W/S Safety Grant	30-3834-85000	\$	-	\$	1,500.00	<u>\$ 1,500.00</u>
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Water & Sewer Fund Expenditures

Water Filtration Safety Equipment	30-7120-21300	\$	1,700.00	\$	2,200.00	\$ 500.00
W/S Maint Safety Equipment	30-7125-21300	\$	9,300.00	\$	9,800.00	\$ 500.00
W/S Waste Treatment Safety Equipment	30-7130-21300	\$	4,000.00	\$	4,500.00	<u>\$ 500.00</u>
						<u>\$ 1,500.00</u>

To appropriate Safety Grant funds received from the NC League of Municipalities.

Adopted and effective this 21st day of June, 2011.

Attest:

Sheralene Thompson, City Clerk

John Grogan, Mayor

(k) Approval and Adoption of Budget Amendment 26.

The attached budget amendment appropriates the remaining proceeds from the 2008 W/S loan. Because of the economy over the past several years, some of the projects that were approved under this loan came in under budget leaving a balance of \$568,581.32 of loan proceeds. Since we cannot use the proceeds for other projects, we are going to make a principal payment on the loan. By making this principal payment, we will incur a prepayment penalty of \$16,560.62. However, also by making this principal payment, we will experience a savings of \$131,870.86 over the course of the loan.

	Account #	From	To	Amount
Water & Sewer Fund Revenues				
W/S Fund Balance Appropriated	30-3991-99100	\$	-	\$ 568,600.00
				<u>\$ 568,600.00</u>
Water & Sewer Fund Expenditures				
W/S Principal/Debt Service	30-9920-75000	\$	379,400.00	\$ 931,400.00
W/S Loan Prepayment Penalty	30-9920-76100	\$	-	\$ 16,600.00
				<u>\$ 16,600.00</u>
				<u>\$ 568,600.00</u>

Minutes of the regular June 21, 2011 meeting of the City Council, City of Eden:

To appropriate remaining proceeds from 2008 W/S loan for principal payment on the loan.

Adopted and effective this 21st day of June, 2011.

Attest:

Sheralene Thompson, City Clerk

John Grogan, Mayor

(l) Approval and Adoption of Budget Amendment 27.

The attached budget amendment appropriates unanticipated revenues and fund balance for the Self Insurance fund. We have received reimbursement on claims through the Early Retiree Reinsurance Program in the amount of \$27,879.74 that were not budgeted. The Early Retiree Reinsurance Program is a Federal Program that was established to allow the Federal government to reimburse a plan sponsor of an employment-based health plan for some of the costs of health care benefits paid on behalf of early retirees. We also received refunds on claims in excess of the budgeted amount. Even with these additional unanticipated revenues, we feel that our Self Insurance fund will be very close to breaking even for fiscal year 2010-2011. Since we don't know what the total claims will be through June 30, 2011 and based on our experience in the past with large claims, we are appropriating the fund balance to the Insurance Claims line item. If our claims do not go over what we originally budgeted, the appropriated fund balance will go back into the fund balance at June 30, 2011.

	Account #	From	To	Amount
Self Insurance Fund Revenues				
ERRP Reimbursement	15-3839-82000	\$ -	\$ 27,800.00	\$ 27,800.00
Refunds	15-3839-83000	\$ 20,000.00	\$ 31,800.00	\$ 11,800.00
Fund Balance Appropriated	15-3991-99100	\$ -	\$ 250,000.00	\$ 250,000.00
				<u>\$ 289,600.00</u>
Self Insurance Fund Expenditures				
Insurance Claims	15-4145-30000	\$ 1,442,400.00	\$ 1,732,000.00	<u>\$ 289,600.00</u>

To appropriate unanticipated revenues and fund balance to cover unexpected claims.

Adopted and effective this 21st day of June, 2011.

Attest:

Sheralene Thompson, City Clerk

John Grogan, Mayor

(m) Approval and Adoption of Budget Amendment 28.

Minutes of the regular June 21, 2011 meeting of the City Council, City of Eden:

The Fire Department received a \$1,000 grant from Wal-Mart to be used for training. They also received a Governor’s Highway Safety grant in the amount of \$1,000 for the purchase of supplies for the Child Safety Seat Program. The attached budget amendment allocates these funds to the Fire Department budget.

	Account #	From	To	Amount
General Fund Revenues				
Fire Grant	10-3434-42000	\$ -	\$ 2,000.00	\$ 2,000.00
General Fund Expenditures				
Fire Safety Equipment	10-4340-21300	\$ 8,000.00	\$ 9,000.00	\$ 1,000.00
Fire Training	10-4340-39500	\$ 2,000.00	\$ 3,000.00	\$ 1,000.00
				<u>\$ 2,000.00</u>

To appropriate grants received by the Fire Department for training and the child safety seat program.

Adopted and effective this 21st day of June, 2011.

Attest:

Sheralene Thompson, City Clerk

John Grogan, Mayor

(n) Approval and Adoption of Budget Amendment 29.

The attached budget amendment closes out the Sewer Rehab fund. There is a final reimbursement from NC Clean Water Revolving Loan & Grant in the amount of \$15,323.65 that will be submitted before June 30, 2011. In order to go ahead and close out the Sewer Rehab fund before June 30, 2011, we will transfer the reimbursement amount to the Sewer Rehab fund from the Water & Sewer fund to cover the expense that has already been incurred. A receivable will be set up in the Water & Sewer fund to account for the reimbursement from NC Clean Water.

	Account #	From	To	Amount
Water & Sewer Fund Revenues				
Clean Water Grant	30-3831-50000	\$ -	\$ 7,600.00	\$ 7,600.00
Clean Water Loan	30-3831-51000	\$ -	\$ 7,600.00	\$ 7,600.00
				<u>\$ 15,200.00</u>
Water & Sewer Fund Expenditures				
Contribution to Sewer Rehab Fund	30-9920-98501	\$ -	\$ 15,200.00	\$ 15,200.00

Minutes of the regular June 21, 2011 meeting of the City Council, City of Eden:

**Sewer Rehab Fund
Revenues**

Transfer from W/S Fund	73-3986-98000	\$	-	\$	15,200.00	<u>\$ 15,200.00</u>
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**Sewer Rehab Fund
Expenditures**

Northern Smith River Project	73-8140-24710	\$	1,055,380.00	\$	1,070,580.00	<u>\$ 15,200.00</u>
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To close out the Sewer Rehab Fund.

Adopted and effective this 21st day of June, 2011.

Attest:

Sheralene Thompson, City Clerk

John Grogan, Mayor

(o) Approval and Adoption of Budget Amendment 30.

The attached budget amendment transfers money from the drug forfeiture account to the General Fund to cover expenditures in the drug forfeiture line items. Below is a breakdown of each line item and the specific expenditures.

Communications & Computers \$ 2,200

	Account #	From	To	Amount
General Fund Revenues				
Police Fed/State Drug Forfeiture	10-3431-41900	\$ 7,800.00	\$ 10,000.00	<u>\$ 2,200.00</u>
General Fund Expenditures				
Police C/O Equip NonDepr/Drug Forf	10-4310-57201	\$ 3,700.00	\$ 5,900.00	<u>\$ 2,200.00</u>

Transferring money from the Federal Forfeiture bank account to the General Fund.

Adopted and effective this 21st day of June, 2011.

Minutes of the regular June 21, 2011 meeting of the City Council, City of Eden:

Attest:

Sheralene Thompson, City Clerk

John Grogan, Mayor

(p) Approval and Adoption of Budget Amendment 31.

The attached budget amendment is to close out the Waterline Upgrade Fund. There are three projects in this fund that will be completed by June 30, 2011 which are Lake Drive, Beech Street, and French/Ridge waterline upgrades. The remaining funds in the Waterline Upgrade fund will be allocated between these projects in Water Construction in the Water & Sewer fund.

	Account #	From	To	Amount
Water & Sewer Fund				
Revenues				
Contribution from Waterline Upgrade	30-3986-98500	\$ -	\$ 161,000.00	<u>\$ 161,000.00</u>
Water & Sewer Fund				
Expenditures				
W/C Lake Dr W/L Upgrade	30-8120-82163	\$ -	\$ 83,000.00	\$ 83,000.00
W/C Beech St W/L Upgrade	30-8120-82164	\$ -	\$ 35,000.00	\$ 35,000.00
W/C French/Ridge W/L Upgrade	30-8120-82165	\$ -	\$ 43,000.00	<u>\$ 43,000.00</u>
				<u>\$ 161,000.00</u>
Waterline Upgrade Fund				
Expenditures				
Transfer to W/S Fund	72-8140-98000	\$ -	\$ 161,000.00	<u>\$ 161,000.00</u>
To close out Waterline Upgrade fund.				

Adopted and effective this 21st day of June, 2011.

Attest:

Sheralene Thompson, City Clerk

John Grogan, Mayor

A motion was made by Council Member Tuggle seconded by Council Member Burnette to approve the Consent Agenda. All Council Members present voted in favor of this motion.

CLOSED SESSION:

- (a) To discuss legal matters and contractual agreements. (GS 143-318.11(a)(5))

Minutes of the regular June 21, 2011 meeting of the City Council, City of Eden:

A motion was made by Council Member Hagood seconded by Council Member Burnette to go into closed session to discuss legal matters and contractual agreements according to GS 143-318.11(a)(5). All Council Members present voted in favor of this motion.

OPEN SESSION:

A motion was made by Council Member Turner seconded by Council Member Carter to return to Open Session. All Council Members present voted in favor of this motion.

(a) Consideration of Interlocal Agreement committing to PSAP Consolidation.

A motion was made by Council Member Hagood seconded by Council Member Carter to approve with the following changes: To request that the makeup of the governance board would state that it would be only 1 representative from the municipalities and 1 from the county. *(The way it reads right now, there could be 1 or more from both groups and you are recommending that it be adopted that there be 1 representative from each).* The other thing is to make it clear, by adding a provision that Eden and Reidsville will not pay the \$38,000 per year for the first (3) years until any and all grant funds have been expired. All Council Members present voted in favor of this motion.

ADJOURNMENT:

A motion was made by Council Member Burnette seconded by Council Member Tuggle to adjourn. All Council Members present voted in favor of this motion.

Respectfully submitted

Sheralene S. Thompson, CMC
City Clerk

ATTEST:

John E. Grogan, Mayor