

MINUTES OF THE WHITSETT TOWN COUNCIL
April 13, 2010
Whitsett Town Hall Building

REGULAR COUNCIL MEETING

The regular meeting of the Whitsett Town Council was held at 7:00 p.m., Tuesday, April 13, 2010 at the Whitsett Town Hall. The following members of the Town Council were present: Mayor Richard Fennell, Mayor Pro Tem Andy Brown, Council members Jerry Rice, Cindy Wheeler, and Lee Greeson. Also present were Town Administrator Gary Deal, Planning Board Chairman Bob Maccia, two representatives from Republic Services, Inc., two members of the media, and five additional residents.

Immediately following the public hearing, Mayor Fennell called the Council meeting to order at 7:12 p.m.

SPEAKERS FROM THE FLOOR

Mayor Fennell asked for any speakers from the floor; and there were none.

OLD BUSINESS

1. Adoption of the Minutes

Mayor Fennell asked for any changes to the March 9, 2010 minutes for the regular monthly meeting; and none made. Motion made by Council member Jerry Rice to accept the minutes as written; motion seconded by Council member Lee Greeson. Adoption carried by unanimous vote.

2. Vote on Adoption of Proposed Development Ordinance Amendments

Mayor Fennell asked for any discussion and/or action relative to the public hearing content. With no further word, Council member Lee Greeson made a motion to add the "sale of utility buildings and carports" to the permitted-use schedule with a designation of "D" which requires conformance to additional development standards as set forth. Motion was seconded by Council member Jerry Rice. Amendments were adopted by a unanimous vote.

Town Administrator Gary Deal then reminded Denny Stroud to come to the Town Hall to finalize paperwork, pick up additional ordinances, i.e., sign ordinance, and secure a business license. Mayor Fennell welcomed Stroud and his business to the Town.

3. Discuss Review and Selection of Proposals for CDBG Project

Mayor Fennell explained the process that Town Administrator Gary Deal and he followed in reviewing the two proposals submitted for providing administrative services and the five submitted for engineering services. All procedures followed were in accordance with the procurement policy adopted by the Council in March, which was taken from the elaborated Code of Federal Regulations governing federal grant monies. In addition, proper procedure for the selection process was reviewed with the State at the start-up meeting on March 11.

As required, all proposals were ranked based on qualifying factors, such as approach, experience, project familiarity, etc., using numeric values. This documented process was followed up with phone calls to previous or current county and municipal clients involved in relevant community development projects. All firms—administrative and engineering alike—received favorable references.

Council members were provided the ranking sheets that supported procuring Benchmark CMR, Inc. for administrative services and Davis-Martin-Powell and Associates, Inc., for engineering services. For the past two years, Benchmark had been under contract as the Town's administrator in pursuit of CDBG funds, which took two rounds of applying before the Town was awarded grant monies to help with solving the contaminated wells situation. And, Davis-Martin-Powell had been secured as the Town's engineer for 10 years when the preliminary water study was launched.

Based on familiarity with the project alone, the natural selections to provide administrative services and engineering services would be Benchmark and Davis-Martin-Powell, respectively; and would ensure successful continuity of the project.

In reviewing the rating sheet for engineering firms, the omission of price bids was questioned; and it was explained that bids are not allowed for engineering proposals, but rather negotiated after selection of the best qualified is made. On the other hand, with respect to the administrative services proposals where price quotes are provided, some Council members questioned the \$21,000 difference between Benchmark's quote and that of the lower-bid contender.

Mayor Fennell explained that the process used in selecting the administrative services provider is not the normal competitive arena, and that in accordance with federal regulations special consideration is given to experience, technical abilities, and project familiarity; and price is not the sole consideration for selection. Even so, Benchmark's NTE quote was well within the allowed 12% of the total grant amount—and actually less. Conversely, the other firm's quote was outside the normal competitive range—and markedly low.

Bottom line, Benchmark has done well for the Town and with its historical knowledge of the project is determined to be the most advantageous and best qualified contractor. Mayor Fennell remarked that it would be prudent to stay with Benchmark; and followed up with a motion to award contracts to Benchmark as the Town's administrative services provider, and Davis-Martin-

Powell for engineering services. Motion was seconded by Mayor Pro Tem Andy Brown. Motion carried by a unanimous vote.

The mayor asked the Town Clerk to notify the two selected contractors of the Council's choice, and to prepare letters to the nonselects.

4. Continued Discussion on Recycling Program and Proposal for Extension of Contract for Regular Garbage Collection

Town Administrator Gary Deal stated that Republic Services manager Jimmy Torrey was again present and appreciated his time to be at tonight's meeting. Deal explained that the recent Town-wide survey on recycling did not render a decisive majority, with only a slim margin favoring curbside service over drop-off site. The Council will again seek public input on the future of Whitsett recycling at the June public hearing.

In the meantime, Republic Services will continue to provide drop-off site service free of charge. Until a final determination can be reached on recycling, the normal request for bids for regular garbage collection, which Republic now provides, will be on hold. And, Republic Services would like to request an extension of their current contract for regular solid waste collection at an increase of merely 1.5%, raising current per household/per month rate from \$9.45 to \$9.60.

The Council's consensus was that Republic's offer was extremely reasonable; and with that, a motion was made by Council member Jerry Rice to extend the contract with Republic Services. Motion seconded by Council member Cindy Wheeler. Motion carried by unanimous vote.

5. Any Other Old Business

Mayor Fennell if there were any other old business; and there was none.

BOARD AND COMMITTEE REPORTS

1. Planning Board

Planning Board Chairman Bob Maccia stated that since April's Planning Board meeting had been cancelled, there was no report.

2. Enforcement Committee

Town Administrator Gary Deal reported no activity.

3. Enforcement Officer

Enforcement Officer Deal reported that one development permit had been issued to Mark Wilburn Construction to install an in-ground swimming pool and construct surrounding deck area with security fencing at property located at 7016 Rockledge Road.

4. Town Administrator

Town Administrator Deal reported that the last of the various environmental “clean-up” efforts for the spring will take place on April 16 at the Ag Center where Guilford County residents could drop off white goods (appliances), e-waste (computer components, cell phones, TVs) hazardous waste (paint and pesticide containers, antifreeze, oil filters, batteries), old tires, etc.

Town Administrator Deal then stated for the record a much-deserved “thank you” to Guilford County engineer Shea Bolick who had unassumingly taken on the role of agent for the County, the Town, and three other municipalities in dealing with DENR’s Division of Water Quality on the Jordan Lake Rules compliance. Essentially, Bolick single-handedly reinvented the environmental regulations for conformance by all parties. Deal quipped that with all the rules’ complexities and idioms, he found himself asking “so where is the English version?” Shea Bolick, fortunately, has the expertise to interpret, translate, and apply the new restrictions which has proven to be an invaluable service to the Town.

Once DENR approves the document submitted by the County, the Town will have 90 days to adopt the new regulations—perhaps in time for the June hearing.

NEW BUSINESS

1. Preliminary Review of Draft Town Budget for FY 2010-11

Council members found at their seats, the first pass at projections for the upcoming budget year that starts July 1. This draft of the proposed budget, which is not formally presented to the Town Council until May, was to refamiliarize Council members with the spreadsheet format that lays out revenues and expenditures in detail for the current operating year on which next year’s estimates are then based.

Following a walk-through of the figures while pointing out some dips in revenues and added expenditures for next year, the Council members will further study the proposed budget levels for major discussion in May. During this exercise, it was noted, however, that the County was intending to reinstate assessments to municipalities for the animal control program; and Mayor Fennell asked that a letter be drafted to the Board of County Commissioners in protest. If instituted, residents in incorporated areas such as Whitsett would be paying twice for these services—once in County taxes and again in municipal taxes.

A final 2010-11 budget proposal, along with the budget ordinance, is planned for the June public hearing.

2. Bids for Ball Field Dirt Load

Two bids were presented for a load of special-mix dirt for the ball field. One

from L&W Sand out of Haw River was for \$37/ton with an additional delivery charge; and the other from Stout Trucking out of Pleasant Garden was for \$16/ton delivered. Given the economics, a motion was made by Mayor Pro Tem Andy Brown to order 25 tons of ball field mix from Stout Trucking. Motion seconded by Council member Jerry Rice; and passed unanimously.

3. Any Items from Council Members

Mayor Fennell asked for any items from Council members; and again the issue of the required ethics training for elected officials was raised. The Town Clerk will look into and verify options available.

4. Announcements

Mayor Fennell asked for any announcements; none heard.

5. Speakers from the Floor

Mayor Fennell asked if there were any speakers from the floor; and no one asked to be recognized.

ADJOURNMENT

With no further business before the Council, Mayor Fennell invited a motion to adjourn. Motion was made by Council member Jerry Rice to adjourn; motion seconded by Council member Cindy Wheeler. Motion passed unanimously; and the April 13 Town Council meeting was adjourned at 8:35 p.m.

The next regular meeting of the Town Council will be held at 7:00 p.m., Tuesday, May 11, 2010 at the Whitsett Town Hall.

/s/

/s/

Jo Hesson, Town Clerk

Richard Fennell, Mayor

APPROVED: May 11, 2010