

## TOWN OF BAILEY

The Regular Meeting of the Bailey Town Board was held in the Bailey Town Hall on December 17, 2018 at 7:00 pm.

The following members of the Bailey Town Board were present: Mayor Thomas Richards, Commissioners Allen Daniels, Joel Killion, Dwan Finch, and Town Administrator Timothy Johnson. Commissioners Shelley Bullard and Jerry Bisette were not present.

### **Called the meeting to order:**

Mayor Richards called the meeting to order and opened the meeting and welcomed all guests who were attending the meeting.

### **Approval of minutes and financial statement:**

The financial statement for November 19, 2018 and the minutes for the Regular Board Meeting of November 19, 2018 were unanimously approved upon a motion by Commissioner Finch and seconded by Commissioner Killion. (3 affirm); (0 nays)

### **Agenda items:**

**Bailey Chamber of Commerce:** Cecil Hawley, President of the Bailey Chamber of Commerce stated that the parade went well even though it rained but he had one complaint. He stated that a resident complained that her drive was blocked by parade entry participants. Mr. Hawley stated that next year the Chamber would be sending the police departments phone number to the residents of that area so that if they had a problem they could call the police department and then the office with the cell phone could get in contact with Cecil so that the Chamber could fix the problem. He also stated that the Miss Bailey Pageant Director Kristi Scott and Lee Deans to all of the winners to The Kennedy Home in LaGrange, NC. They had a party and gifts for needy children. Commissioner Killion did add that with the issue about the resident who could not access her property that he also wanted to engage the fire department because of an incident that had happened with them as well.

**Envirolink:** JP McCann, representative of Envirolink, was present at the meeting and provided the following details:

1. That there were 63 works orders received.
2. That there were 340 meters read.
3. That there was 1.96 million gallons of water pumped.
4. That there was 3.44 million gallons of waste water processed.

Commissioner Finch did ask about cleaning the storm drains. Mr. McCann stated that at this time of the year that the leaf machine is going around and that they hit all the storm drains. Mr. McCann stated that someone is going around town everyday to access the drains. Commissioner Finch stated that she had seen some puddles even though we had a lot of recent rain. Mr. McCann stated that he would see about her issue personally. Commissioner Killion asked about the hydrant investigation. Administrator Johnson stated that it had been hit and that Envirolink would be getting the kit to fix it because they did in fact have the hydrant.

### **Public Comment:**

Mayor Richards opened the public comment section. Since no one wanted to speak Mayor Richards closed the public comment section.

### **Old Business:**

**Status with Mr. Cox and Mr. Deal on new sewer tap for 6689 Elm St Work Authorization Request from Envirolink** – Mr. McCann stated that Administrator Johnson had received the quotes but that one had not included landscaping so that he went back to Affordable Plumbing and asked for them to include it in their quote. Commissioner Daniels then stated that Mr. Cox the property owner agreed to do the landscaping to save the Town money. Administrator Johnson asked about Mr. Deal and Commissioner Daniels stated that Mr. Cox would speak with Mr. Deal but that it was agreed that if the Town fixed the problem then they would take care of

the landscaping. A motion was made to accept the original quote from Affordable Heating and Plumbing in the amount of \$3,416 for sewer line work to be performed at 6689 Elm St with an additional \$1,662 for tap installation by Envirolink by Commissioner Daniel and seconded by Commissioner Killion and was unanimously passed. (3 affirm); (0 nays)

**Status of Effluent Pump #2 with Charles Underwood** – Mr. McCann had a representative from Charles Underwood to come and take a look at the spray pump house. He stated that after they looked at the infrastructure they had to send the spindle back to the workshop. The reason that the pump had to be taken back was because they had the propeller going in the opposite direction than what the serial number had called for. The spindle was removed and sent back to Charles Underwood with no additional charge to have the propeller set back to the correct direction. He stated that it had been received and that it would be installed this week. Commissioner Daniels then stated that even though he did not have the quotes with him that he believed that Charles Underwood quoted them a new pump. Mr. McCann stated that the quote was for a new spindle assembly. Commissioner Daniels then asked if the housing is bad. Mr. McCann stated that it needs to be machined because he believe that it is causing wear on the main shaft but that Mr. McCann wants a little more dialog with Charels Underwood before he brings it back to the Board. Commissioner Finch stated that she has been attending these meetings for a year now and she wanted to know why we talk about the pump and why is it such an issue. Mr. McCann stated that there is backlog issue with the manufacturer and he asked the representative from Charles Underwood about this because he knew that they were getting to order the spindle/pump from them and he was told that the backlog for these items were an estimated (8) eight months from the manufacturer. He stated that he could look into other options like a replacement pump something that could be more cost effective and place it within the package. Commissioner Daniels then asked if Charles Underwood had started to make the other spindle. Mr. McCann stated no and that they are not charging for the spindle that was removed to be fixed by Charles Underwood and that there is no charge from Envirolink on labor to install.

**Status of Effluent Pump #1 Quotes**– Mr. McCann stated that this would not be removed until pump #2 spindle was back in working order and that he wanted to provide additional information to the Board about its options with pump #1 before proceeding with removing the pump from service.

#### **New Business:**

**Setting of Board Meetings for Town of Bailey in 2019** – After some discussion among the Board members a motion was made to move the meeting in January 2019 to the 14<sup>th</sup> and to move the meeting in February 2019 to the 11<sup>th</sup> and all other Board meeting would be the 3<sup>rd</sup> Monday of every month thereafter was unanimously approved upon a motion by Commissioner Daniels and seconded by Commissioner Killion. (3 affirm); (0 nays)

**Proposed 2019 Holiday Schedule** – The 2019 Holiday Schedule was unanimously approved upon a motion by Commissioner Finch and seconded by Commissioner Daniels. (3 affirm); (0 nays)

**Tax Collector – Order to Collect** – Administrator Johnson stated that every year the Board has to approve the collection of receipts that are given to the Tax Collector as of January 6<sup>th</sup> so that the interest and penalty can be applied. He also stated that all outstanding tax receipts and any penalties cannot be applied unless the Board approves to do so. Commissioner Finch asked if this was for 2019 collecting and applying penalty. Administrator Johnson confirmed that yes this would be for the penalty added for 2018-2019 tax year and for the scroll which comes in July 2019. This way you do it only once a year instead of having to do it twice a year. Commissioner Finch asked if this had to be approved tonight. Administrator Johnson then stated that if it was not approved tonight then he could not apply penalties as of January 6<sup>th</sup>. The Order to Collect was unanimously approved upon a motion by Commissioner Daniels and seconded by Commissioner Killion – (3 affirm); (0 nays)

#### **Commissioner's remarks:**

Commissioner Daniels stated that he and Commissioner Killion met with Ed Fulford. He stated that he was very knowledgeable about tearing buildings down. He gave them some insight about tearing the Main St building down. He stated that the outside brick were different than the inside brick. He continued to state that when Mr. Fulford starts knocking the building down one of the corners could crack all around and also it would collapse the building beside it and he did not see any way of saving the front wall. After speaking with another structural engineer and told them what Ed said and he stated that it would probably cost a fortune. Commissioner Daniels stated that Ed would only quote taking down both Audrey's and the Main St building at the same time.

Commissioner Daniel stated that we could get quotes both ways. Commissioner Killion stated that Mr. Fuller indicated that tearing down Audrey's building would cost less. Commissioner Daniels wanted to move forward with environmental testing on Audrey's building and then he asked if the Mayor had received a quote for her building and if he wanted to discuss it now. Mayor Richards then stated lets wait until the County comes through on their end. Commissioner Daniels still wanted to make sure the Board was okay with moving forward with the environmental testing. Mayor Richards asked if he had given a quote for both buildings. Commissioner Daniels stated that at one time there was a quote but he did not know if it included both buildings so he would rather not say. Administrator Johnson then stated that since they were now including Audrey's building that he would need to make sure that was something that they could do because that was not submitted in the original package. He stated we only provided one address and that it was to be demolished. He did not want the State to come back and audit and say why did you do this. Commissioner Daniels stated that we could justify doing it. Administrator Johnson then stated that it would probably just mean a change in the Scope of Work. Commissioner Daniels stated that he would get with the person to do the hazmat testing and have them get in contact with Audrey. Commissioner Daniels then asked Mayor Richards if he had the taxes taken care of. Mayor Richards stated that it was supposed to be on the January 7<sup>th</sup> Commissioner meeting. Commissioner Daniels then asked if he had the demolition debris haul off taken care of as well. Mayor Richards stated that this was the next item that he was working on to have on the Commissioner meeting as well. Administrator Johnson then added that he was working with David Evans and Harris Perry on what the requirements would be for the quote scope of work and during the discussions he was advised that the brick could be profitable to the Town or to the demolition contractor. Commissioner Daniels confirmed that Mr. Fulford was interested in the brick and not the wood at the site. Administrator Johnson stated that the Town would need to make sure that the bidder will need to indicate what price they would do the demolition with them taking the brick or them leaving the brick for the Town to sell after the project is complete. The Commissioners main concern was that this not get pigeon hold. Commissioner Daniels did state that Mr. Fulford indicated that once this building was brought down that the inner wall would need to be taken care of because the plaster would eventually degrade within a year. He continued to state that at some point the Town would need to shear wall it within a year.

Commissioner Daniels stated that he would like to move on the Zoning Administration/Code Enforcement officer. Administrator Johnson did ask a question. He asked if this would mean that this person is responsible for all zoning questions, issuing of permits, handling Zoning issues, and attending all Planning Board meetings. Commissioner Daniels stated that this person would handle all of this but would not handle any money transactions. Commissioner Daniels then asked that if there was no issue with the job description that he had presented then to proceed with putting an ad in the local paper to attract someone locally to apply. Administrator Johnson then asked if the person would have all of the licenses that would cover a code enforcement officer. Commissioner Daniels then stated that this person would rely heavily on the County to condemn the property and not the code enforcement officer. The code enforcement officer would make sure that the codes are being enforced. Commissioners wanted to know what the rate would be for someone in this position. Commissioner Daniels stated that what he had seen was \$14 - \$15 per hour for a part-time employee. After a discussion on what to post for the position with the Board Commissioner Daniels then made a motion to place an ad in the paper for a Part-Time Zoning Administrator/Code Enforcement Officer with 20-30 hours per week with a salary range based on experience from \$14 - \$15 per hour. The motion was seconded by Commissioner Killion and was passed unanimously. (3 affirm); (0 nays)

Commissioner Finch wanted some clarification on what the gentleman was doing with the testing. Commissioner Daniels stated that he would have the testing done for Audrey's building before the next meeting. She then asked if a motion would need to be made and Commissioner Daniels stated no that Administrator Johnson could approve the charge for \$200.

Commissioner Finch stated that she was going to put the power washing on hold until the building was taken down so that we could get the quotes with the sealant as well.

Commissioner Finch asked Administrator Johnson about how we could get the sofas that are on Main St picked up. Administrator Johnson stated that he would need to send them a letter of abatement notice and then if they did not meet the requirement for abatement it would be turned over to the police department to enforce the fines in our ordinance.

Commissioner Finch stated that the dumpster for recycling was still out there. Administrator Johnson stated that he would get with Waste Industries to find out why they had not removed this already.

Commissioner Finch wanted to summarize for streets and trees this year that we did get down the tree on O'Neal St and she wanted to know about the quotes on the top 5 streets from the assessment. Administrator Johnson stated that he had sent her an email about the requirement for over \$90,000.00 that a bid packet would be required. Commissioner Finch then asked if we could get individual quotes for each street. Administrator Johnson stated that if it was under \$90,000.00 then it could go through an informal quote process and would not have to be bid out. Commissioner Finch stated that she wanted to just be ready to roll when the weather permits. Commissioner Daniels then stated that the contractors should know that we are a government entity because they bid it out with the State a year in advance and lock it in. Mayor Richards then asked if we can get individual quotes on each street so that we can at least have something to look at. Administrator Johnson stated that he would go to ST Wooten, Barnhill, Williams and anyone else that they wanted. Commissioner Daniels stated that someone did the church on 581 and 97 and they knocked it out. Mayor Richards asked if that was Fred Smith. Commissioner Daniels stated that he did not know but that he would ask. Commissioner Finch asked what church and Administrator Johnson asked if it was Floods Chapel. Commissioner Daniels said yes. Commissioner Finch asked Administrator Johnson if he was good to go and Administrator Johnson stated that yes he was.

Commissioner Killion stated that our Mayor and with the help of Audrey Perry, Mr. Perry and Cecil Hawley were able to contact the owner of the building on Main St within (2) days after last months meeting and was able to reach an agreement that our Mayor will discuss in just a few minutes tonight. He wanted to thank Mr & Mrs Perry, Mr Hawley & Mayor Richards for their efforts. He stated that there is nothing like a little self reliance and hard work to get the job done as hard as it can be to look up google and making some phone calls.

Commissioner Killion wanted to thank Officers Kane and Garland for their work for this Town during this transition and he wanted to especially thank Officer Kane for her willingness to work on Christmas Eve. He stated that words failed him to express how grateful he is for her working when we would all be with our families and eating to much food that Officer Kane would be out their working.

Commissioner Killion stated that the Board would be interviewing candidates for the Police Chief and Corporal position. He stated that he wanted to be a little bit transparent and that as Police Commissioner what he was personally looking for when it comes to a Chief. Number one professionally qualified obviously – an outsider who is loyal to the whole town. Who is unstained by allegiances to any particular faction or click. You know what I'm talking about in this Town and who is disconnected an insulated Bailey's politics and drama. Number three isn't afraid to challenge the way things have always been. Number four is aware that they answer to this deliberative body and not an unelected bureaucrat. Number five is objective, reasonable, and mature. Number six is committed equal application of the law without passion, preference or prejudice. And finally number seven is able to find and complete grants that will further resource our police department. Commissioner Killion stated that he was hopeful that the Board would be able to fill these positions quickly.

Commissioner Killion was surprised that no one had suggestions for this hardware building that is coming down. He stated that it has been a long time coming. He was surprised that no had any ideas that they wanted to share tonight with what the Town could do with that place because this is your Town. He wanted to encourage people to come to the next months meeting with some ideas. He also wished from his family to yours a very Merry Christmas.

#### **Mayor's remarks:**

Mayor Richards stated he got up with Mr. Kent and that Mr. Kent has had some rough times and he basically said that if we do such and such that we can get the building signed over to us. Mayor Richards stated that it was out of our control and the County Commissioners would be meeting on it next month and that they would be talking about it and make the agreement. Mayor Richards continue to state that Mr & Mrs Perry had said that they would offer up a price on the building on what they had to have. He stated that the Board would look at that and if the County Commissioners come through that he wanted to move forward with getting this building down.

#### **Department Heads Remarks:**

Interim Chief Coggin: He stated that he was thankful the candidates that the Board has already interviewed for the positions that are here. He stated that hopefully whether tonight or next month that the Board would have the right candidates before them so that they could make a decision and that he was looking forward to seeing where the department was heading in the New Year.

Administrator Johnson stated that he had spoken with David Hartigan regarding the sewer moratorium and that he had spoken with someone from the Department of Commerce that was interested in speaking with the Town regarding our issue. He stated that David Hartigan was going back to talk with Mark Poole with the State and Dan Gerlich with the Golden Leaf Foundation. He continued to state that Mr. Hartigan was attempting to spin it as an economic development project and by using our TAG report to use the most cost efficient method to get off the moratorium was connecting to Wilson. It does not mean that the originally proposed 50,000 gallons per day would be sufficient now but that a renegotiated intake rate for Wilson would need to occur since we would not be able to increase our intake on our side.

Administrator Johnson stated that the Board was provided information about the buzzards. The bird is federally protected and you cannot touch them without a permit from the EPA. According to Greg Best with the NC Wildlife Service you have to exhaust all of the measures that was provided in the information given to the Board before the federal government would give you a permit to shot one so that you could hang it upside down in effigy. Allen Proctor from Spring Hope stated that they used buzzard guns that they used to go around town to scare off the buzzards. Commissioner Daniels stated that he would get a price on a sound cannon before the next meeting.

Administrator Johnson stated that he had received two requests for adjustments of the water/sewer penalties on a residential and business account. He explained that both parties had been in the hospital and that they were not able to pay their bill on time. He stated that the parties were Bailey Pharmacy and Mack & Susan Ward both who were in the hospital at the time the penalties were applied. Commissioner Daniels stated that he would want to help anyone who was in the hospital as much as he could. Mayor Richards asked how much were the penalties and Administrator Johnson stated \$20 on both accounts. Commissioner Killion stated that in the spirit of Christmas and having mercy he asked to have the penalties waived on both accounts by motion and was seconded by Commissioner Finch. The motion passed unanimously. (3 affirm); (0 nay)

#### **Closed Session:**

Mayor Richards read the following statement about going into closed session as permitted by NCGS 143-318 (a) (6) to consider the qualification competence and performance of an employee.

A motion was made to go back into open session by Commissioner Finch and seconded by Commissioner Daniels and was passed unanimously. (3 affirm); (0 nays)

#### **Open Session:**

A motion was made bring Taylor Bartholomew as Chief of Police at \$41,000 per year on contingent that his back ground checks out and he can start on January 2, 2019 by Commissioner Daniels and seconded by Commissioner Killion. The motion passed unanimously. (3 Affirm); (0 Nay)

A motion was made to bring Ms. Callahan on as full-time at \$36,000 per year on contingent that her back ground checks out and she can start on January 2, 2019 by Commissioner Finch and seconded by Commissioner Killion. The motion passed unanimously. (3 Affirm); (0 Nay)

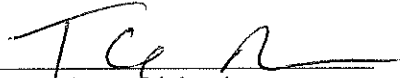
A motion was made to bring back the Christmas bonus to Officer Kane, Officer Garland, Mr. Johnson and Mrs. Glover in the amount of \$100 by Commissioner Killion and seconded by Commissioner Finch. The motion passed unanimously. (3 Affirm); (0 Nay)

A motion was made to rescind the offer to John Hunt from last month for part-time employment by Commissioner Finch and seconded Commissioner Killion. The motion was passed unanimously. (3 Affirm); (0 Nay)

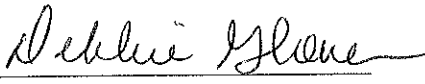
A motion was made to discontinue the janitorial services for the police department with an effective date of January 17, 2019 by Commissioner Killion and seconded by Commissioner Finch. The motion was passed unanimously. (3 Affirm); (0 Nay)

#### **Adjournment:**

There being no further business, Commissioner Killion made a motion to adjourn. Commissioner Finch seconded the motion and the motion unanimously passed. (3 affirm); (0 nays)



Mayor Richards



Clerk