

TOWN OF BAILEY MEETING MINUTES

REGULAR MEETING – 07/18/2022

The Regular Meeting of the Bailey Town Board was held in the Bailey Town Hall on July 18, 2022, at 7:00 PM with a public hearing held at 6:30, prior to regular meeting.

The following members of the Bailey Town Board were present: Mayor Thomas Richards, Commissioners Walter Wells, Richard Wilson, Dillon Bissette, and Ervin Powell. Also in attendance were Town Administrator Joel Killion, Shawn Lucas, Zoning Administrator/Code Enforcer, and Police Chief Cathy Callahan.

Public Hearings:

Shawn Lucas, Zoning Administrator/Code Enforcer, the hearing by explaining the purpose for the public hearing. Currently there are only three towns in Nash County allowed to sell mixed drinks. Town of Bailey is not currently included. Based on staff recommendations, the issue will be discussed during public hearing tonight and if the board chooses, the issue will be placed on the ballot in November 2022 to allow the public to make the decision. There were questions from some of the business owners, all questions were answered. There was no further discussion and no opposition to the item being on the November ballot. Commissioner Wilson moved to have Allowance of Mixed Drinks in Bailey placed on the ballot in November. Motion was seconded by Commissioner Powell. Motion carried.

Vote: Richards: N/A, Commissioners Wells: Aye, Wilson: Aye, Bissette: Aye, Powell: Aye

Called the meeting to order & Welcome Guest:

Mayor Richards called the meeting to order and welcomed the guests.

Approval of financial statements and meeting minutes:

Minutes from February, May and June were given to Commissioners prior to tonight's meeting. Town Administrator Killion recommended waiting to approve all minutes at August meeting to allow sufficient time to review. Motion was made by Commissioner Wells to table approval of minutes. Motion was seconded by Commissioner Bissette. Motion carried.

Vote: Richards: N/A, Commissioners Wells: Aye, Wilson: Aye, Bissette: Aye, Powell: Aye

Agenda:

Bailey Boy Scouts: Mr. Brayden Gibson presented details of his Life Scout project to the Town Board. Mr. Gibson will construct a Folds of Honor memorial at Bailey Cemetery. Mayor Richards thanked Mr. Gibson for making this presentation to the board and commended him for his hard work and composure during his public speaking. Commissioner Wells moved that the board accept Mr. Gibson's project and allow its construction at the cemetery. Motion was seconded by Commissioner Wilson. Motion Carried.

Vote: Richards: N/A, Commissioners Wells: Aye, Wilson: Aye, Bisette: Aye, Powell: Aye

Bailey Chamber of Commerce: Nick Green, President was not present. Tammy Bisette gave Chamber report. Next Chamber event is Super Ball Golf Tournament that is scheduled October 14th at The River Golf Course.

Planning Board: Planning Board update was given by Zoning Administrator Lucas. The Planning Board will again in August. There will be discussion on a possible parking solution on Hanover Street. Mr. Lucas reported the importance of adopting "160D". We are not compliant with this issue and it needs to be resolved quickly. Mr. Lucas recommended hiring InFocus to handle this issue for \$2750. InFocus would also attend an in-person meeting to answer any questions the board may have. Commissioner Wells stressed the importance of having Planning Board members and Town Board members meet with InFocus in one meeting. Motion was made by Commissioner Powell to hire InFocus to address "160D" compliance and have Planning Board attend workshop once they are ready to present. Motion was seconded by Commissioner Wells. Motion carried.

Vote: Richards: N/A, Commissioners Wells: Aye, Wilson: Aye, Bisette: Aye, Powell: Aye

Envirolink: John Nelson provided the monthly report and update to the Board. Mr. Nelson plans to have quote for new meters at the August meeting. Commissioner Powell asked about the sidewalk repair in front of Southern Bank. The sidewalk was damaged during a recent waterline repair. Envirolink stated they could repair or reimburse the town if they choose to have someone repair it. Mr. Killion will get estimates and present at the next meeting. Commissioner Wells expressed concern with water infiltration. He is concerned because the sewer capacity remains the same even though we have been in a rain drought. This proves we have infiltration issues. "We do not want to pay to ship rainwater, only sewer"

Old Business:

Arrangement of Departmental Responsibilities for clarity of roles: Clarification and possible changes to roles of Commissioners was discussed at previous meetings. Commissioner Wells agreed that there needs to be a written description of the roles. He used his role of Police Commissioner as an example. There is no written role for this position. Mr. Killion agreed to reach out to other small towns for their roles and descriptions and present this information at a future meeting.

New Business:

Resolution for selecting project engineer for Grant # VUR-W-ARP-0001: Motion was made by Commissioner Bisette to select McDavid & Associates as project engineer. Motion was seconded by Commissioner Wells. Motion carried.

Vote: Richards: N/A, Commissioners Wells: Aye, Wilson: Aye, Bisette: Aye, Powell: Aye

Oil & Grease Control Ordinance: Since this is a change to the town's ordinance a public hearing is required. Public hearing will be scheduled.

Town Property to sell and property to buy for the Town: Board agreed to discuss this in closed session.

Public Comments:

Amy Pearson (accompanied by Tracy Bailey): Mrs. Pearson expressed concern and dissatisfaction with The Bailey Police Department's handling of the arson case at Tracy's Cafe. A letter with a list of issues was submitted to each Commissioner. Mrs. Pearson asked for a response from the board once they have had a chance to review the concerns listed.

Kay Folsom: Mrs. Folsom shared her families frustration in accessing burial plots purchased many years ago by deceased family member for the purpose of family burial. Mrs. Folsom asked the board to develop a written procedure for family plots and publish it on the website so it is accessible for all.

Chris Perry: Mr. Perry also spoke regarding the cemetery. Family plots were purchased years ago by his family and they also have encountered issues accessing these plots. They ask for clarification for their family but also for future families.

Town Attorney Ryan King addressed these concerns. The board is very understanding of these situations and will work to resolve the issues. Commissioner Wells made the motion to have Atty King draft a policy regarding these family plot situations. Motion was seconded by Commissioner Powell. Motion Carried.

Vote: Richards: N/A, Commissioners Wells: Aye, Wilson: Aye, Bissette: Aye, Powell: Aye

Cecil Hawley: Mr. Hawley complained about an individual's issue with cemetery. He wasn't able to provide a name or any details. He voiced concern that limbs had not been picked up 6291 Main Street. Mr. Killion said he would look into the matter. Mr. Hawley also asked why he was not being reappointed to the Planning Board. He expressed frustration that other members had been re-appointed, but he was not. Mayor Richards thanked him for his comments.

Department Head Comments:

Interim Police Chief, Cathy Callahan: Chief Callahan provided her Summary Report to the Board.

Zoning Administrator/Code Enforcer, Shawn Lucas: Mr. Lucas presented his report to the board. Mr. Lucas presented an applicant to fill the town limits seat on the planning board, Kourtney Whitley. Commissioner Powell moved to appoint Kourtney Whitley to the planning board to fill the vacant town limits seat. Motion was seconded by Commissioner Bissette. Motion Carried.

Vote: Richards: N/A, Commissioners Wells: Aye, Wilson: Aye, Bissette: Aye, Powell: Aye

Mr. Lucas was questioned by Tammy Bisette, planning board member, as to why the Planning Board ETJ seat was not being filled. Mr. Lucas said he was holding that information for closed session but would share the information. He announced that Nash County had appointed Scott Hendricks to fill the ETJ position on the planning board.

Town Administrator, Joel Killion: Mr. Killion reported they have contacted Duke Energy regarding trimming trees that may be near power lines to prevent future power outages. Duke Energy explained they do not trim trees on private property. Also, there was a question regarding "town trees". Mayor Richards said a list was presented to the town several years ago. Mr. Killion agreed to meet with Streets and Trees Commissioner and do additional research.

Mr. Killion contacted Centurylink to have their lines removed from the old power poles on Main Street. Centurylink will be in town soon to address this issue.

Mr. Killion also reported that the COG had invited a Bailey town board member to serve on their board. He suggested Commissioner Bisette since he is Sewer Commissioner. Commissioner Bisette said he would consider and give Mr. Killion an answer.

The board was provided a letter from the state treasurer's office concerning the towns past due audits. He also included his email communications with their office. All financials should be up to date by end of year and the treasurer's office has been made aware. He also reported that the town is over a year behind on reconciling bank statements. Southern Software has a bank reconciliation department and can catch up all reconciliations for \$3500. He expects a written proposal by next months meeting.

Commissioner Comments:

Walter Wells: Commissioner Wells served as temporary Mayor Pro Tem at a previous meeting and was concerned about voting privileges and having a quorum. Per documentation from the School of Government, the Mayor Pro Tem does have voting rights. He shared these documents with the board. Atty King confirmed this information is correct.

Richard Wilson: No comments

Dillon Bisette: No comments

Ervin Powell: No comments

Mayor Remarks:

Mayor Richards shared that the town has been awarded a second grant in the amount of 9 Million. He thanked previous sewer commissioner Dwan Finch for her hard work during her terms. He also expressed much gratitude to the COG and Joe Dooley for their assistance.

Closed Session: G.S. 143-381.11(a)(6) Personnel Matters

Commissioner Bissette moved the Board go into Closed Session to address personnel matters, in accordance with G.S. 143-381.11(a)(6). Commissioner Powell seconded. Motion carried.

Vote: Richards: N/A, Commissioners Wells: Aye, Wilson: Aye, Bissette: Aye, Powell: Aye

Meeting adjourned.



Joel Killian, Town Administrator



Thomas Richards, Mayor