

TOWN OF BAILEY

The Regular Meeting of the Bailey Town Board was held in the Bailey Town Hall on September 18, 2017 at 7:00pm.

The following members of the Bailey Town Board were present: Commissioners Howard Wescott, Allen Daniels, and Troy Conner. Absent from the meeting were Mayor Pro Temp Carroll and Commissioner Bissette

Called the meeting to order:

Prior to the meeting being called to order Commissioners unanimously approved upon a motion by Commissioner Conner and seconded by Commissioner Daniels to elect Commissioner Wescott as Chairman-Elect. (3 affirm); (0 nays)

Chairman-Elect Wescott 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 August 2017 and the minutes for the Regular Board Meeting of August 2017, were unanimously approved upon a motion by Commissioner Conner and seconded by Commissioner Daniels. (3 affirm); (0 nays)

Agenda items:

Ervin Powell; Resident of 6155 Vance St, Bailey NC addressed the Board. Mr. Powell stated that last month in the board meeting he understood that streets being repaired this year. Last year he stated that he got with Becky, then Mayor Johnson, Commissioner Conner and then Commissioner Winstead and from his understanding he understood that his portion of Vance St would take first priority this year because last year all of the funds had been exhausted. He stated that last month his portion of Vance St did not come up so after the meeting he stated that Town Administrator Johnson advised him to speak with the Commissioner over streets and trees Commissioner Bissette. He stated that on the following Tuesday that he did speak with Commissioner Bissette and that Commissioner Bissette stated that he could not recommend his street to be repaved because it was considered an alley. He then stated I gave you my address of 6155 Vance St not 6155 Alley way so the issue has not been resolved of the street being repaved. Commissioner Conner then spoke up and stated that he did not agree to what Commissioner Winstead stated at the time that they met. He also stated that if he wanted to get a counter on his street and then a counter at the other end of Vance St. Mr. Powell asked was there a counter on the other side of Vance St and Commissioner Conner stated no but if he wanted to push for it that they could get them. Mr. Powell said that he understood that Commissioner Conner and Commissioner Bissette stated that the other side of Vance St was busier than his but that did not mean his was any less important than his side of Vance St. Mr. Powell then stated do you have to be a commissioner in order to get your street repaved? He stated I am only asking a question. Commissioner Conner then stated that was a good question and the answer was no. Commissioner Conner stated that it could be paved just before his home and none further because it was that area that needed it because two cars could not even pass. Mr. Powell then asked if any of the other board members other than Commissioner Conner road through his portion of Vance St. Commissioner Daniels stated yes and Commission Wescott stated sometimes but not often. Commissioner Daniels then stated that his suggestion we be for the police department should ride all of the streets and put down the worst ones and stated that he believed that was the board had spoken about and he did agree that there are several bad streets. Mr. Powell stated that from last year to this year the problem has not been fixed. He wanted to know how it went from being number one in priority last year to not even coming up at all this year. He stated that he did what he was told to do by Becky and Tim by going to the then Commissioner of Streets and Trees which was Commissioner Winstead. He also stated that Commissioner Conner was there when Commissioner Winstead advised him that his street was a priority. Commissioner Conner then asked him did he state to Mr. Powell that he agreed with Commissioner Winstead. Mr. Powell then stated that he would not state that he did agree with but since the commissioners have stated that you do not have to be a commissioner in order to get your street fixed then what is the criterion in order to get it fixed. Mr. Powell stated that since you do not drive on the street then it is not a priority to you all.

Commissioner Conner then stated to Mr. Powell that you do realize that I do drive down that street. Mr. Powell then stated that Commissioner Conner only drove down the street just before Town Board meetings and maybe a few times other than that. Mr. Powell then went on to talk about limbs and the tree growing into the roadway. JP McCann from Envirolink stated that he had gotten the limbs out of the roadway but that he still needed to cut them up. Commissioner Conner asked if he had called into Town Administrator Johnson to let him know and he stated that he had. Town Administrator Johnson informed the board and Mr. Powell that the cutting back of the tree was being done as a courtesy but that the tree and the limbs over the roadway was the property owner's responsibility. Mr. Powell stated that there was not an owner and that they were not paying taxes. Town Administrator Johnson stated that yes there was a property owner but no heir had stepped forward to pay the taxes. Mr. Powell then stated that if the limb touches the fence then it would become a town issue. Town Administrator Johnson stated no it would not be the Town's responsibility. Mr. Powell then stated that if the tree touched the top of his car or if Commissioner Conner just so happens to come down that street. Town Administrator Johnson stated that you could sue the property owner if you can locate them. He continued to state that you cannot look at air space to determine responsibility. If the tree fell over the road then it would become the Town's responsibility. Mr. Powell then requested to go back to the criterion for getting the road fixed. Commissioner Daniels stated in the last meeting that the board asked for the police department to come up with the worst roads. Mr. Powell stated the police department. Commissioner Daniels state the police department would ride all of the streets and they were writing down the worst ones. Town Administrator Johnson then stated to Mr. Powell that even though he had been mayor that really he had no authority. The only time he did have any was to break a tie but still he was under no obligation to do so. He also stated that if everyone could remember that in last month's meeting he asked the board if they had really looked at all of the streets to determine which ones needed to be repaved first. He stated that he did not ask the gallery this question but the board of commissioners because they are the ones that make the decision. He was asked to proceed with quotes but stated that he could not do so because the amount that would be necessary for this project to go forward would require that they go out for advertised bids and that he would need to inquire with the board about this later on in the meeting. He still stated that because of the bidding process that it would still be up to the board on if they wanted to see what the cost would be for both sides of Vance St however funds would not be completely available until after January 2018. Commissioner Conner did state that he does personally ride the streets at least once a month and that is every street in Town. Commissioner Conner did state that it was a bad street or alley but that it was not heavily traveled. Mr. Powell asked Commissioner Conner why he kept said alley. Commissioner Conner stated that is what you referred to it earlier. Mr. Powell then stated no that is what you all keep referring it as and then said that it is Vance St because if he called 911 that they would come to Vance St and not Vance Alley. Mr. Powell then said why are you asking the police to drive around and look at the streets because is not that why you have commissioners and that it is their responsibility. Commissioner Daniels said it is and that he is not over streets and not over trees but that when he handles maintenance he does his job but he also looks for other input and that is why we talk about it as a board and make suggestions to help come to decisions. Mr. Powell then stated that he understood but what about the people. You want people to come to your meeting but you all are sitting up here making all of the decisions and when someone comes up to make speak do you even listen or take into consideration what that person is saying. Commissioner Conner stated that he does however he understood his concern but that it would be in the best interest of the town for other part of Vance St to be fixed first. Mr. Powell said that he understood that was Commissioner Conner's opinion but in his opinion with all of the work that was done in this part of Vance St with the water lines and with part of Vance St in front of Commissioner Bissette being repaved then they should have also come on down and done this part of Vance St as well. Chairman-elect Wescott stated that we would take it under advisement after Mr. Powell concluded.

Bailey Chamber of Commerce; Cecil Hawley, President of the Bailey Chamber of Commerce updated the board on the approved projects the Bailey Chamber of Commerce.

1. The deadline for registration with the Miss Bailey Pageant is October 15, 2017.
2. The pageant will be held on November 11, 2017 at 6:30pm at Southern Nash Senior High.
3. Contacted Mike Cooper about potentially replacing both north and south signs at railroad trestle.
4. Contacted Coastal railroad to see if they will relight the trestle with LED lighting.
5. Provided information about Bailey Elementary PTO 5K run November 4, 2017. This is to help the PTO raise funds for replacement playground equipment. PTO contact is Dean Edwards at 919-353-9079.
6. New businesses on Main St include new fitness center, hair salon, and tanning salon.
7. Have had (2) separate inquiries about potential dress shop locations on Main St.

Mr. Hawley then asked if anyone from the "Abandoned Bailey" Facebook site was present at the meeting. No in the galley answered so Mr. Hawley stated that he wished someone from that site was here. They would see that Bailey is not "abandoned". He also stated that no one should hide behind a website. They should be able to come forward and speak directly to one another so that it is not a one sided conversation.

EnviroLink; JP McCann, representative of EnviroLink, was present and had nothing additional to report other than to state that the board had the monthly report in front of them and that if they had any questions he would be more than happy to answer their questions. Town Administrator Johnson asked when the limbs are going to be picked up. Mr. McCann stated that what is left would be picked up tomorrow. Town Administrator Johnson stated that he understood the Mr. McCann was coming into this position brand new but that he wanted to give some history regarding this issue. Mr. Johnson then stated that even when he was Mayor that this was a pet peeve issue with him. EnviroLink issues a calendar that is provided to our citizens. On this calendar it states when yard waste pick up would occur and that is what the citizens go by and what the Town goes by as well. He stated that if that schedule changes and no one is notified of a change then he has to be reactive rather than proactive. Mr. McCann stated that going forward that he would communicate to the Town if and when there would be a delay in yard waste pick up. Commissioner Daniels then asked about a tree on Elm St that was falling down. He stated that he would cut it up but then Town Administrator Johnson stated that it had to be less than 6" in diameter for EnviroLink to pick up. He further clarified that limbs could be no more than 6' in length and 4" in diameter. Mr. McCann stated that he would speak with Commissioner Daniels about the tree after the meeting.

Public Comment:

Chairman-elect Wescott opened the public comment section. Robert Johnson from the Town of Middlesex stated it was his understanding that the Board of Commissioner was going to vote to give Nash County the rights for a small fee per year to build a recreation center. He stated that the Town of Middlesex went ahead and voted to approve the agreement with little or no review and he was here to provide a reason for the Town of Bailey to not approve the agreement. He stated that the Towns of Bailey and Middlesex have committed themselves to the park that is not going as planned. He stated that it was his understanding that we were returning the \$250,000 and reapplying because the money could not be raised so in his opinion that was a poor excuse in five years. The second thing is that phase II includes disc golf, horse pits, natural trail, and picnic shelters so of course that is not going to be taking place. He provided a packet of information to the board and stated that it shows that Bailey did not have any parks and that Middlesex had one small park and that Nash County does not provide any money to it and that it has not been improved since the last five years. During this process it was noted that Middlesex had a population of 822 and Bailey had a population of 562 that they provided hundreds of thousands of dollars that could have been used to pave your streets. The information provided shows that there were stakeholder interviews/meeting that neither Middlesex nor Bailey attended the meetings but we are throwing money to the county and charging the taxpayers. He stated that the Master Plan was created without any input from Bailey and or Middlesex according to the meeting notes. He continued to state that several people from the Coopers Community Development group attended the meetings and of course they are going to get a park which the County is buying the land for them and Bailey/Middlesex purchased their land. He stated that public workshops were held and Coopers, Red Oak and Spring Hope attended but Bailey and Middlesex did not. He stated the biggest thing in the document is that we are giving them the lease rights for \$1 for a 99 year lease agreement. He asked the board to read their documents because it did they understand what the Town of Bailey would be taking on. He stated that the Town of Bailey would be responsible for utilities and insurance on a building that the County was building. He stated that the document states that the communities of Red Oak, Bailey, Middlesex, Spring Hope and Castalia are significant partners with the County as it builds it park system but Mr. Johnson feels that citizens from Middlesex and Bailey are paying for it twice because of taxes collected from the County and the Towns. He also stated that it was a false statement that Nash County has successfully worked with local municipalities in developing a network of Community Parks in reference to the Bailey/Middlesex Community Park. At this time Town Administrator Johnson called time.

Mr. Hinnant stated that he had an issue with the Town of Bailey regarding a building at 6228 Main St that he had already leased out. He stated that he received a bill in reference to the water being turned off for a repair because there was no meter when he purchased the property. He stated he received a bill for \$210 dollars and he was certain that it cost more than that. Town Administrator Johnson asked for him to show him the bill.

He then advised that it was the 2017 tax bill for the property not a bill for the meter. With no further public comments made the public comments section was closed.

Old Business:

Tree #16 on Vance and Tree #12 on Pine – Town Administrator Johnson stated that he had received quotes from Al's Tree Service and Christ Made A Way Tree Service out of the four companies contacted with no response from Quality Tree Service or Batts Tree Service. He advised that they could either table this or they could go with Al's Tree Service quote of \$2300 unless the quote from Christ Made A Way Tree Service was lower. Commissioner Conner then stated that he would rather table it himself. Commissioner Daniels then stated that we do not need to table this with a hurricane coming. Commissioner Daniels then asked how much did we have budgeted and Administrator Johnson stated \$10,000. Commissioner Conner then stated that he would like to go with Al's if they could get it done before the hurricane and if not then wait for the other quotes. Administrator Johnson then said the problem with that was if the competing quote came in under Al's then they had not been fiscally responsible. A motion was made to accept Al's quote as long as the competing quote was not under Al's quote of \$2,300 made by Commissioner Conner and seconded by Commissioner Daniels and was unanimously approved. (3 affirm); (0 nays)

Street quotes – Vance St (West side of Sanford) and Williams St – Administrator Johnson indicated that this would need to go out for bid since the amount of money involved would meet a threshold requirement. He asked the board members where they would like to have this advertised. Commissioner Conner stated we advertise in Spring Hope Enterprise and Wilson Times. Administrator Johnson stated that the requirement was for only publication. Commissioner Daniels then stated lets go with Spring Hope Enterprise. The majority of the board concurred. Administrator Johnson then asked if the bidding would include both sections of Vance St. All Commissioners agreed because they wanted to see the cost involved. Administrator Johnson clarified for Commissioner Daniels that it was the section of Vance St that were between Jackson & Nash and Sanford St and Peele Rd.

Effluent pump quotes – Administrator Johnson asked Envirolink if they were going to present any quotes. Mr. McCann stated that he thought Mr. Holmes had provided that to us already. Administrator Johnson then stated no that he provided us pictures but stated that he was going to get someone who worked on pumps to get that information to us. Mr. McCann stated that he would follow up on that for us.

Green St Fire Hydrant – Chairman-elect Wescott asked if there was any progress on the quote for this fire hydrant. Administrator Johnson asked Commissioner Daniels if Mr. Holmes got with him on this because he needed to see if it needed a cut-off. Commissioner Daniels stated that no one had gotten up with him. Administrator Johnson stated remember that this is one that they wanted fixed before they got reviewed. Again Commissioner Daniels stated that the only thing he knew about was the quotes for the pump and that he had heard about the fire hydrant on Bissette St. Administrator Johnson stated that this was not that fire hydrant but the one that needed a cutoff he believed. Commissioner Daniels stated that he would discuss it with Mr. McCann when he met with him next week.

Southern Senior Center Ground Lease Agreement – Chairman-elect Wescott asked for vote to approve or request modifications on the contract prior to approval. Administrator Johnson stated this is not part of the park. This is a Senior Citizen Center that Nash County has been looking at building and trying find a location for the center to be built on. The current location of it is at the old EMS location in the Mount Pleasant Community. This is going to be the County's building. They are going to be paying for the electricity and water. The Town of Bailey will not be responsible for any of the County's obligation unless the County abandons the building. At that point the building cannot be moved or you could have them remove the building that would be a decision that the Board of Commissioners would need to make. Administrator Johnson also stated that it was his understanding that the Master Plan was to make this facility a mirror image of the northern facility which would include classes such as college classes, continue education classes and that there was going to be a potential sheriff's deputy stationed there as well. The added items are what came from Trey the Town's attorney and now it is up to the Board of Commissioners if they are going to grant the lease option to the Nash County to build the Senior Center. Commissioner Conner asked did they have to do anything on this tonight because he

would like all five commissioners be present to vote on this. Administrator Johnson stated that the County would like for them to move forward with this tonight however that there was not a legal requirement for them to do anything about it during this meeting and that they could table it. Commissioner Conner and Chairmen-elect Wescott agreed however Commissioner Daniels stated that if it will not be costing the Town of Bailey anything then he did not have a problem with moving forward. Cecil Hawley then stated that it the lease is only for that property to sit on that ground and it was a \$1 a year lease that was all it is. Then Robert Johnson asked do you not think that your land is worth more than that. Cecil Hawley then stated that he believed that the Town should vote on it tonight. Then Robert Johnson asked would you lease a store in town for a \$1. Then Commissioner Daniels asked Mr. Johnson what he thought that it should be. Mr. Johnson then stated that he thinks the County should pay the Towns back for the Park. Commissioner Daniels stated that he was not talking about the park. Mr. Johnson interrupted and stated that it was the same thing. He stated that the park is supposed to have a Phase I, II, III and IV. Since the money could not be raised for Phase II you are going to jump to Phase IV and you are throwing away taxpayers money. Commissioner Daniels stated that he did not vote for it to start with when he was on the Board. Then Mr. Johnson advised him to vote against it then. Commissioner Daniels stated that at the time it was Commissioner Winstead pushing it when we have serious problems with water and sewer. Mr. Johnson then stated remember you are paying insurance on that property. Commissioner Daniels continued to say that he was in favor of giving land to senior citizens and if it is a good cause for that and it is not going to cost the Town of Bailey anything for that. Mr. Johnson then added that the County has the money and that they can pay for it. A motion was then made by Commissioner Conner to accept the agreement and seconded by Commissioner Daniels and was unanimously approved. (3 affirm); (0 nays)

New Business:

Funding request Braswell Memorial Library - Chairman-elect Wescott brought up the next item on the agenda and turned it over to Administrator Johnson. Administrator Johnson stated that Board received the letter last month and that Ms. Roche had made the request for \$2500. Commissioner Conner asked Commissioner Daniels about this. Commissioner Daniels stated that he was not going to vote on it. He did not agree with it because we are providing them a building, insurance, and then Commissioner Conner stated a new \$5000 a/c unit. Commissioner Daniels stated that he did not agree with it during the budget meeting and Commissioner Conner stated that he felt that it was he believed the rest of the commissioners were leaning toward. Chairman-elect Wescott then asked Administrator Johnson what action needed to be taken and Administrator Johnson stated that they either needed to vote or table it. Chairman-elect Wescott then stated that he believed that it needed to be tabled until everybody is here. Then Commissioner Conner agreed with this action so the item is tabled until the next meeting.

Down East Home Consortium; Town Administrator Johnson advised that in your packet you should have received information about the 2017-2018 Action Plan where this Board has voted me as a sitting member of this Board. My responsibility is to let you know that DEHC Boards direction is now changing. Its primary purpose was to take H.O.M.E. HUD funds that were allocated by the Federal government to both Nash and Edgecombe Counties and the City of Rocky Mount for urgent housing repair needs. These funds were then divided among the recipients by percentage. The Consortium agreed that instead of using each locations percentage that it would pool the resources so that it would have the greatest impact on anyone who applied for these funds. So with the Town of Bailey's percentage there would not be enough funds available to complete a major project so these funds being pooled allowed for them to be used more successfully rather than having to try and do something before the funds would have to be returned because of not being allocated and used. So now with the current political climate in Washington DC there is a serious concern that the H.O.M.E. program will not continue to be funded. If we proceed to continue with the Consortium then whatever our percentage is where it is not funded by H.O.M.E. funds the Town of Bailey would be responsible for contributing while remaining in the Consortium and that these funds could be used wherever in Nash County. A motion to not proceed and dissolve the Town of Bailey from the Down East Home Consortium was made by Commissioner Conner and seconded by Commissioner Daniels and was unanimously approved. (3 affirm); (0 nays)

Set Public Hearing for Termination of Convenience of funds back to PARTF -.

Administrator Johnson stated that as you heard earlier there was mention of \$250,000 from PARTF grant that

was part of Phase II we are asking for it to be returned. The reason for this is because PARTF told us that the current plan that we have is a passive plan and not an active plan. What we have done is modified to have some of the wagon wheel and not the entire wagon wheel. The PARTF group told us that we were more likely to receive more funding if we were to return the funds and reapply under the more active plan rather than passive plan. Since we are the applicant and not the Town of Middlesex we are required to set the public hearing. The Town of Middlesex will simply provide a statement that they are in agreement with our actions for returning the funds for potentially receiving greater funds in the next funding round but before we can do this we have to have this public hearing set. A motion to set Public Hearing for Termination of Convenience of funds back to PARTF before the next Regular Board meeting on October 16, 2017 was made by Commissioner Conner and seconded by Commissioner Daniels and was unanimously approved. (3 affirm); (0 nays)

Commissioner's remarks:

Commissioner Daniels stated that he would have more time to work with Envirolink and Troy regarding water issue next month.

Commissioner Conner asked Envirolink to check on the property that was in front of Bailey Café for the weeds that needed to be weed eated.

Mayor's remarks:

Mayor Pro Tem Carroll was not present.

Department Heads Remarks:

Chief Bullock did not have anything to present to the Board. Chairman-elect Wescott did ask if the building had been painted. Administrator Johnson stated that yes it was done however around the windows and the eves she could not warranty because of Wood Carver bees and the seals not in place around the windows. She did advise treatment for the Wood Carver bees.

Administrator Johnson asked for Thursday, October 5th, to have the office close because Debbie and he needed to attend a meeting in Raleigh to go over the Debt-Setoff program. Commissioner Conner asked if we would only put a sign up in advance. He indicated that they would. Administrator Johnson also stated that in his opinion that since we already have an AIA project and the Filtration project going on that the Board not seek out funding for another AIA project for water at this time. There was no objection from the Board on this request so they did not move forward with a motion on this matter.

Administrator Johnson asked the Board to review the packet of information on benefits regarding employer provided and employee expense. Upon review of the benefit package with JRW Associates it appears that with the renewal for dental, basic life/accidental death & dismemberment, dependent life, short term disability and long term disability that the Town of Bailey would save on an annual basis of \$331.88 per year at the now current renewal rates and change in companies from USABLE Life and Blue Cross Blue Shield to United Health Care and Blue Cross Blue Shield. A motion to accept the Renewal New Service rates that was presented to the Board by the Town Administrator was made by Commissioner Conner and seconded by Commissioner Daniels and was unanimously approved. (3 affirm); (0 nays)

Administrator Johnson advised that under the ACA our health insurance carrier is required to spend at least 80% of the premiums that it collects from employers in the State of North Carolina. If they fail to spend at least 80% they are required to provide us a back a percentage of the premiums that were not used back to the employer. In this case we received a check back on 3% of the premiums that we paid to United Health Care for \$470.51. It's a benefit and under the ACA there are certain rules that need to be cleared up but he wanted to make them aware that this could be a benefit that would need to be paid to employees who are no longer employed with the Town of Bailey.

Closed Session:

Commissioner Conner made a motion to go in to closed session as permitted by NCGS 143-318 (a) (6) to consider the qualification competence and performance of an employee. Commissioner Daniels seconded the motion and the motion passed unanimously. (3 affirm); (0 nays)

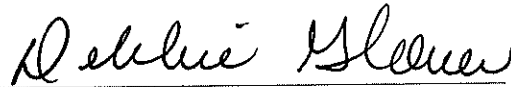
Commissioner Conner made a motion to return to the regular session meeting and Commissioner Wescott seconded the motion and the motion pass unanimously. (3 affirm); (0 nays)

Open Session:

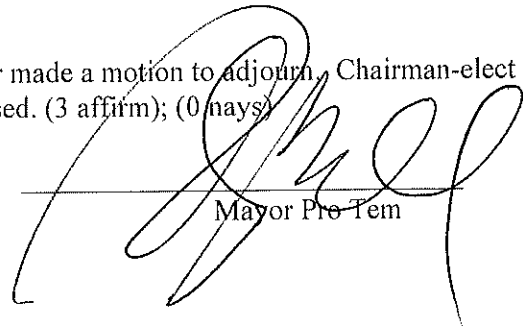
Once back in open session Commissioner Daniels made a motion to bring Debbie Glover's pay from \$11 per hour to \$12 per hour effective 09/18/2017. Commissioner Conner seconded the motion and the motion unanimously passed. (3 affirm); (0 nays)

Adjournment:

There being no further business, Commissioner Conner made a motion to adjourn. Chairman-elect Wescott seconded the motion and the motion unanimously passed. (3 affirm); (0 nays)



Clerk



Mayor Pro Tem