

TOWN OF BAILEY MEETING MINUTES

REGULAR MEETING – 02/21/2022

The Regular Meeting of the Bailey Town Board was held in the Bailey Town Hall on February 21, 2022, at 7:00 PM.

The following members of the Bailey Town Board were present: Mayor Thomas Richards, Commissioners Joel Killion, Richard Wilson, Dillon Bisette, and Allen Daniels. Also in attendance were Jeremy Crawford, Town Clerk, Shawn Lucas, Zoning Administrator/Code Enforcer, and Interim Police Chief Cathy Callahan.

Called the meeting to order:

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

Public Hearing:

Street Closure Request:

Maureen Brown with Nash County Farmers market appeared before the board to request the closure of Nash Street between Pine Street and Deans Street. Nash County Farmers Market plans to host an Agricultural Festival at 6168 Deans Street, the location of The Leaning Tree Italian Restaurant on Saturday March 19, 2022. There will be Vendors, Music, and other Demonstration of agricultural activities followed by a Farm to Table meal offered by The Leaning Tree Italian Restaurant. Cecil Hawley spoke in opposition of the street closure as the closure would block the driveways of his tenant properties and stated a private event should not block a residential street. He spoke in support of the event and suggested moving the festival to Main Street. Walter Wells, Planning Board Chair, spoke regarding several concerns such as traffic, pedestrians crossing Deans Street, Security and liability. Will Farris spoke, he disputed that there should be concern about liability issues. Walter Wells responded by reminding the town that Will Farris is not the Town's attorney. Zoning Administrator Shawn Lucas recommended that the street closure be allowed. Commissioner Daniels stated his experience with spectators from ballfield trespassing on is property and expressed concern that the residences would experience the same if the street was closed for the festival. Zoning Administrator Lucas stated the residences were invited to the meeting and none showed up to voice their concerns. Commissioner Killion suggested asking Nash County to provide proof of liability. There was additional discussion. Commissioner Killion made a motion to accept Zoning Administrator's recommendation. There was no second to the motion. Zoning Administrator Lucas stated if there was no second to the motion, there must be a motion made to deny or table the issue. Commissioner Daniels made a motion to deny, Motion was seconded by Commissioner Bisette. Motion to deny carried.

Approval of financial statements and meeting minutes:

Commissioner Killion moved the Board accept the January 2022 financial statements, January 18, 2022, Regular Meeting Minutes, and January 18, 2022 Closed Meeting Minutes as prepared by Town Clerk Crawford. Commissioner Daniels seconded. Motion carried.

Vote: Richards: N/A Bissette: Aye, Killion: Aye, Wilson: Aye, Daniels: Aye.

Agenda:

Representative Matthew Winslow: Not Present

Stacie Shatzer, Nash County Manager: Ms. Shatzer introduced herself and shared her work experience with Nash County. She provided contact information and encouraged the town to reach out with any concerns.

Bruce Naegelen: Not Present

Withers & Ravenel: Zoning administrator Shawn Lucas explained that he had reached out to Withers & Ravenel to assist with updating General Statute 160D and Ordinances for the Town of Bailey. A representative from Withers & Ravenel presented proposal and accepted questions from board members. With no questions from board members, a written proposal was left with each board member.

Walter Wells, Chair Bailey Planning Board: Mr. Wells emphasized the need for updating town ordinances and adopting GS 160D.

He gave examples of the outdated ordinances currently listed on the Town's website. Mr. Wells shared the recommendations from the previous months planning board meeting and stated Zoning Administrator Lucas would give more details during his presentation. He also expressed concerns regarding the record keeping of permits as they are issued so they will be monitored for renewal or expiration.

Bailey Chamber of Commerce: Chamber President Nick Green shared details of a successful blood drive the previous month. He stated the Chamber is working hard and looking forward to upcoming events.

Envirolink: Mr. John Nelson updated the board on two open work orders and provided updates on the wells. Clerk Crawford made Mr. Nelson aware of 15 accounts that would be closed out due to no payment.

Old Business:

Social Media Comment Policy: Clerk Crawford reminded everyone of previous conversation regarding Social Media comments. He presented a policy being used by neighboring towns. There was discussion regarding previous comments on social media. Clerk Crawford suggested

that the town adopt a written policy to have guidelines in place for future situations. The issue was tabled.

Citizen Advisory Committees: Clerk Crawford reported he has received the following applications. Two applications for Housing Appeal Committee, Two applications for Sewer & Water Committee and One application for Cemetery Committee. The issue was tabled until more applications are received.

New Business:

Utility Service & Late Fees/Penalties: Clerk Jeremy Crawford explained that our current billing policy is to charge a flat fee for past due water and sewer totaling \$20. Southern Software will allow us to charge either a flat rate or percentage fee. This past month Crawford had to go in and manually enter 120 fees. He asked the board to consider setting up a percentage fee. There was discussion on the issue. Mayor Richards stated there are other issues with our billing system that need to be addressed in future meetings. The consensus of the board was to delay this decision to include all issues.

Contract & Resolution from Upper Coastal Plain: Mayor Richards read the resolution for Project # VURWARP001. This resolution addresses the award of 5 Million to pump sewer from the Town of Bailey to the City of Wilson. Mayor Richards explained the process involved in this resolution. He expressed his support of the plan to take our sewer to the City of Wilson. Commissioner Killion spoke in support of the same plan. Commissioner Daniels spoke his dissatisfaction with the Upper Coastal Plain in general regarding a previous project and stated his desire for the Town to choose another firm to oversee projects. There was much discussion between Mayor Richards and Commissioner Daniels. Commissioner Bissette had questions regarding the next milestone of this project. Clerk Crawford was unsure of the exact date, but stated the date to be around March 15, 2022. Clerk Crawford reiterated if the board chooses to delay the resolution, a special meeting must be called prior to the regular March meeting to meet the milestone deadline. Commissioner Killion pointed out there is no evidence that the Upper Coastal Plain has mishandled any projects for other towns. Commissioner Bissette asked for more time to review the documents and asked for a special called meeting to vote on the resolution. Issue was tabled.

Shawn Lucas, Zoning Administrator: Zoning Administrator Lucas presented the request for ABC permit application for 6168 Deans Street.

Commissioner Daniels made a motion that the board approve the application request and have Chief Callahan sign off on the application. Motion was seconded by Commissioner Bissette. Motion Carried.

Vote: Richards: N/A, Bissette: Aye, Killion: Aye, Wilson: Aye, Daniels: Aye.

Zoning Administrator Lucas presented the request for ABC permit application for 6288 Main Street

Commissioner Killion made a motion that the board approve the application request and have Chief Callahan sign off on the application. Motion was seconded by Commissioner Bissette. Motion Carried.

Vote: Richards: N/A, Bissette: Aye, Killion: Aye, Wilson: Aye, Daniels: Aye.

Zoning Administrator Lucas presented the request for ABC permit application for 6374 Deans Street

Commissioner Daniels made a motion that the board approve the application request and have Chief Callahan sign off on the application. Motion was seconded by Commissioner Killion. Motion Carried.

Vote: Richards: N/A, Bissette: Aye, Killion: Aye, Wilson: Aye, Daniels: Aye.

Public Comments:

Mrs. Deborah Morton: Mrs. Morton thanked Commissioner Wilson for helping recently at her home. Mrs. Morton stated she later hired a contractor to dig a ditch. She expressed frustration to Commissioner Daniel. Her water color is better but she still has not pressure. She shared her frustration with the money she had spent hiring a plumber and contractor to rectify the water issues at her home. Commissioner Daniels stated that the issue is not a town issue, the issue is the responsibility of the property owner. There was much discussion between Mrs. Morton and Commissioner Daniels. Mrs. Morton continues to feel this is an issue the town is responsible for and Commissioner Daniels continue to state this is the responsibility of the property owner.

Mr. Cecil Hawley: Mr. Hawley stated he dropped his payment off the day after a Holiday and was charged a late fee. He questioned why he was charged a late fee when the policy had always allowed payments be received the day after with no late fee. He also complained about crime in town. He shared examples of individuals knocking on doors and windows late at night and attempting to break in vehicles. He suggested hiring additional officers from Nash County Sheriff's Office. He also stated that Callahan had served as Interim Chief for over a year and he felt it was time for the Board to offer her the Chief's position. Mayor Richards stated he understands the concern and frustration. He stated Interim Chief Callahan does a great job making arrests but we cannot control what happens with the Court system.

Mr. Walter Wells: Mr. Wells stated he hated to see Clerk Crawford leave the Town of Bailey but wished him well in his new journey. He expressed concern with hiring new employees and ending the turnover with administrative staff. He stated the need for quality employees as we work through the sewer moratorium issues.

Department Head Comments:

Town Clerk, Jeremy Crawford: Clerk Crawford prepared a Town Clerk Report as it relates to utility service zoning and sanitary, specifically from a financial perspective.

Utility Services: The town reinstated the rate and fee policy for utility services. Late fees, re connect fees, disconnect fees for nonpayment and the convenience fee for credit card terminals have all been reinstated. Past due balances have seen a drastic decrease. 15 accounts will be disconnected tomorrow morning. Cut off's are performed during the week and early in the morning to allow customers to pay all late fees and reconnect fees and have services re connected.

Zoning: The town collected fees for 7 permits for a total of approximately \$300.

Cemetery: Currently we have 322 plots that are unsold and 2355 plots that are unoccupied. We sell approximately 46 plots per year and have approximately 53 burials per year. At the current rate, we should expect to have all plots sold by the end of 2028 and all plots occupied in approximately 44 years. We will continue to be responsible for the opening and closing of graves for approximately 44 more years.

Clerk Crawford stated a new phone would be needed for Police Dept. Motion was made by Commissioner Killion to purchase a new phone with a new contract for the Police Dept. Motion was seconded by Commissioner Bissette. Motion carried.

Vote: Richards: N/A, Bissette: Aye, Killion: Aye, Wilson: Aye, Daniels: Aye.

Clerk Crawford stated that his last day with the Town will be Feb 28th. All Commissioners thanked him for his service to the town and wished him well.

Interim Police Chief, Cathy Callahan: Chief Callahan provided her Summary Report to the Board. Chief Callahan stated crime was slightly up in February due to some juvenile criminal activity.

Zoning Administrator/Code Enforcer, Shawn Lucas: Mr. Lucas provided his report to the Board.

Commissioner Comments:

Joel Killion: Stated temporary speed bumps had been placed strategically around town to deter speeding. Shared that 24 hour policy coverage was not currently possible, but is in favor of hiring additional law enforcement from NCSO.

Richard Wilson: Stated he was going to miss Clerk Crawford. .

Dillon Bissette: Expressed interest in a meeting with all parties involved in sewer project.

Allen Daniels: Stated contract for tank maintenance needs to be discussed in the future, possibly July 2022.

Mayor's Comments:

Mayor Richards had nothing to report.

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

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

Vote: Richards: N/A, Bissette: Aye, Killion: Aye, Wilson: Aye, Daniels: Aye.

Commissioner Killion moved the Board hire Angela O'Neal as a part time Sergeant at \$18/hour. Motion seconded by Commissioner Wilson seconded, Motion carried.

Vote: Richards: N/A, Bissette: Aye, Killion: Aye, Wilson: Aye, Daniels: Aye.

Commissioner Killion moved the Board hire Interim Chief Callahan as full time Chief of Policy with an annual salary of \$45,000. Commissioner Bissette seconded. Motion carried.

Vote: Richards: N/A, Bissette: Aye, Killion: Aye, Wilson: Aye, Daniels: Aye.

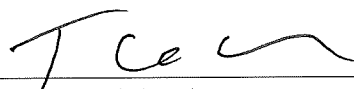
Commissioner Daniels moved the Board hire Clerk Crawford to work part time during the transition of hiring a new clerk at a rate of \$25/hour. Commissioner Killion seconded. Motion carried.

Vote: Richards: N/A, Bissette: Aye, Killion: Aye, Wilson: Aye, Present, Daniels: Aye.

Commissioner Killion moved to adjourn meeting. Motion seconded by Commissioner Bissette, Motion carried.

Vote: Richards: N/A, Bissette: Aye, Killion: Aye, Wilson: Aye, Present, Daniels: Aye.

Town Clerk, Jeremy Crawford



Thomas Richards, Mayor