

## TOWN OF BAILEY MEETING MINUTES

REGULAR MEETING – 09/17/2022

The Regular Meeting of the Bailey Town Board was held in the Bailey Town Hall on September 17, 2022, at 7:00 PM with a public hearing held prior to regular meeting.

The following members of the Bailey Town Board were present: 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:**

Commissioner Wells, Temporary Mayor Pro Tem, called the Public Hearing to order. Zoning Administrator Lucas Presented a street closure requests from the Chamber of Commerce. The Chamber request street closure of Main Street for the annual Halloween event being held October 29<sup>th</sup>. No members of the public were present to speak. Commissioner Wilson moved to approve street closure on October 29<sup>th</sup> from 4-9 and waive permit fees due to The Bailey Chamber of Commerce non-profit status. Motion was seconded by Commissioner Powell. Motion carried.

Vote: Commissioners Wells: Aye, Wilson: Aye, Powell: Aye, Bissette: Aye

The Chamber also requested street closure on Main Street for the 2022 Christmas festivities taking place Friday night December 2<sup>nd</sup> & Saturday December 3<sup>rd</sup>. No members of the public were present to speak. Commissioner Wilson moved to approve street closure on December 2<sup>nd</sup> from 5-9 and on December 3<sup>rd</sup> from 8-4 and waive permit fees due to The Bailey Chamber of Commerce non-profit status. Motion was seconded by Commissioner Powell. Motion carried.

Vote: Commissioners Wells: Aye, Wilson: Aye, Powell: Aye, Bissette: Aye

While waiting for the next applicant to arrive, Commissioner Wells updated everyone on the removal of trees by Duke Energy. Board agreed to begin regular meeting and address 3<sup>rd</sup> public hearing when applicant arrives.

### **Called the meeting to order & Welcome Guest:**

Temporary Mayor Pro Tem Wells called the meeting to order and welcomed the guests.

### **Approval of financial statements and meeting minutes:**

Administrator Killion advised the audio recording of April 2022 meeting is not available. All parties in attendance provided update and Administrator Killion completed minutes based on their updates. Minutes from April and August were presented for approval. Motion was made by

Commissioner Powell to approve minutes. Motion was seconded by Commissioner Wilson. Motion carried.

Vote: Commissioners Wells: Aye, Wilson: Aye, Powell: Aye, Bissette: Aye

**Agenda:**

**Bailey Chamber of Commerce:** Nick Green, President was not present. Tammy Bissette gave Chamber report. Next Chamber event is Super Ball Golf Tournament that is scheduled October 14<sup>th</sup> at The River Golf Course and Trick or Treat even to be held October 29<sup>th</sup>. The Chamber also requested assistance from the town in having electrical installed on the new power poles so Christmas Lights can be operational for Christmas.

**Planning Board:** Planning Board update was given by Zoning Administrator Lucas. Jonathan Guamo requested an easement from the town for his business located at 6288 Main Street. The property lines behind his property will not allow a proper fire exit for his future clients, so an easement from the town for a 4' sidewalk is necessary. The sidewalk would be located between his business at 6288 Main Street and the Wesley Privette Memorial Library running directly beside Mr. Guamo's building. Motion was made by Commissioner Bissette to allow an easement for the sidewalk. Motion was seconded by Commissioner Wilson. Motion carried.

Vote: Commissioners Wells: Aye, Wilson: Aye, Powell: Aye, Bissette: Aye

**\*\*Public Hearing Resumes\*\***

Administrator Lucas presented a rezone request from Tony Stone. Mr. Stone is requesting that the property located at 6470 Pine Street be rezoned to MR (Mixed Residential) to allow the construction of duplexes, townhomes or apartments to be used at rental property. Mr. Stone explained his plans and shared that his original plan was to request construction of commercial properties on this lot but after a conversation with the property owner at 12275 Oak Ave, he reconsidered. Commissioner Wells emphasized the consequences of rezoning property as he reviewed the allowed uses in a MR district. He expressed the need for the board to see detailed plans from Mr. Stone. Ms Maria Hughes (12275 Oak Ave) spoke expressing concerns with flooding, multi level units, traffic on 581 and from Bailey Elementary and increased foot traffic. Motion was made by Commissioner Powell to send this rezone request to the planning board for their recommendation. Motion was seconded by Commissioner Wilson. Motion Carried.

Vote: Commissioners Wells: Aye, Wilson: Aye, Powell: Aye, Bissette: Aye

**\*\*Regular Meeting Resumes\*\***

**Envirolink:** No one from Envirolink was present. John Nelson is no longer with company. New employee should be present for update at October meeting.

**Old Business:**

No old business to discuss

**New Business:**

**McDavid Associates** – Joe McKemey presented bids for the existing water/sewer project and make necessary adjustments to the original construction project. Motion was made by Commissioner Bisette to table the issue to allow time to review. Motion was seconded by Commissioner Wilson. Motion carried.

Vote: Commissioners Wells: Aye, Wilson: Aye, Powell: Aye, Bisette: Aye

**SERCAP** – John Poteat & Associate – not present

**BM Roofing** – Bob Parry and his associate presented a detailed explanation of their proposal for roof repaid including the materials to be used and allowed the board to ask questions.

**Resolution & Capital Project Ordinance – UCPCOG** – Administrator Killion presented the capital project ordinance & resolution for contract for the upcoming 9.4 million sewer project. Motion was made by Commissioner Bisette to accept the Capital Project Ordinance and the contract resolution. Both motions were seconded by Commissioner Wilson. Both motions carried.

Vote: Commissioners Wells: Aye, Wilson: Aye, Powell: Aye, Bisette: Aye

**Letter from Nash County for NCDEQ** – Nash County and The Town of Middlesex are seeking funding for a feasibility study for a future sewer treatment facility in Southern Nash County. They have requested a letter of support from the Town of Bailey. The letter of support will state that Bailey is moving forward with our current sewer project but we do support Nash County and Middlesex in their endeavors. Motion was made by Commissioner Bisette and seconded by Commissioner Wilson. Motion carried.

Vote: Commissioners Wells: Aye, Wilson: Aye, Powell: Aye, Bisette: Aye

**Water Set-Up Fees for New Construction** – Melissa Hayman, CSR, proposed changing the water set up procedure for new construction. The proposal would remove the deposit requirement for new construction, instead the builder would pay a flat \$50.00 and pay for water usage. Removing the deposit would prevent the issuing of refunds upon completion of construction. Once construction is complete the new homeowner would come in to establish service with a deposit. Motion was made by Commissioner Powell to incorporate this new procedure. Motion was seconded by Commissioner Wilson. Motion carried.

Vote: Commissioners Wells: Aye, Wilson: Aye, Powell: Aye, Bisette: Aye

**Public Comments:** No public comments

**Department Head Comments:**

Police Chief, Cathy Callahan: Chief Callahan provided her Summary Report to the Board. Chief Callahan stated her part time officers are in attendance to find out if their status is changing to

full time. The board informed Chief Callahan that this issue would be addressed in closed session.

Zoning Administrator/Code Enforcer, Shawn Lucas: Mr. Lucas presented his report to the board. Mr. Lucas informed the board that the Bailey Fire Dept would be conducting a live burn for training on the Montague property located in the ETJ. Mr. Lucas asked if the town would consider paying \$400 for the required asbestos testing. Commissioner Bissette asked if this is a request from the Fire Dept. Commissioner Wells is concerned if this will set a precedent requiring the town to pay for all future asbestos testing for live burn training. Commissioner Wells suggested paying a lump sum for training versus ear marking for a particular property. Motion was made by Commissioner Powell for the town to pay the fee for asbestos testing directly to the testing company IF the Fire Dept was unwilling to pay the fee. Motion was seconded by Commissioner Wilson. Motion did not carry due to tie vote. Commissioner Powell questioned why Commissioner Wells was allowed to vote while serving as temporary Mayor Pro Tem. Administrator Killion stated NCGS 160A-70 allows the vote.

Vote: Commissioners Wells: No, Wilson: Aye, Powell: Aye, Bissette: No

Town Administrator, Joel Killion: Mr. Killion presented status of audits and explained other reports included in the Commissioner packets. He also informed the board that the town would be moving forward with a Downtown Development Grant for improvements to Downtown area. Mr. Killion stated Melissa Hayman has been a tremendous asset to the town and he will be presenting a proposal to name her Town Clerk.

**Commissioner Comments:**

Walter Wells: Thanked the Police Dept for their hard work. He has noticed additional patrolling and is grateful for their efforts. He shared a recent article with quotes from City of Wilson regarding Bailey's sewer project.

Richard Wilson: Stated the mapping for cemetery is not correct. He asked the town to pay a surveyor to survey and put down medallions marking spaces. Cost of survey is \$1400. Motion was made by Commissioner Wilson to hire surveyor at a cost of \$1400. Motion was seconded by Commissioner Bissette. Motion carried.

Vote: Commissioners Wells: Aye, Wilson: Aye, Powell: Aye, Bissette: Aye

Dillon Bissette – Informed the board he would reach out to McDavid and Associate and the COG to present information.

Ervin Powell: No comment

**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 Wilson seconded. Motion carried.

Vote: Commissioners Wells: Aye, Wilson: Aye, Powell: Aye, Bissette: Aye

Commissioner Powell motioned to adjourn. Motion seconded by Commissioner Wilson. Motion Carried.

Vote: Commissioners Wells: Aye, Wilson: Aye, Powell: Aye, Bissette: Aye

Meeting adjourned.

  
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Joel Killon, Town Administrator

  
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Thomas Richards, Mayor