

## TOWN OF BAILEY

The Regular Meeting of the Bailey Town Board was held in the Bailey Town Hall on August 20, 2018 at 7:00 pm.

The following members of the Bailey Town Board were present: Mayor Thomas Richards, Mayor Pro Temp Shelley Bullard, Commissioners Allen Daniels, Dwan Finch, Jerry Bisette and Town Administrator Timothy Johnson.

### **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:**

Commissioner Finch asked if they had been receiving the check listing. Administrator Johnson advised that this was started in the July 2018 packets due to a State Treasurer's requirement. Commissioner Finch also asked why there were two payments for Duke Energy and two payments for CenturyLink on the check listing. Administrator Johnson stated that for Duke there are two different bill cycles for Street Lights and All other Town properties. For CenturyLink the first payment was for June 2018. The bill was not received until right before July 4, 2018. The second payment is for the July 2018 period that came just before the end of the month. She asked if Garfield was still opening and closing graves for the Town of Bailey. Administrator Johnson advised that no Garfield is opening and closing for Envirolink at this time. Commissioner Finch then asked why there was a check for Time Warner Cable. Administrator Johnson advised that this is for broadband internet service and that it is Spectrum but that the billing is under Time Warner Cable.

The financial statement for July 16, 2018 and the minutes for the Regular Board Meeting of July 16, 2018 were unanimously approved upon a motion by Commissioner Finch and seconded by Commissioner Daniels. (4 affirm); (0 nays)

### **Agenda items:**

**Bailey Chamber of Commerce:** Cecil Hawley, President of the Bailey Chamber of Commerce stated that he had only a couple of items to cover for this evening. Mr. Hawley provided information about a book bag giveaway that occurred at the Bailey Middlesex Community Park. Mr. Hawley stated that there was a good turnout but that he wanted to also let everyone know that they were also going to have another book bag giveaway that would be held at 6341 Main St starting at 9am on Saturday, August 25, 2018. He then stated that the next event for the Chamber would be the Miss Bailey Pageant on November 10, the Christmas Tree lighting on November 30<sup>th</sup>, and the Christmas Parade on Dec 1<sup>st</sup> and then at the end of the year a donation to the Bailey Area Food Pantry. He then stated that he thought that he should present the Board with a letter about this concern but that when Envirolink cuts at the Town of Bailey's Maintenance building where they have the purple hearts flower bed they tend to blow the clippings back into the flower bed. Mr. Hawley asked if the Chamber could take care of cutting at the Town's Maintenance building. He indicated that Rudy Perry takes care of all of the Chambers flowers and grass cutting. Commissioner Bisette said that sounds good as long as you'll keep it up. Mr. Hawley stated write it down and I'll sign it. Commissioner Bisette then stated that he was pretty sure that Envirolink would be happy to not have to cut it if the Chamber was already doing it. Administrator Johnson then stated that until the Board voted on an addendum to the existing contract with Envirolink that they would continue to cut that location. Mr. Hawley asked how could this be done and Administrator Johnson stated that they would have to take it up in business.

**Cecil Hawley -** Mr. Hawley told the Board that when he received his water bills for the August 15, 2018 billing due date period that he was charged for (2) deposits. He stated that until he came into the office he had not known about this requirement. He stated that he has a landlord account with Duke Energy and that he is not required to provide a deposit for his rental locations. He then stated that as a Board that when Commissioner Jerry's mothers house sat empty that he was allowed to only have to pay \$30 per month. Commissioner Bisette

stated he did not remember having paying just a \$30 amount. He then asked what he was being charged and Mr. Hawley stated he did not know it was whatever Administrator Johnson wanted too. Administrator Johnson remarked to Mr. Hawley yeah that's right I just charge everyone willy nilly. Mr. Hawley then said no let's step back because you do not charge willy nilly but it is about the rate sheet he provided to him that he knew nothing about. Administrator Johnson stated that Mr. Hawley calls in to have the accounts turned on and that he did not speak with him but that Mr. Hawley spoke with Debbie Glover. After her conversation with Administrator Johnson he advised her to turn on the accounts and to charge the deposit. Mr. Hawley then stated that I had never told him this until after he got his bills. Administrator Johnson also stated that he would not have known what Mr. Hawley would or would not have known either. Administrator Johnson stated that he goes by the Town of Bailey's utility policy and that there is no difference between anyone who is opening an account with Town. He stated that everyone is treated the same. Commissioner Daniels then stated that he thought we were getting our wires crossed because he understood that Mr. Hawley wanted to take care of his tenants and that other landlords made the tenant put the bill in their name but he asked if they came up with a policy could we only charge him for one deposit for one account because all of his locations were under one account. Administrator Johnson stated that no each location has its own account number. He advised that Logics would not allow for multiple locations under one account. Mr. Hawley then stated that Middlesex has gotten millions of dollars of grants, new cars, \$85,000 dollars for a detective. He stated that unless it had not been for Senator Horner that we would not have any money for the building in downtown. He stated that LuHarvey has two people who work on grants and Administrator Johnson stated that they do not work on grants. Mr. Hawley asked well then does LuHarvey and I said no. I advised that they hire it out. Then Mr. Hawley stated then why don't we do that or start delegating Timothy Johnson begin writing grants. Mr. Hawley continued to infer about the 2.75 million dollar grants that Middlesex received and Administrator Johnson stated that those grants were for the corporate park and not for the Town of Middlesex. Mr. Hawley continued to say that if it were not for Senator Horner that there still would be nothing for the Town of Bailey. Mr. Hawley stated that we want to hire a code enforcer for the buildings in Town and we can't hire a code enforcer until we have codes to enforce isn't that correct. Administrator Johnson then stated that they are in the zoning ordinances and that Mr. Hawley is a part of the Planning Board. Mr. Hawley then stated that he was finished.

**Envirolink;** JP McCann, representative of Envirolink, stated that when he came on in this position that he was advised by the Chamber that there had been issues and that he spoke with his crew to see that it was corrected. He also stated that Envirolink makes good on any damages that occurs but that he cannot fix anything correct anything if he is not made aware of it. Mr. McCann 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.

He indicated the following:

1. That there were 55 works orders received.
2. That there were 339 meters read.
3. That there was 1.49 million gallons of water pumped.
4. That there was 5.17 million gallons of waste water processed.
5. That there were 311 water customers billed / 253 sewer customers billed.

Commissioner Bissette stated that he had noticed that Envirolink had been cutting and taking care of areas that had not been looked after and that he wanted to thank him for his effort in getting back to where it needs to be. Mr. McCann provided dates to the Board where because of weather and he included that Envirolink has a policy that they do not cut while there are electrical storms or if it raining. He understood the frustration but weather played a major role in their backlog. Commissioner Daniel asked how many times the wells were checked and Mr. McCann were stated that they are checked three times per State regulations. Mr. McCann stated that the spindle and impellor for pump #2 for the wastewater treatment plant has been received and Envirolink will be re-installing. Commissioner Bissette wanted to know about fire hydrants in the Town. Mr. McCann stated that there were several hydrants that needed to be repaired. Administrator Johnson advised that the Board agreed to get the effluent pumps repaired first because there was redundancy with fire hydrants but not the effluent pumps.

**Public Comment:**

Mayor Richards opened the public comment section. Chad Bissette, Assistant Fire Chief, wanted to address some concerns on the hydrants. He stated that there were (4) hydrants that were out of service and (2) that are completely gone and (2) where the stems were gone. His main concern is that they have an ISO rating of

3 and Bailey is very proud of our rating. The concern is if the State comes in to spot check them and the hydrant is out of service. They are asking for the hydrants to be brought back up to service. Mr. Bissette provided Administrator Johnson with the list of hydrants.

Ervin Powell stated that the speed bump that was put on Vance St to keep water from going back into his yard is not working anymore. He also stated that there is a spot at 5694 Deans St that is at the church's driveway. Administrator Johnson told Mr. McCann that the work order for that had been closed with comments that leak was on Town side. Mr. McCann stated that he would follow up. Mr. Powell then asked about the street evaluation. Commissioner Finch stated that she was going to ask Administrator Johnson about that as well. Administrator Johnson stated that he had not heard from McGill & Associates and but he would follow up with them regarding this matter.

Kaye Folsom asked that this Board do something that would provide encouragement that this Town is going to get off of the moratorium. She realized that the only way that we can do that it would have to be with someone else's money. She understood that the tax payers of Bailey do not pay enough to get the necessary funds to get us off this moratorium. She asked is there a possibility that we could hire someone to help us look for money or hiring somebody on percentage of the amount awarded. She knew that there were some members on the current Board that spent a lot of money on trying to find different options. She said that she did not know what the answer was but that she thought we need to be in contact with someone at the State and Federal level that could help us.

Since no one else 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** – Mayor Richards asked for the status. Mr. McCann stated that there needed to be new tap placed in. He also advised that someone with a plumbing license would need to connect the tap to the customer's house. Administrator Johnson stated that we needed to find a plumber. Commissioner Bullard stated that Nick Green had his plumbing license. Commissioner Daniels stated that he knew someone and Administrator Johnson stated that if he had their info that he would provide it to Mr. McCann. Cecil Hawley stated that Mr. Pridgen was a good plumber and Commissioner Finch stated that she had his number and would provide it to Administrator Johnson. Administrator Johnson stated that he would follow up with all of the info provided and would give it to Mr. McCann.

**Status of Effluent Pump #2 with Charles Underwood** – Mayor Richards asked for the status. This had been covered in his prior comments

**Status of Effluent Pump #1 Quotes**– This pump is pending the return of pump #2 from Charles Underwood.

#### **New Business:**

**Resolution for Approving Water Shortage Response Plan** – Mayor Richards read the Resolution to the Board. After the Resolution was read a motion was made by Commissioner Finch and seconded by Commissioner Bullard and it was passed unanimously. (4 affirms); (0 nays)

**Braswell Memorial Library – Approval of \$2500 distribution request for approved budgeted Library funds for 2018-2019** – A motion was made by Commissioner Bullard to approve the \$2500 distribution request for Braswell Memorial Library and seconded by Commissioner Finch and it was passed unanimously. (4 affirms); (0 nays)

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

Commissioner Bissette stated that there are some drains that are at Vance and Jackson that are washed out. He also wanted to know about the locations behind the buildings on Vance St extension where the grass is shoulder high. Administrator Johnson stated that he would follow up on this location under the nuisance ordinance.

Commissioner Daniels stated that he had issues with Envirolink on not trimming and not keeping up with areas in the Town. He stated that he was receiving calls about the cemetery and he was handing them over to Commissioner Bullard. He also stated that he was not here to manage someone who was supposed to be

managing the grass being cut. Commissioner Daniels stated that he would like to ask that Board to consider Joel Killion to be appointed to the vacant seat left Troy Conner. Commissioner Bisette thought that the Board should give a little time before a decision is made. Commissioner Daniels said that he thought the Board should not wait until Christmas in order to fill this seat and Commissioner Bisette stated that he felt the Board should not just jump on the first person mentioned. He felt that the Board should wait and see if someone else wants to drop their name in for consideration before the Board did anything. Commissioner Finch wanted to know how long could the Board take to decide or if they could choose a time frame. Administrator Johnson stated that it could remain empty until the next election. He also stated that it only takes three votes to appoint a person to the Board at any time.

Commissioner Finch wanted to know if there were any quotes on the trees. Administrator Johnson stated that he had the quote from Al's Tree service and that he had contacted. He stated that he had gotten in contact with Carolina Yard Care in Elm City, Zack's Tree Service in Nashville, Bobby Anderson's in Wake Forest and Lindsey's in Maccelsfield. Administrator Johnson stated that at this time he had heard from any of the prospective tree services. Commissioner Finch stated that she gave a very comprehensive personnel policy to the Board and that she wanted them to mark it up and that they could discuss it at the next Board meeting. Administrator Johnson stated that after they had marked up their copy that it would be consolidated and then handed back to the Town's attorney for review and also back to the League. Commissioner Finch asked if the Board would be interested in getting the horticulture teacher to get kids to help in Town. Commissioner Finch stated that she would be speaking with a person in Rocky Mount that her brother had recommended about what grants that the Town would be eligible for. Everyone at the table told her to proceed. She also thought that we should proceed with getting someone on the Board as quickly as possible.

Commissioner Bullard stated that she is in close contact with Mr. McCann on the issues with the cemetery and that she knows that when she contacts him that things typically get done the very next day. However she also realizes that we are under contract and after speaking with Administrator Johnson in reference to the contract that she would make a recommendation that they proceed with removing the part of the contract for public works. She did not want to do away with the entire contract but that she did want to see about taking only the part that was public works and not water and wastewater. She knows that there are steps to do this but that the Board needs to come together in order to make this happen. She also talked with Chief Bullock about getting help with community services workers by simply doing some cutting with a push lawn mower. Commissioner Bisette asked what we are looking at with this part of the contract. Commissioner Bullard stated that Administrator Johnson could elaborate more on the matter. Administrator Johnson told the Board that they would have to give Envirolink a reasonable amount of time to correct the problems that the Board saw as them not performing in accordance with the contract. This would be a notice to Envirolink and a date would need to be set to have a meeting on their progress on getting the areas of concern corrected. If the Board feels that Envirolink is not meeting its requirements then they could go forward with a Notice of Default and proceed with a 90 day separation plan. The Board at that point provided the categories that they wanted for Envirolink to work on to Administrator Johnson and directed him to send the letter to Envirolink requesting they correct the items that they indicated during the meeting. Administrator Johnson advised that he would send the letter and advise when the meeting would need to occur.

**Mayor's remarks:**

Mayor Richards stated that he did not have any items to discuss

**Department Heads Remarks:**

Chief Bullock stated that he did not have any items to discuss

Administrator Johnson stated that his item was for the closed session

**Closed Session:**

A motion was made to go into closed session as permitted by NCGS 143-318 (a) (5) To establish, or to instruct the public body's staff or negotiating agents concerning the position to be taken by or on behalf of the public body in negotiating (i) the price and other material terms of a contract or proposed contract for the acquisition of real property by purchase, option, exchange, or lease; or (ii) the amount of compensation and other material terms of an employment contract or proposed employment contract by Commissioner Bullard and seconded by Commissioner Bisette and was passed unanimously. (4 affirm); (0 nays)

A motion was made to go back into open session by Commissioner Bullard and seconded by Commissioner Finch and was passed unanimously. (4 affirm); (0 nays)

**Open Session:**

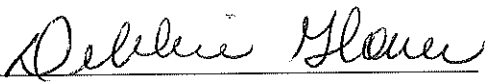
Commissioner Bullard wanted to know if the Board was willing to buy a cheap push mower. Commissioner Daniels stated that he was worried about the liability if the community service worker got her. Administrator Johnson advised that the Town is responsible for any person that does work for it.

A motion was made to not accept the offer to purchase the Seamster property located at the corner of Deans and Jackson St by Commissioner Bullard and seconded by Commissioner Finch. The motion was unanimously passed. (4 affirm); (0 nays)

**Adjournment:**

There being no further business, Commissioner Bullard made a motion to adjourn. Commissioner Finch seconded the motion and the motion unanimously passed. (4 affirm); (0 nays)

  
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Mayor Richards

  
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Clerk