

TOWN OF BAILEY MEETING MINUTES 7/20/2020

The Regular Meeting of the Bailey Town Board was held in the Bailey Town Hall on July 20, 2020 at 7:00 pm.

The following members of the Bailey Town Board were present: Commissioners Joel Killion, Dwan Finch, Ervin Powell, Shelley Bullard and Allen Daniels. Also in attendance Kellie Glover, Town Clerk, Shawn Lucas, Zoning/Code Enforcer and Chief Boraski.

Called the meeting to order:

Mayor Pro Tem Dwan Finch called the meeting to order and welcomed everyone to the July 2020 Meeting at 7:00pm.

Approval of financial statement and minutes:

Commissioner Killion made a motion to accept the Regular Meeting Minutes for June 15, 2020. Commissioner Powell seconded, motion passed.

AGENDA:

Ryan King, Attorney Fields and Cooper stated I am here with Mark Edwards as well. Trey Barnette has been doing a lot of the Town's work. That has now shifted over to myself and Mark now. We are happy to do it and happy to drop by for the meetings. Let us know if we can help.

Walter Wells, Chair Bailey Planning Board stated the Planning Board did hold a July meeting on the 13th at 7pm. The first item was a situation with one of the Board members as the alternate. The Town has nominated Tammy Bissette as the member. The Town named Maria Hughes as the alternated spot. We ran into a difficulty with Maria lives inside the city limits, the vacant position is alternate from the ETJ. At the Planning Board meeting Brenda Lamm's name was raised as a potential person to fill that spot. The Planning Board welcomed Tammy. She will fit in greatly and we appreciate her interest to serve. I wanted to convey the Planning Board's overwhelming appreciation for David Evans for his twenty-two years plus of service to the Planning Board. David always stepped up to serve in this capacity. He mentored many members and always made sure thoughtful consideration was given to every request. David participated in State mandated long range plan document and the zoning rewriting. As well as many other zoning issues faced by the Town over those twenty-two years. During the August meeting we will elect officers. Next item, we have an opportunity at the old PNC Bank with Ike Bullard. It is not currently allowed in the use table for the area the lot is on. The Planning Board has looked at it and we are proposing we do a text amendment and to make the allowed use in the other districts. He would like to make a beer and wine garden in that facility, it is not a bar. It is going to be family oriented. He is going to encourage the food trucks to come so people can buy food and sit down there and eat and have a beer or wine with their food. We are going to recommend to the Town Board that you do a Public Meeting and put the changes in the table. We need to speed this along. We are proposing to have a Public Hearing to approve and hold a separate Town meeting after it and if it is approved so we can make the change to add it so Ike can move on this.

Ike Bullard, owner of PNC property stated the only thing I would like to add to that is on paper it says bar. I don't want anyone to get the wrong idea that is not the atmosphere that we are going for or to bring into Bailey. We are going to open in the day, close at eight or nine. On Friday or Saturday we may stay open until ten or eleven. Having TV's for ball games may allow us to stay open until eleven or twelve. I have a son that is twenty-three and a daughter that is twenty I am not promoting the bar scene. That is the only classification that this falls into, it will just be called a bar for ABC Board reasons and on paper. I am not bring the bar scene into my

kid's life. The food trucks have been bringing people into Town from outside. We want to continue to do that.

Walter Wells added we are going to bring this in front of the Town as quick as we can. David Beaman brought the old slaughter house. There are some things he wants to do. Shawn will talk more about that. I will give kudos out to Shawn, he is working very hard to make a difference. He is doing a great job. One thing he has mentioned to us is other Towns have a fence ordinance for dumpsters etc. we will look at that. Nash County Economic Development reached out to me concerning the potential relocation of Hardee's to let us know that is no longer in play. The developer is proactively looking for other opportunities here in Bailey. We will work with Shawn on the sewer tap relocation. I had a discussion with a developer and I know we are working really hard on this sewer thing but people really want to develop and move here.

Commissioner Finch stated I have a quick question. You stated you want the text amendment for Ike quick. I need a date.

Walter Wells replied Shawn is taking care of that. We are going to schedule the public hearing and move with that. I forgot something. Bruce forwarded the forum report. Bruce is looking forward to getting together with the Board to talk about that. They are restricted from traveling right now. Please look at that and he will be in touch.

Ike Bullard, Bailey Chamber of Commerce stated I know you all are doing what you can along with the Board before you. The moratorium has been in place for a long time. I am just one person but I am sitting on like 35 acres just inside the city limits. When it comes to septic tanks, city sewer makes a huge difference. I will just challenge who ever I need to challenge to let's try to get something going because there is a lot of development opportunities and new tax dollars.

Jared Thompson, Envirolink stated the only concern was the amount of rainfall we got this month, seven and a half inches. Most of which came during a week. I will go over the monthly report. We are working on well number two, there was an electrical hiccup today.

Commissioner Finch stated I have a quick question there is still not a manual screen out at the spray field?

Commissioner Daniels stated I am working on the pumps and I am waiting on Lynn to get the water below 24 so we can get to it. Then we can pump the water out of the man hole and we can get in there and measure it. I am going to get a screen made with one inch holes so the turtles can't get in there, so we save the turtles.

Public Comment:

Commissioner Finch stated I just want to remind speakers of the rules, I will read over these. We want to have good communication.

Cecil Hawley, resident stated I only have one little thing about a month ago I asked for the Ethic paper on each of you. Kellie is telling me every time I ask her she has one for Joel and Ervin. Do you guys have Ethic papers filed here that I can get a copy of? I have called her a copy of times and she tells me she only has Joel's and Ervin's.

Commissioner Finch stated I gave a copy to Tim Johnson, I have one at home.

Kellie Glover, Town Clerk stated I told Cecil I have not been able to locate any of them at the Town Hall. I can only find the ones that I was given personally.

Commissioner Daniels replied I have taken the class.

Cecil Hawley stated I have no way of knowing that.

Commissioner Daniels stated I do not understand you logic behind it. I do have it.

Cecil Hawley replied I asked for it a month ago. There are two attorneys sitting here. I am not attacking anyone. I am just asking a question. I am entitled to this information. There is no use to put me off. Joel and Ervin have one. Shelley has been on the Board for twenty-five years, she should have one.

Commissioner Bullard stated I have two.

Cecil Hawley replied I just need one. Do you know when I might get a copy?

Commissioner Bullard commented no because I don't know where they are at. I am not going to look for it.

Kellie Glover, Town Clerk replied the School of Government does not keep a copy of this record. I tried to go back and look for the copies that are not in the Town Hall.

Cecil Hawley stated it is only a fifteen minute video.

Several Commissioners and Kellie Glover commented it is more than fifteen minutes, it is more than an hour or two.

Cecil Hawley stated the only new people are Joel and Ervin.

Commissioner Daniels stated you have a year to do this once you are re-elected.

Commissioner Finch stated we will get you the copies, Cecil.

Old Business:

Food Trucks

Commissioner Finch stated I have recommendations from Ryan King, the Towns Attorney. I will read Ryan's email which states minimum insurance and copy of current motor vehicle information. These are the two recommendations to be included in the ordinance from last month. We thank you all for looking at that for us. If someone would like to make a motion to amend the ordinance.

Ryan King, Fields and Cooper stated this is just dotting i's and crossing t's. I looked at other towns in your area as to what they have in their ordinances. You guys were on the right path, it just seems like there should be a minimum for insurance.

Commissioner Bullard commented I make a motion we approve the ordinance including these two statements from the attorneys having an insurance minimum of \$100,000 per person bodily injury, \$300,000 per occurrence bodily injury and \$25,000 per occurrence property damage as well as a current up to date vehicle registration. Commissioner Killion seconded, motion passed.

New Business:**Clean Water State Revolving Fund Project(CWSRF)**

Commissioner Finch stated I will speak on this for a minute. The Town has been awarded some more money and it is a loan. I have not gotten the official letter for the State. So we will discuss this more at the August meeting.

Department Head Remarks

Kellie Glover, Town Clerk commented the Clerk Summer Academy happens on August 20-21st. This year is was going to take place in Wilmington, however this year they have decide to do the first ever virtual Summer Academy. The registration cost is \$75 for members, the Town of Bailey is a member of the NCAMC. Alex with American Tank Maintenance reached out to me. He wants the Town to know American Tank Maintenance is available for us. They know times are difficult but they want to make this happen for us. He wanted me to let you know please don't hesitate to reach out to him. Debbie has started working on the Powell Bill. There are three things you have to do to apply for the Powell Bill. The first thing is due on Tuesday the 21st. So when Debbie was here last Thursday she went through and completed all of that. I signed off and it was submitted on line. That is taken care of. That is one of the reasons you do not have a financial statement in your packet for tonight. Bruce Neaglean is not able to travel right now. He would like to be on the agenda for August 17th, if not he is going to work out a way to do a virtual presentation. Maria talked with me a while back about flood insurance being so much because the Town does not participate in the National Flood Insurance Program. I had a gentleman call me from Farm Bureau in Greenville about a property in Bailey. That property is also interested in flood insurance. I reached out to my Clerk friends. I received a contact for the NFIP. There is no cost for the Town to join this program. If the Town joins residents will be able to get flood insurance at a cheaper rate. There are no issues with flooding in the Town of Bailey, so it will not be a large amount of things the Town will have to do. There is an application that has to be filled out and a resolution and an ordinance. The Clerk from Momeyer actual gave me the name and number to our representative. They have been in the program for four years. If you approve this I can move ahead with the application. That is all I have.

Shawn Lucas, Zoning/Code Enforcer stated from last meeting to Friday we had 34 code cases. Two Saturday's ago I meet with Jerome from Eyes on Main Street. He left this for you all to look at. This is what he did last year with his photos. He could start in October and do 24-30 windows in Town from Girl's Round Here all the way to the Bailey Fire Department. As far as cost, there is a grant we can apply for it, however I believe you have to be a Town on the outside of Wilson. He said apply for four thousand, we may get two. That should cover everything. Just an estimate fro 25-30 windows will be about a seven thousand dollar budget. It may be less than seven thousands, we can get business to donate to it. Next thing is we had some complaints that did not make compliance. I am going to pass these around. 12148 Jordan Street they kept the refrigerator there and backed up a truck to it. 6235 Pine Street grass needs to be cut, I gave her an extension and it has not been cut yet. 6518 Main grass needs to be cut with other violations we wrote this up on June 5th. They had until July 5th to get the car and boat removed. We did talk to the owner. He told us it would be done two Saturday's ago and it still has not been completed. I reached out to a towing vendor, he has insurance. He is willing to tow for Bailey. He has already added us to his policy, if anything gets damaged he has insurance to take care of everything. 6101 and 6091 Main junk and debris needs to be removed. He just moved it to the back yard, but it can still be seen. We need to get that taken care of. 12356 through 65Hanover grass needs to be cut and junk needs to be

removed. 12176 Oak avenue, someone has been nice enough to cut the grass for us. The shrubbery needs to be cut down because you can not see. We have had a lot of citizens call and complain about that. 6378 Vance building material etc. needs to be removed. We wrote it up on May 22, 2020 they had until June 22, 2020. Right now no progress has been made. Do we want to start with a fine or do we want to send Envirolink over there to clean it and send them a bill. When asked by a Commissioner what would you recommend, 6378 Vance Street I know the citizens would like to see it cleaned, but it would be a lot to pay out to clean it. That one I would say start a fine. The rest of them I would turn it over to the contractor to clean them if they don't pay put a lien on their property.

Commissioner Daniels stated the grass cutting send that to Envirolink and go ahead and get that done.

Shawn Lucas added if that boat and car are still there we can have it towed on Friday. If you all are ok with the guy I told you about he has insurance already. The old LBJ lot.

Commissioner Daniels asked what has been your experience of just sending them a fine until they move it?

Shawn Lucas replied with towing like that we never fined them, we just gave them fifteen days. Then we came back and if it was still there we called to have it towed. We can work with this guy if he put the boat and the car in the gate that would be ok. Right now it is in the eyesight of coming out of the Piggly Wiggly. Every time I leave the Piggly Wiggly someone will ask what is going on with the boat and the car over there.

Commissioner Powell stated I would like to make a comment regardless of what the Board decides to do it needs to be for everybody. I don't want to show favoritism because this is my brother or cousin. It should be for everybody.

Commissioner Killion stated I think we should put a contractor on it. We have given them a chance now it is time to move forward.

Commissioner Finch agreed.

Shawn Lucas asked do you want to put a contract on 6378 Vance. Or do you want to go ahead and clean it.

Commissioner Finch stated I am going to defer to your recommendations.

Commissioner Daniel asked will send another letter and give them ten more days?

Shawn Lucas replied no sir. We are going to get with Envirolink and pick a day. We will get with Chief to be there in case they get a little out of control. We are going to hauling and cleaning. Then send them a bill from the Town. That is how we did it from previous jobs. I will meet with Jared and we will get started.

Commissioner Daniels stated I make a motion that we go with Shawn's recommendations to hire a contractor to clean up the sites, to haul of the cars and boats by a contract hauler that has insurance and storage to store the vehicles and that Envirolink will cut the grass that needs to be done. Commissioner Killion seconded, motion passed.

Shawn Lucas stated the guy that is doing the towing will not charge the Town. They will charge the owner and if they do not come get the car in thirty days it belongs to the towing company. We did a stop work order for a guy that did not pull a permit. He did get his permit. If you look

at Mr. Beaman's lot he stopped parking in the right of way. Girl's Round here were parking on both sides of the street now they are utilizing the right side of the street. Go by Brock Circle we issued a citation on all of the accessory building they had. Mr. Christian has been working with them. We have about four or five torn down where they added it on the the doublewide. They have until the end of the month to get them torn down. Mr. Christian said if it is not torn down. Go ahead and send our guys to demo and send the bill straight to the tenants because they have been warned three times. Dwan and I spoke about the clean outs. I got with a guy from the city of Raleigh. Clean outs are like that some are above ground. The guy in Wilson said the best thing to do is to get some money and get a contractor to put a water meter base around it, seal it and put it in the ground. Then you will not have to worry about cars and lawn mowers tearing them up.

Chief Boraski, Chief of Bailey Police Department commented you have my report National Night Out is scheduled for August 4th. Blood Drive August 15th. Officer Salazar has been sworn in. Officer Osborne is attending Radar school this week. Officer Callahan will be attending Radar school the first week in August. Officer Osborne is working at the Town Hall to assist Kellie. June was busiest month to date: 5 arrest, 1 DWI, 23 citations, 24 warning citations, 18 reports. For the past two weekends I have stopped 60 cars for speeding. There is a speeding problem here in Bailey. This past week we replaced a Cat5 cable due to continued computer issues. Thanks to Tony Harp's IT person for assisting to get the system up and running. The Officers need a new computer. I need a new computer here in my office. Remember if you have an emergency call 911, don't call the Police Department and leave a message. Call 911 if you have an emergency It is documented and we are right there. I wanted to thank Commissioner Daniels for coming out to fix my camera in the heat. Police cars are up to date and in good shape.

Commissioner's Remarks:

Commissioner Bullard had no comment.

Commissioner Daniels stated I have a little bit with the wells. Well number one, we had a water line break three times. We are having a lot of flexing when the pump comes on. ELJ will not come and fix the stuff. David Honeycutt will not come and fix the stuff. It is there project. Me, Dave from Envirolink and Spencer Bush who sold the parts trying to fix all of this stuff. Spencer has been her two times and made it better. I asked Ike to come in and fix it. We have a problem with switches. When Spencer was here I asked him to go look at well number two and he did. He noticed we have chlorine in the pump house. He said that was a no, no. It needs to be moved outside. The chlorine gas will eat up all of this stuff. He recommend to remove all the of the bolts and put in a new automated back flush system. We are going to have a meeting with David Honeycutt and talk about this and see what he wants to do. My recommendation is to go to David Honeycutt and stop the project. Next thing I have is I have some quotes for the spray field. The pumps are running anywhere from 18 to 30 thousand dollars and a complete project is 70 thousand dollars. Can we use any of the grant money for that. I am waiting for Lynn to get the water level down so we can go in and put in strainers. All of these guys want to go in with split pumps. I am working with Envirolink with the contract and cutting the grass. Karr came in and changed it we are only cutting grass eleven times. I think we can make the numbers work. There will be a slight increase for the pumping station. To get out of the public works they want us to renew a five year contract. I don't have a problem with that as long as it is not the same, where you have to get a person from the State to go between the Town and Envirolink to break the contract. I just need to know before we do all of this work are you guys ok to sign a contract with them.

Commissioner Finch asked can you explain the water and sewer part. That is going to go up

Commissioner Daniels stated the water is not going up the sewer will. We are not going to have to worried about the grass getting cut. It is going to go up from 55 to 6 a month. The contract was written when they were using our equipment. Before I sit down with Debbie and run a spread sheet, so of these numbers are not right. I need to get a spreadsheet and get back next month and say these are the things we want in the contract and this is how we can break the contract. Is everybody is ok with that. If someone wants to help me they can.

Commissioner Finch asked is this where you are talking about the numbers are going up? This is the original.

Commissioner Daniels stated it is higher than that now. Public works is 79 now, that will go away. We will pay 6 thousand here. I will get you a copy of the new one. Then we will have no public works. If we have a problem that will be by the hour. That will be different. To pick up dead animals that will not be in the contract. Taking the flags, the fire department can do that. I looked at grass cutting, can we rent that lot in front of the restaurant? Is the uneven part where the tanks are at. We can find out. It is a shame that lot sits there and we own it. They will let us out of public works if we sign another contract. Mike has a lot of information. We talked about the moratorium. He says our best option is to pump to Wilson to get off the moratorium. That is it for me.

Commissioner Killion replied I don't have a problem with the contract. I think the people have complained for a long time about the infrastructure and if we get a lot of complaints that needs to be grounds to break the contract. There needs to be accountability.

Commissioner Daniels stated we need to get these manholes sealed. We need to go ahead and do it. Are you guys ok moving forward if we have a signed contract. I have been waiting on Envirolink now I have it. I will set up a time with Debbie and then with Kerr and I will bring it to the next meeting. How about David Honeycutt. What do you want to do about that? That is going to be a mess.

Commissioner Finch commented you have to meet with them. This project should have been over last August. We will set up a meeting with David and we will get the State guy too. They all need to be there with the documentation of all the problems we are having. I will call David. I am going to recommend that Kellie will set up a meeting with David and all those who need to be here.

Commissioner Daniels asked can I just meet with them first just to see.

Commissioner Finch asked you have been meeting with them, right? No, I would prefer that we all get together. It has been going on. Why one person meet.

Commissioner Daniels stated I will call David and ask him can we make changes without it being a headache.

Commissioner Finch commented I still say we just go ahead and make the meeting with the contract and David. You can do that but we will get a meeting as well.

Commissioner Finch stated you will see this from AWT. Back in November of 19 I met with Dwight Lancaster of Rural Water. He spent hours going through files of the sewer moratorium. Trying to find some answers there are still more questions than answers. One of the recommendations was to get some capacity. We passed this back in February 2020 we are going to be put on the schedule. I just want you all to be aware of that.

Commissioner Daniels asked how can they do that right now when the pumps are not working.

Commissioner Finch replied not working at all. What percent are the pumps not working?

Commissioner Daniels stated they are not working they are spraying at sixty feet and they are supposed to spray a hundred feet.

Commissioner Finch commented so we will ask if there is any issue. If there is we will delay it again. Meanwhile I want to move on this. We have been talking about the pumps since 18. I will find out from him and ask him. If someone wants to make a motion on the Flood Insurance. I recommend that Kellie take the virtual academy. I make the motion that we go with the National Flood Insurance filling out the application. Commissioner Killion seconded, motion passed. I make a motion that Kellie attend the Virtual Clerk Summer Academy at \$75, Commissioner Killion seconded, motion passed.

Commissioner Powell commented last month I met with Ms. Beth Hagwood. I met with a contractor and he said it was too much for him. Bryan Corbet never got back with me or Kellie. He said what needed to be done was to keep flooding from her yard. We put in a work order to have the storm drains cleaned out that helped last time. Would you check on that, Kellie.

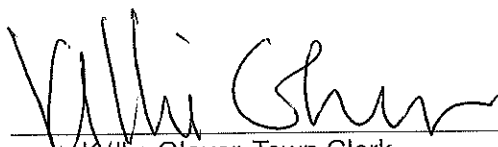
Commissioner Killion stated I just want to encourage everyone to help spread the news about National Night Out on Tuesday, August 4th. It is on the Facebook page, like it and share it. We have a great turnout last year, let's do it again. The Blood Drive on Saturday, August 15 also on the Facebook page. Help us get the word out. Donate and save a life. Thank you.

Shawn Lucas stated we need to schedule a Public Hearing for Ike's items. We were thinking on August 10th. If that is ok with you all.

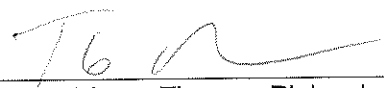
Commissioner Finch made a motion that we set the Public Hearing for the text amendment on August 10th at 7pm. Commissioner Killion seconded, motion passed.

Commissioner Killion made a motion to go into closed session to discuss personnel matters. Commissioner Powell seconded, motion passed.

Commissioner Bullard made the motion to adjourn, Commissioner Killion seconded, motion passed.



Kellie Glover, Town Clerk



Mayor Thomas Richards