

TOWN OF BAILEY MEETING MINUTES

REGULAR MEETING - 01/18/2022

The Regular Meeting of the Bailey Town Board was held in the Bailey Town Hall on January 18, 2022, at 7:00 PM.

The following members of the Bailey Town Board were present: Commissioners Joel Killion, Richard Wilson, Dillon Bissette, Ervin Powell, 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:

Commissioner Daniels, as the senior commissioner present, asked Commissioner Powell to lead the prayer, and the Pledge of Allegiance was recited by the Board and attendees.

Commissioner Daniels called the meeting to order and welcomed the guests.

Approval of financial statements and meeting minutes:

Commissioner Killion moved the Board accept the December 2021 financial statements, and the December 20, 2021, Regular Meeting Minutes, as prepared by Town Clerk Crawford.

Commissioner Powell seconded. Motion carried.

Vote: Richards: Not Present, Bissette: Aye, Killion: Aye, Wilson: Aye, Powell: Aye, Daniels: Aye.

Commissioner Killion moved the Board accept the December 20, 2021, Closed Meeting Minutes, as prepared by Town Clerk Crawford. Commissioner Powell seconded. Motion carried.

Vote: Richards: Not Present, Bissette: Aye, Killion: Aye, Wilson: Aye, Powell: Aye, Daniels: Aye.

Agenda:

Bailey Planning Board: Mr. Walter Wells stated the Planning Board and Board of Adjustment met this month, and he introduced a few topics that he said Mr. Shawn Lucas would discuss further in his section. Mr. Wells stated the Feb 2022 Planning Board meeting would pick back up on the 160D topic, and he canvassed the board for any questions.

Bailey Chamber of Commerce: Mrs. Tammy Bissette stated the Sweet Potato Festival is going to be held annually on the third Saturday in May, and the Chamber is asking for the Main Street to be closed. Mrs. Bissette stated they are working with external sources to properly market the event and they are coordinating with area vendors to make sure the cook-off is a success. Mrs. Bissette shared a brief list of the key personnel invited and stated she would let the Board know when they had more. Mrs. Bissette reiterated a desire to have the double light poles removed

from the Main Street area, if possible, and they would like the Board's approval to utilize the town-owned open areas. Commissioner Daniels stated the town is at the mercy of the telephone and cable companies as it relates to removing the double power poles, but we are working on it.

UNC Nash – Counseling Services: Mrs. Yolanda Outlaw joined the meeting by telephone and introduced herself and the PERSA/ARCOURT Response Program. Mrs. Outlaw stated her intent was to provide the Board with an update on the program and to share an overview of what is to come. Mrs. Outlaw stated the program spent 18 months conducting focus groups, examinations, research, and review of issues related to various addiction issues that impact the Bailey and southern Nash County area. Mrs. Outlaw stated the program leadership team identified key areas for improving public services to the community, and she shared those key elements. Mrs. Outlaw stated the partnership with the Bailey Police Department and the Town Clerk is helping program personnel connect with community members in need.

Envirolink: Mr. John Nelson stated he has several parts that he wants to apply towards the smoke test results from late 2021. Mr. Nelson stated he will then provide a quote from there about what else will be needed. Mr. Nelson stated some fire hydrant parts have come in, and they are now waiting on the hydrant valve company to come in and provide training prior to installing the new valve for the Main Street hydrant. Mr. Nelson stated the Work Order summary in the monthly report is not correct, and he is now the Area Manager, replacing Libby Jenkins. Mr. Nelson stated the issue was that some of the orders were not closed out until Jan 2022, and this meant they were not recorded correctly in Dec 2021. Mr. Nelson reiterated the power outage at Well 2 (phase III), and the other wells are working as normal.

Old Business:

Smoke Test Estimate: Mr. Nelson covered this topic in the Agenda.

Personnel Policy & Elected Official Orientation Manual: Clerk Jeremy Crawford stated this topic got dropped a bit while he was out with COVID, and Commissioner Daniels asked if the Board would be OK delaying this topic until February's meeting. The consensus of the board was to delay.

Social Media Comment Policy: Clerk Crawford reiterated the previous discussion on this topic and asked if the Board had any questions. Commissioner Daniels asked if this policy had any impact on the Board's ability to pray before the meeting. Clerk Crawford stated the current policy, and the topic of prayer are two separate topics, and that he can share some feedback he received from the League and UNC School of Government resources. Clerk Crawford stated the proposed policy before the Board today is built around the template recommended by the School of Government.

Commissioner Killion requested more time to consider the policy and the other Board members concurred.

Phone Tree Message Service: Clerk Crawford reiterated the resource material provided during December meeting. Commissioner Daniels asked Clerk Crawford which provider offered the best set of features for Bailey’s needs, and Clerk Crawford stated *One Call* fit that description.

Commissioner Daniels moved the Board go with *One Call* for a total fee of \$1,670.00. Commissioner Bisette seconded. Motion carried.

Vote: Richards: Not Present, Bisette: Aye, Killion: Aye, Wilson: Aye, Powell: Aye, Daniels: Aye.

Chapter 30, Section 30.01(B): Commissioner Daniels requested to add one more Old Business topic, addressing Chapter 30, Section 30.01(B). Commissioner Daniels stated Section 30.01 requires the Board to pick a Mayor Pro Tempore once the new members have been sworn in in December. Commissioner Daniels stated the Board wanted to give Mayor Richards time to participate but he has not been able to make the December or January meeting, and it is important for the Board to move forward with assigning a new Mayor Pro Tempore. [Actual Ordinance language incorporated in *italics* below by Town Clerk Crawford]

Chapter 30: Board of Commissioners. Section 30.01(A)(1), in part, reads “The organizational meeting of the Board shall be held on the date and at the time of the first regular meeting in December after the results of each regular municipal election have been certified pursuant to G.S. 163-279 et seq.” Ordinance 30.01(B), in part, reads “At the organizational meeting, the Board shall elect from its members a Mayor Pro Tempore to serve at the pleasure of the Board.

Commissioner Daniels recommended the Board decide now who will take the role of Mayor Pro Tempore. Commissioner Killion moved the Board nominate Commissioner Daniels as the Mayor Pro Tempore. Commissioner Wilson seconded. Motion carried.

Vote: Richards: Not Present, Bisette: Aye, Killion: Aye, Wilson: Aye, Powell: Aye, Daniels: Aye.

Commissioner Job Assignments: Commissioner Daniels recommended the Board take up the task of nominating or assigning jobs for each commissioner, especially with the new commissioners joining the Board. The lists below outline the results of the assignment discussion:

<u>Titles / Assignments</u>	
Police	Commissioner Killion
Streets, Trees & Zoning	Commissioner Powell
New Construction & Grants	Commissioner Bisette
Public Works	Commissioner Daniels
Cemetery & Landscaping	Commissioner Wilson

Commissioner Killion moved the Board accept the above commissioner assignments.
Commissioner Daniels seconded. Motion carried.

Vote: Richards: Not Present, Bissette: Aye, Killion: Aye, Wilson: Aye, Powell: Aye, Daniels: Aye.

Title Changes

Of interest, the former title “Maintenance Commissioner”, previously held by Commissioner Daniels, has been replaced by the title “Public Works Commissioner”. The former title “Sewer & Water Commissioner”, held by then-Commissioner Finch until the expiration of her term in 2021, has been replaced by the title “New Construction & Grants”, which has been assigned to Commissioner Bissette. The former title “Cemetery Commissioner” has now added “Landscaping,” and the former title “Streets & Lighting Commissioner” has been modified to “Streets, Trees & Zoning Commissioner”. “Police Commissioner” is the only assignment title left unchanged during this year’s assignment process.

Context

Moreover, the Public Works Commissioner now supervises the contract management and operational issues related to Envirolink, and existing infrastructure matters. The New Construction & Grants Commissioner supervises the issues related to new sewer and water issues, and grant projects town wide. The Cemetery & Landscaping Commissioner will supervise contract management and operational issues related to the cemetery, and landscaping services for all town-owned property. A common connection exists between Public Works and New Construction & Grants, especially as it pertains to sewer and water infrastructure. Commissioners Daniels and Bissette agreed they will need to maintain effective communication to make sure the systems common among their assignments get what is required.

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, and Envirolink installed the water meter at the Deans Street side of her house. Mrs. Morton stated she carried the cost of the recent work, and due to Envirolink’s recent work in her neighbor’s yard, she suggested the town look into repairing that yard so that she can avoid having to answer for the stuff that got messed up. Mrs. Morton stated her system still has some issues with pressure dropping off when two or more devices are working at the same time. Mrs. Morton stated she has clean water, but after all these repairs she wants to know from the town what is going on. Commissioner Daniels stated the issue might be related to the ½ inch supply line that runs under the house. Mrs. Morton stated all the lines from her house to the main have been upsized to ¾ inch. Commissioner Daniels asked Mrs. Morton if he could visit her house and check on some of her lines to make an informed decision about how best to proceed, and Mrs. Morton agreed she was willing to meet.

Mr. Marvin Perry: Mr. Perry asked if the meeting was going to discuss the property at 6303 Main Street, and Commissioner Daniels stated it was not. Mr. Shawn Lucas, Zoning Administrator stated his office is working with the town attorney and a local engineer to address

that matter, and the on-going permitting process. Commissioner Daniels asked a few questions about the property and Mr. Lucas advised the Board to seek guidance from the town attorney. Mr. Perry stated that he believes his property is being unfairly impacted by the actions of the property owner at 6303 Main Street, and he does not feel the town did what they should have done with the matter in the beginning. Mr. Lucas reiterated his recommendation that the Board seek guidance from the town attorney before addressing the matter further.

Mr. Wells stated that since the Planning Board has been mentioned, he felt compelled to respond that this issue is not a Planning Board issue, and that past action has taken place through the Board of Adjustment. Mr. Lucas stated the town attorney and engineer are working together to craft the best course of action for the Board.

Mr. Walter Wells: Mr. Wells thanked the Board for acting on the board assignments and the nomination of the new Mayor Pro Tempore. Mr. Wells requested the Board consider building in as much freedom for the Bailey citizens to get involved in the proposed advisory boards, and committees. Mr. Wells stated the one group that needs the most help is the sewer & water, and grants committees, as so much of Bailey's needs center on correcting deficiencies in these areas. Mr. Wells stated we have talented and experienced residents in Bailey who know these subject areas, and we need to do all we can to bring that talent to bear on Bailey's concerns. Mr. Wells asked the Board to embrace these committees, get involved, lead them, guide them, and if the Board does these things, we should see something positive come from their work.

New Business:

Establishment of Advisory Board, Commissions, and/or Committees: Commissioner Daniels asked Clerk Crawford if he had anything to add as the Board takes up the topic? Clerk Crawford encouraged the Board to consider clearly identifying the organizational structure and goals for these committees and outlining how the Board would be involved. Commissioner Daniels stated the commissioners will work with the committee in their assigned area, and they should be a voting member. Clerk Crawford stated he would recommend the commissioner not Chair their lower board, and instead allow the volunteers appointed to the individual boards establish their own Chair. Mr. Wells stated the lower boards would provide some continuity as commissioners come and go amongst the Board of Commissioners.

Mrs. Tammy Bisette, Bailey Chamber of Commerce, asked if the Board would be willing to consider volunteers who reside outside of the Bailey town limits. Commissioner Daniels and Mr. Lucas stated some boards might offer that chance, like the cemetery & landscaping committee.

Order Lifting Utility Service Disconnection Moratorium (E.O. No. 142): Clerk Crawford stated the historical context regarding the Board's on-going moratorium on utility service fees, and disconnections, and how the Board's moratorium was initiated after Governor Cooper issued Executive Order Number 124 (EO No. 124) in early 2020. Clerk Crawford stated that since the issuance of EO No. 124, EO No. 142 has come out, giving utility providers, like the Town of Bailey, the ability to lift their own moratoriums, should they decide. Clerk Crawford stated if the

Board chose, they could now reinstate the previous utility rate and fees policy, which would allow for the collection of convenience fees, and late fees. Clerk Crawford stated the biggest impact is that the Board could now act to disconnect those customers who have failed to pay their balance, and they could work to implement a repayment plan to recapture the outstanding balance in a time period that works for the customer and the town. Clerk Crawford shared some example program plans, letters, and agreements that he would encourage the Board approve, should they decide to lift the moratorium.

Commissioner Killion moved the Board approve the lifting of the Town's moratorium related to E.O. No. 142. Commissioner Wilson seconded. Motion carried.

Vote: Richards: Not Present, Bissette: Aye, Killion: Aye, Wilson: Aye, Powell: Aye, Daniels: Aye.

Department Head Comments:

Town Clerk, Jeremy Crawford:

Viable Utility Reserve (VUR) Training: Clerk Crawford reminded the Board of the required in-person and virtual training related to the VUR program, and he pointed out that his training session is set for 21 Jan 2022, in Wilson.

Photographs: Clerk Crawford asked the Board members to remain in the board room for a few minutes at the conclusion of the meeting so he could take pictures for the website.

Interim Police Chief, Cathy Callahan: Chief Callahan provided her December 2021 Summary Report to the Board, verbally, and that report is incorporated into the Minutes as Attachment A. Chief Callahan stated the total crime for 2021 was reduced by 50% from 2020.

Zoning Administrator/Code Enforcer, Shawn Lucas: Mr. Lucas stated the Planning Board did meet in Jan 2022, addressing the conditional use permit for 6288 Main Street, which was approved. Mr. Lucas reviewed the conditions placed on the owner of that property, and he clarified that these conditions will be reviewed annually. Mr. Lucas stated the owner may request an occasional approval to conduct "after hours" events related to key special events, and the owner knows how to contact Mr. Lucas to submit the request in a timely manner. Mr. Lucas stated the permit is approved as a "bar", but the actual use will be like a tavern, which means it is not focused on selling hard liquor. Mr. Lucas stated the owner may also eventually open a roof-top patio, and a lunch-time menu.

Commissioner Comments:

Joel Killion: Nothing significant to report.

Richard Wilson: Nothing significant to report.

Dillon Bissette: Nothing significant to report.

Ervin Powell: Nothing significant to report.

Allen Daniels: Nothing significant to report.

Mayor's Comments:

Mayor Richards was not present.

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 Bisette seconded. Motion carried.

Vote: Richards: Not Present, Bisette: Aye, Killion: Aye, Wilson: Aye, Powell: Aye, Daniels: Aye.

Commissioner Daniels left the meeting while the Board was in closed session.

Commissioner Killion moved the Board return to Open Session. Commissioner Bisette seconded. Motion carried.

Vote: Richards: Not Present, Bisette: Aye, Killion: Aye, Wilson: Aye, Powell: Not Present, Daniels: Aye.

Commissioner Killion moved the Board increase the number of hours per week for Ms. Melissa Hayman to 25 hours. Commissioner Bisette seconded. Motion carried.

Vote: Richards: Not Present, Bisette: Aye, Killion: Aye, Wilson: Aye, Powell: Not Present, Daniels: Aye.

Commissioner Killion moved the Board increase the number of hours per week for Mrs. Wilma Sizemore to 20 hours. Commissioner Bisette seconded. Motion carried.

Vote: Richards: Not Present, Bisette: Aye, Killion: Aye, Wilson: Aye, Powell: Not Present, Daniels: Aye.

Commissioner Killion moved the Board reassign the responsibly for issuing/collecting utility carts, and for marking cemetery plots to Clerk Crawford. Commissioner Bisette seconded. Motion carried.

Vote: Richards: Not Present, Bisette: Aye, Killion: Aye, Wilson: Aye, Powell: Not Present, Daniels: Aye.

Commissioner Killion moved the Board adjourn the meeting. Commissioner Wilson seconded. Motion carried.

Vote: Richards: Not Present, Bissette: Aye, Killion: Aye, Wilson: Aye, Powell: Not Present, Daniels: Aye.

Town Clerk, Jeremy Crawford

Thomas Richards, Mayor