

TOWN OF BAILEY MEETING MINUTES 8/16/21

The Regular Meeting of the Bailey Town Board of Commissioners was held on August 16, 2021 at 7:00 pm.

The following members of the Bailey Town Board were present: Commissioners Ervin Powell, Joel Killion, Dwan Finch (Mayor Pro Tem), and Allen Daniels. Also in attendance were Jeremy Crawford, Town Clerk, Shawn Lucas, Zoning/Code Enforcer, and Interim Police Chief Cathy Callahan.

Called the meeting to order:

Commissioner (Mayor Pro Tem) Finch chaired the meeting, invited Commissioner Powell to lead us in prayer, and she asked the Board and guests to stand and recite the Pledge of Allegiance. Commissioner Finch then called the meeting to order and welcomed everyone to the meeting.

Approval of Financial Statements and Minutes:

Commissioner Killion made a motion to accept the Financial Statements for July 2021 and the Regular Meeting Minutes for July 19, 2021. Commissioner Powell seconded; motion carried.

Public Comment:

Commissioner Finch provided the instructions for the Public Comment period, and after reviewing the sign-up sheet she called forward Mrs. Deborah Morton, a resident of 5839 Deans Street, Bailey, NC 27807.

Mrs. Deborah Morton stated Envirolink came to her house on Tuesday to work on some low pressure issues. The Technician asked Mrs. Morton to leave her water running while they performed the work, because this would allow them to see changes in the water pressure and condition. Mrs. Morton said she would leave the water on but that she could not stay. Upon her return to the house at 4:30 PM, Mrs. Morton stated she found the water was still running and her entire front yard was saturated. Mrs. Morton added that water was running across her yard and down her driveway, and while the yard did seem to dry out over the next few days, her yard now seems to be showing signs of another leak. Mrs. Morton stated her yard is now a soggy mess. Mrs. Morton showed the Board several pictures from her cellphone, which she states were taken of her yard earlier on 19 July 2021.

Commissioner Daniels asked John Nelson from Envirolink to comment, and John Nelson stated that if Mrs. Morton's yard looks like the pictures the leak is not fixed.

Commissioner Finch noted that no one else was signed up to speak so she moved on to the Agenda items.

AGENDA:

Walter Wells, Chair Bailey Planning Board: Walter Wells confirmed that the Planning Board did meet in August. Walter Wells stated Mr. Tony Stone is looking at possibly re-zoning the property next to the old sewing plant. Walter Wells added that while Mr. Stone did recently get Planning Board approval to re-

zone the property it is possible that Mr. Stone will change his plans and develop something different. Walter Wells mentioned this topic would be addressed a bit further after the next Planning Board meeting. Walter Wells stated the Planning Board is working on the Town's subdivision order, but it will take getting some help from external resources to make sure the Planning Board has everything they need to complete the order. Walter Wells clarified that the Town will need to have the order in place before we see more subdivisions coming to Bailey. Walter Wells added that the Planning Board is working on the internet café request, which is geared towards deciding whether the Town can grant future requests for similar type establishments. Walter Wells added that the Planning Board is working on the Town's ordinance regarding trees. Walter Wells offered that the Planning Board is open to other matters the Town would like them to focus on in the coming year.

Commissioner Finch asked Walter Wells if the Upper Coastal Plan [Council of Governments] was helpful, and Walter Wells stated they are. In fact, Walter Wells has been talking with Ben Farmer and they have been providing the Town assistance when needed.

Nick Green, Bailey Chamber of Commerce: Commissioner Finch called Nick Green from the Bailey Chamber of Commerce. Walter Wells stated Mr. Green has been working out of town a lot and he did not think he would make it tonight.

Libby Jenkins, Envirolink: Commissioner Finch called Libby Jenkins who introduced herself and John Nelson as the Envirolink representatives for this evening. Libby Jenkins also stated that the Board would not see David Strum much anymore as John Nelson is now the area Maintenance Manager.

Commissioner Finch asked John Nelson if he or Libby Jenkins were prepared to address Envirolink's monthly reports, but neither Libby Jenkins nor John Nelson were ready to speak to the report information. Libby Jenkins stated she did want to share David Strum's comments on the fire hydrant topic. Libby Jenkins stated the estimate for making the repairs to the fire hydrant is \$3,988.39. This covers just the parts and not the labor or asphalt work. The total for the entire project is \$10,000.00, but Libby Jenkins did not have a breakdown as to what amount was labor and what amount was for the asphalt work.

Commissioner Daniels stated that he thought Envirolink was going to use our existing parts for the work, and that the costs would come from the work to dig under the road and relocate the hydrant. Commissioner Daniels asked Libby Jenkins if she had a parts list, and she replied she did not.

Commissioner Finch asked Libby Jenkins to confirm how many fire hydrants were being repaired for that cost, and Libby Jenkins stated she did not have the answer for that question.

Commissioner Daniels stated that he thought the cost would be around \$4,000 to \$5,000, based on his understanding of specific costs, and he added that getting a plumbing company to do the work Bailey needs is tough. Commissioner Daniels asked Libby Jenkins if the estimate of \$10,000.00 covers just one fire hydrant or two, and Libby Jenkins stated she did not know, just that David Strum told her the estimate is for the fire hydrant.

Town Clerk Jeremy Crawford asked Libby Jenkins if the Board could get a copy of her estimate, and Libby Jenkins stated that it is just a number written in her hand writing.

Commissioner Finch asked Libby Jenkins if she could speak to the flow meters at the spray field, and Libby Jenkins stated she could not speak to the flow meters. Commissioner Finch asked the other Board members what they should do with the fire hydrant matter, and she asked Libby Jenkins if she could provide a written estimate at the next Board meeting. Commissioner Daniels stated it would be best if Envirolink could just do the work, because getting someone else involved now is going to be a challenge. He restated that some plumbers just do not perform this kind of work.

Commissioner Killion asked how many quotes we have for the work, and Commissioner Daniels said we have two estimates - one from Envirolink and one from Keen Plumbing. Commissioner Daniels stated that he believes Keen Plumbing was going to use our existing fire hydrants, and that their cost would be much less. Commissioner Daniels shared the pricing schedule from Keen Plumbing with the Board.

Commissioner Finch asked Libby Jenkins if Envirolink could use the Town's fire hydrant, and Libby Jenkins said she did not know and that she would have to check with David Strum. Commissioner Finch and Commissioner Killion both stated to Libby Jenkins that it would help the Board make a decision if Envirolink could provide a written estimate.

Commissioner Finch mentioned moving on to New Business, and Walter Wells and Shawn Lucas asked about discussing the zoning matter with Mr. Tony Stone first. Commissioner Finch acknowledged their request and Bailey's Zoning Administrator, Shawn Lucas, spoke about some zoning issues facing the Town.

Shawn Lucas, Zoning Administrator: Shawn Lucas stated that the Planning Board would like to try something a little different tonight by including some portions of their meeting into the public comment section of the Town Council meeting. This way it allows the Town to involve the Planning Board and the Town Council without the need for a Special Meeting.

Shawn Lucas stated the first topic is that the Planning Board has a request from Tony Stone to make a text amendment allowing townhomes and duplexes to be developed in an R-10 zone. As additional context, Tony Stone was recently granted approval to re-zone the area near the old sewing plant as R-10, and now Tony Stone is considering changing his plans to include townhomes and/or duplexes versus the original plan of having eight (8) single family homes. Shawn Lucas added a list of verbal bullets including: that Tony Stone paid the fees for the text amendment request; advertising ran in the Wilson Daily Times; notice was not included within the Town's water bills as they were sent out beforehand; the sign was posted on the property on August 3, 2021, and the public hearing notice was posted on the Town's website. The subject is not in a floodplain area, and it is properly identified by its watershed area location. Shawn Lucas stated that Tony Stone presented his plan to the Planning Board, and Tony Stone is here tonight to present to the Board and address any questions of the Board.

Tony Stone thanked the Board for their time. Tony Stone acknowledged the recent re-zoning of the property to R-10. Tony Stone referenced some area builders who have been building townhomes and duplexes, and now Tony Stone is looking at potentially developing the Bailey property into a senior community. He stated he did not know right now how hard this kind of project might be, with fitness center and public meeting rooms being considered, but before he got too far into the process, Tony Stone wanted to bring the idea before the Board. Tony Stone stated that there would be a good market for bringing a senior community to Bailey, and instead of adding room for eight new homes they could add sixteen. Tony Stone stated he did not know if the actual definition will be townhome, duplex, or some other term, but the basic concept is that they will be single family homes with a single shared or common wall connecting one unit to another.

Tony Stone stated there should be no increased demand on the sewer system by switching from eight homes to sixteen because each home will have its own separate septic system. Commissioner Finch stated she wished the Town could provide sewer services to this area, but they cannot, and she asked if Tony Stone could answer if the development would include future home owner's association fees. Tony Stone stated he is still in the idea development stage and has not worked out all of the details, yet.

Commissioner Finch asked Tony Stone to confirm the total number of expected homes, and Tony Stone stated sixteen.

Commissioner Daniels stated that his understanding is that trailers were not allowed by the ordinance, but how does this apply to townhomes. Walter Wells stated townhomes are in the allowed uses property types, but they are not currently allowed in R-10, which is why Tony Stone is asking for a text amendment. Walter Wells added that the ordinance already indicates that if it is a townhome property, there is a requirement for a home owners association.

Commissioner Daniels asked if the matter had already been to the Planning Board, and Shawn Lucas stated it had not. Shawn Lucas added that Tony Stone was bringing it before the Town Council as a heads-up that he is looking to make the request for a text amendment. Shawn Lucas pointed out that the senior community idea is spreading across NC, and other local areas are already making changes to some of their ordinances to accommodate for the increased demand in townhomes.

Commissioner Killion asked for assurance that these homes would attract reputable residents or tenants, and Shawn Lucas responded that the focus with these kinds of communities is that they are owner-occupied and not tenant-occupied. Shawn Lucas added that, if set up correctly, the ordinance can require owner-occupied properties, and based on the expectation that these properties will list at/above \$275,000, means it should help cater towards reputable residents.

Walter Wells pointed out that Tony Stone will need to put in his official request to make the text amendment. The Town Council will then pass it to the Planning Board for at least 30 days to review and make recommendations. Walter Wells reiterated the current ordinance requirements, and he stressed that making a decision on this request will impact more than just the property Tony Stone is developing.

Commissioner Daniels made a motion to forward the Text Amendment request to the Planning Board for further review, for a period of 30-60 days, and to report their findings to the Town Board once that's complete. Commissioner Killion seconded the motion; motion carried.

Commissioner Finch called Libby Jenkins from Envirolink back to the podium for further information on the fire hydrant estimate and repair work.

Libby Jenkins, Envirolink: Libby Jenkins stated the estimate is for repairing the fire hydrant on Benson Street, and it is for only the one hydrant repair. Commissioner Daniels asked if the price included using our parts and if it only involved repairing just one fire hydrant. Libby Jenkins stated yes, just the one hydrant will be repaired and the price includes using the Town's fire hydrant. Libby Jenkins added that David Strum has not given her a parts list.

Commissioner Killion stated he does not understand the cost for parts if Envirolink is using our parts, to which Commissioner Daniels stated he did not understand the pricing either. Town Clerk Crawford asked Libby Jenkins to go back over the pricing so that he could gather an accurate understanding of the estimate. Libby Jenkins stated she did not have an exact number for everything, but for the parts David Strum told her it would be \$3,988.39. The labor and asphalt would be the remainder of the \$10,000 total cost. Town Clerk Crawford asked if the \$3,988.39 included using our parts, to which Libby Jenkins stated yes.

Commissioner Finch asked if Envirolink is doing the asphalt or if we should have someone else perform the work. Commissioner Daniels stated he felt it should be done by an asphalt crew to make sure the work is done right.

Commissioner Killion repeated the concern that the parts pricing of \$3,988.39 is not clear about what that is actually paying for. Libby Jenkins stated she could only speak to her understanding that the price included using our parts, but she did not know what other parts would be included.

Commissioner Finch asked the Board what they wanted to do. Commissioner Allen stated the Town has Envirolink's estimate, a generic price list from Keen Plumbing, and none of the other two plumbers provided an estimate.

Commissioner Daniels made a motion to call Keen Plumbing to remove and replace the hydrant on Benson Street, and to remove and replace the fire hydrant near the intersection of Green Street and Pine Street. Commissioner Killion seconded the motion; motion carried.

Old Business:

Roofing quotes: Commissioner Daniels stated it will require him to sit down with the Town Clerk to write the specs and get quotes for the work since the expected cost is over \$30,000. Town Clerk

Crawford asked Commissioner Daniels which building the roofing work applied to and he stated it was for the Town Hall.

Well #2 Start-up: Envirolink, Libby Jenkins, confirmed that the start-up is scheduled for 10:00 AM, Friday August 20, 2021.

Tank Maintenance Proposals: Commissioner Finch asked if the Board had any comments or concerns on the topic. Commissioner Daniels stated that after the last meeting he thought we were going back to the beginning and asking for bids because the cost exceeds \$30,000.00. Commissioner Daniels said no motion is needed to start the bid process over, and instead he asked if we should be seeking a paint-only quote vice seeking a maintenance quote. Commissioner Finch recommended that we call in Rural Water and see what input or guidance they have on the matter. Commissioner Killion stated Southern Corrosion has a great reputation and services many of our neighbors, so what's wrong with going with them for our tank maintenance. Commissioner Finch stated she would give Commissioner Daniels the contact information for Rural Water and see if the two of them can come together on what Bailey needs before beginning the bidding process all over again.

New Business:

Hiring a CPA to perform the bookkeeping services: Town Clerk Crawford stated the CPA topic was placed on the Agenda at the request of Mayor Richards, and that he believed Mayor Richards and Commissioner Daniels were already having some communication with a bookkeeping firm locally. Commissioner Daniels said he is not aware of anyone specific, but that he thought the firm was out of Rocky Mount. Town Clerk Crawford stated he will connect with Mayor Richards about additional contact information. Commissioner Daniels could not recall the firm's name but he was aware that the firm had agreed to perform a four-hour assessment of the Town's books for \$1,000.00. Commissioner Daniels added that the hourly rate for the firm's services after the initial assessment would be \$269 per hour for two people. Commissioner Daniels clarified that the firm was only going to be focused on bookkeeping and not the audit, and that the firm had already spoken with the auditor and mentioned he would accept the assessment. Town Clerk Crawford stated we need to decide tonight on the CPA firm because the timing of the State's imposed deadline will not allow for waiting until next month's Board meeting.

The conversation on the matter was stopped until a Board member could get more info.

Hiring a part-time finance clerk: Town Clerk Crawford stated this topic is one he will discuss further during closed session, and Commissioner Finch acknowledged the topic would be addressed in closed session.

Purchasing a new Microsoft Office 365: Town Clerk Crawford reported to the Board that all of the Town Hall desktop and laptop computers are operating without current Microsoft Office licenses, which causes a reduction in their functionality. Town Clerk Crawford stated the estimated cost for seven units at the Town Hall would be over \$700, which exceeds his departmental approval authority. Commissioner Killion asked if the Town would be getting the licenses through Computer Central, and

Town Clerk Crawford stated yes. Commissioner Killion suggested that we focus only on securing the lowest subscription plan because we do not need the full complement of applications available from Microsoft like, Excel, Access, and One Note. Town Clerk Crawford acknowledged that Commissioner Killion was correct, and that while they do not need many of the other applications in Microsoft, the basic business plans come with Excel and since the Town's cemetery program is run through Access, that program would be required.

Commissioner Finch instructed Town Clerk Crawford to get some estimates on cost and we can include it in the Old Business in September.

Commissioner Daniels stated that he just found the CPA firm's info and he confirmed the \$1,000.00 cost for the initial assessment, and the \$269.00 hourly rate for work after the initial assessment.

Commissioner Daniels made a motion to go with Ricky Overman, CPA, who has quoted \$1,000.00 for the four hour assessment, and then \$269 per hour thereafter to get our books ready for the audit.

Commissioner Killion seconded the motion; motion carried.

2021 Firebirds Broadcast Sponsorship: Town Clerk Crawford informed the Board that they should find a flyer in their packets, and since local mom and pop shops are struggling to donate to the sports programs in Nash County, the Town of Bailey was contacted to see if they'd be willing to donate \$300.00 this year. Commissioner Killion made a motion to donate \$300.00 to sponsor the Southern Nash sports program. Commissioner Powell seconded the motion; motion carried.

Office Chris "Batman" Driver Memorial Fund, Inc.: Town Clerk Crawford stated this is another topic for his office, and he provided some background information regarding the reason behind the memorial fund. Town Clerk Crawford stated the purpose for bringing the topic up tonight is that the Fund is hosting a concert on September 23, 2021 at The Powerhouse in Rocky Mount, and that the group The Embers is the main event. Town Clerk Crawford added that the Fund would like to have the Board's approval to post a flyer on the Town Hall bulletin board about the event. Additionally, the Fund works to help local law enforcement departments by funding various equipment, training, and resource needs for area departments. Town Clerk Crawford shared a copy of the Fund's forms with Commissioner Killion, and stated that if he and Interim Police Chief Callahan identify any needs for the department they should forward their request to the Fund.

Commissioner Finch granted approval to post the flyer in the Town Hall, and Commissioner Killion stated he would give the request letter to Interim Police Chief Callahan to identify her needs.

Department Heads:

Town Clerk, Jeremy Crawford: Town Clerk Crawford stated he has already covered most of his points in other areas and that he had nothing else to add.

Interim Chief Cathy Callahan, Bailey Police Department: Interim Chief Callahan stated that for the month of July the department had two misdemeanor charges and 40 traffic charges with 27 of those charges for speeding. One crime was reported in July which resulted in two misdemeanor charges for

two non-residents. The department also had 16 calls for service, 79 business escorts, and 73 business contacts. A portable speed bump was received through the Governor's Highway Safety Program.

Shawn Lucas, Zoning/Code Enforcer: Shawn Lucas stated that this month the Planning Board retained Walter Wells as the Chairman of the Board, and Cecil Hawley as the Co-Chair. Shawn Lucas stated we have had a lot of calls from developers looking to buy property in Bailey to set up small mom and pop style businesses. As he gets more he will share it with the Board. Shawn Lucas added they are working on a tree ordinance, and Bailey is focused on putting an ordinance in place so that the State does not impose its direction on what the Town does with its trees. Shawn Lucas added, that so long as the State's regulations don't override the Town's then Bailey retains more control of what happens as areas are developed.

Shawn Lucas mentioned that the public meeting they had scheduled for 19 August did not occur since the applicant did not appeal in time. Further, this meeting was supposed to involve the house owner performing the maintenance on Main Street.

Shawn Lucas mentioned that he had a personnel matter that he would like to address in closed session.

Commissioner Daniels mentioned that he heard the old sewing plant owner was making moves to turn the property into an entertainment location, which he felt would be bad for the homeowners living right next door to the property. Shawn Lucas stated they have not filed for any permits related to entertainment businesses, just permits related to some interior repairs. Shawn Lucas stated he was going to go by that property on Thursday to investigate further. Shawn Lucas added that when he last talked to the property owner about his permit, Shawn made sure to clarify that the permit was only for the roofing repair and not for anything else.

Commissioner's Remarks

Commissioner Killion: Commissioner Killion stated that tonight the Board was going to be interviewing several candidates for the open police officer positions.

Commissioner Bullard was absent.

Commissioner Finch: Commissioner Finch stated she had nothing else to add.

Commissioner Powell: Commissioner Powell asked about roadways in the town, and Commissioner Daniels mentioned that he knew Williams Street was going to need repaired soon, all the way from Peele Street to Oak Avenue. Commissioner Daniels added we cannot simply add more asphalt as the roots will continue to push up through the surface and damage the roadway.

Commissioner Daniels: Commissioner Daniels stated he would like to meet with David and Mike from EnviroLink and redo the contract. The company is just taking too long to address maintenance issues and it is unacceptable. Commissioner Daniels stated he is not looking to overhaul the entire contract, but that it may need to be re-written to account for having another company handle specific maintenance tasks as we need things done.

Commissioner Killion asked about how we could get the grass in front of the police department cut. Commissioner Daniels stated the crew cuts it every other week, and if we want them to cut it more we are going to have to pay them to cut it more. Interim Police Chief Callahan stated that she has asked the grass crew to put down some weed and feed to control the excess weeds, and that it has not happened yet. Commissioner Daniels stated the basic problem is that the crew is only cutting according to the contract timeline. Further, Commissioner Daniels added that the Town has not gotten an invoice for any of the services in at least four weeks. Commissioner Daniels stated the past invoices from Top Notch were disorganized and missing information. Town Clerk Crawford stated that as soon as we get invoices we will process them. Commissioner Killion added that since the police department lot is so small, maybe the cost will fall under the departmental limits of approval of \$500.00.

Commissioners Daniels and Killion acknowledged that the cemetery is looking fine but the town lots are not.

Commissioner Finch asked if the Board needs to look at bringing in a different crew to handle the town lots, and to that Town Clerk Crawford stated that whomever the town uses they must realize that if we tell the contractor to cut it every other week than we cannot expect it to be cut any more than that. Commissioner Daniels added that Top Notch is doing what we want them to do, frequency-wise.

Mayor's Remarks: Mayor Richards was absent.

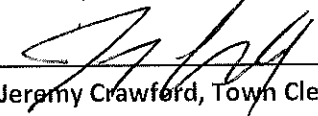
Commissioner Killion made a motion to head into closed session. Commissioner Powell seconded the motion; motion carried.

The Board returned from closed session.

Commissioner Killion made a motion to hire Devonta Ferguson, William Bruesch, DeShawn Taylor, and Jesse Urban as part-time officers, all at \$16.00 per hour, with a six month probationary period and evaluation at the end of the probation, pending a background check, drug screen, physical exam, and firearms qualification. Commissioner Powell seconded the motion; motion carried.

Commissioner Finch offered her congratulations, and Commissioner Killion stated that Interim Police Chief Callahan would connect with the group to move forward with all required processes.

Commissioner Daniels made a motion to adjourn the meeting. Commissioner Powell seconded the motion; motion carried.



Jeremy Crawford, Town Clerk



Mayor Pro Tem Dwan Finch