

TOWN OF BAILEY

The Regular Meeting of the Bailey Town Board was held in the Bailey Town Hall on March 20, 2017 at 7:00pm.

The following members of the Bailey Town Board were present: Mayor Pro Tem Shelley Carroll; Commissioners Howard Wescott, Allen Daniels, Troy Conner and Jerry Bisette.

Called the meeting to order:

Mayor Pro Tem Carroll called the meeting to order and opened the meeting and welcomed all guest who were attending the meeting,. Guest included John Driscoll, Jessie Moore, and John Todd

Approval of minutes and financial statement:

The financial statement for March 2017 and the minutes for the Regular Board Meeting of March 2017, were unanimously approved upon a motion by Commissioner Conner and seconded by Commissioner Wescott. (5 affirm); (0 nays)

Agenda items:

Bailey Chamber of Commerce; Cecil Hawley, President of the Bailey Chamber of Commerce updated the board on the flier that would be provided to the Town regarding BCC activities and advised that he had received Braswell library's flier as well. He stated that Administrator Johnson had advised him as to when he needed to have the fliers in order for them to go out with the utility billing at the end of the month. Mayor Pro Tem Carroll asked if the library's flier was another page and Mr. Hawley indicated that it was. Mayor Pro Tem Carroll advised Administrator Johnson to let her know when they were received because it could go over the weight limit and we would need to have the correct postage in order for them to be processed. He also stated that the BCC would be having their craft fair/yard sale/raffle on Saturday, April 22, 2017 from 8am to 2pm where the Christmas Tree lot is located at Main and Sanford.

EnviroLink; Dean Holmes, representative of EnviroLink, was present and had nothing to report.

Veteran Waste Services; John Todd, CEO of VWS, introduced himself and two of his colleagues, John Driscoll and Jessie Moore. He thanked the board for allowing him to introduce his company and prospect of doing business with the Town of Bailey. He advised that the company is a veteran owned company whose mission is to provide jobs for veterans who leave service and return back to civilian life. The company was started back in 2003 to provide meaningful and honorable jobs for transitioning veterans. He advised that the company is employee owned with no outside investors so it is the employees' job to make the company successful. He indicated that they serve locations in North Carolina and in Oklahoma. In North Carolina they serve communities from Siler City to Rocky Mount. He hoped that the proposal presented would be attractive to the board and that it would include brand new carts to each location and that the pricing involved was not a get in the door pricing. He stated that they had not raised their rates to their customer in years. He stated that they believed in fair pricing and that their equipment is good. He stated that the biggest difference was their employee's because they care. Commissioner Conner asked if all of the company's employees were veterans. Mr. Todd advised that about 96% of the company's employees were veterans. Commissioner Daniels asked about fees for surcharge due to increases in diesel fuel. How would VWS handle that with the Town of Bailey. Mr. Todd stated that the biggest difference we would see is that the Town of Bailey would understand that VWS works for us. Any price increase would need to come before the town board and it would need to be justified. If it can be justified then they would expect the town to be fair and provide for the increase however if they are not able to justify the increase then VWS would not get it. Pricing is not based on a formula it is about being fair to the customer. Commissioner Daniel was concerned if there were hidden fees. Mr. Todd advised that no the price for service is stated within the proposal and that there were no hidden fees. He was proud that his company had not raised prices to the customer base in North Carolina because diesel fuel and landfill tipping fees were not out of control. Mr. Todd again thanked the town for taking the time to look over VWS's proposal.

Public Comment:

Mayor Pro Tem opened the public comment section. With no comments made the public comments section was closed.

Old Business:

New Business:

Request for text amendment change to table of uses for R-40 zoning district; Administrator Johnson advised that the planning board met in February 2017 and was bringing the matter up for discussion in the March 2017 board meeting. He advised that a proposed project was to be located on Hwy 581 S in the ETJ of the Town of Bailey. He advised that Don Perry wanted to make a certain location into a self-storage facility but that it is not permissible. He advised that in the R-40 district that this particular use was not permissible. He also advised that before he could begin that he would need the board's approval to seek out a planner, CZO, who could write the needed ordinance amendment. He also stated that the board needed to approve whether or not Mr. Perry would need to pay half of the expenses for the planner because they had asked the Bailey Methodist Church to do this when they requested a text amendment change regarding LED lighting. He advised that he didn't feel that this would be as cumbersome as the LED lighting issue because of the nature of the request and the fact that it was in the R-40 district. Administrator Johnson stated that due to the Town's adopted zoning ordinances that he cannot at this time issue Mr. Perry a permit because it is not permissible in the current zoning district. He asked the board what was their pleasure regarding this matter or if they had a problem with the request. Commissioner Conner asked Mr. Perry where the project was located. Mr. Perry indicated that it was within a ½ mile of their residence. Commissioner Daniels asked if the county would have to approve this. Administrator Johnson advised that it already permissible in the county however it must pass us first because it is within the Town's ETJ. Various commissioners stated that they did not have a problem with it however Administrator Johnson asked if the board was going to take on all of the expense other than the zoning request application. Commissioner Wescott stated that since the Town Board asked for the church which is a non-profit to pay for half of the expense then they should ask for Mr. Perry to pay for half of the expense for this text amendment request. Administrator Johnson asked for the board to give a motion that he could proceed with obtaining a planning, CZO, for the text amendment request and that the Perry's would be responsible for 50% of the cost of the text amendment request. A motion to proceed with the text amendment project was made by Commissioner Conner and seconded by Commissioner Daniels and was unanimously approved. (5 affirm); (0 nays)

Resolution for surplus of equipment - Daniels; Town Administrator Johnson advised the Board that NC general statutes require that surplus equipment less than \$30K has to be surplus by resolution each and every time unless there is an ordinance in place that grants this exception. Since there is no ordinance in place then a resolution must be passed in order for this equipment to be considered surplus. Even though the board indicated what equipment it wanted to be surplus in last month's regular board meeting it did not have the authority to surplus that equipment because it was not done so with a resolution. The resolution indicates that there is personal property that the Town of Bailey owns that no longer meets the needs of the town. It states that the Town would like to surplus this equipment so that it can sell either, by private or public auction, and with notice to the public. That means that an advertisement in a local newspaper would be required to meet the NC general statutes. This also would mean that the surplus equipment could not be sold until (10) days after the notice to the public had been published. A motion to proceed with the resolution for surplus equipment was made by Commissioner Daniels and seconded by Commissioner Conner and was unanimously approved. (5 affirm); (0 nays)

Resolution for surplus of equipment - Ennis; Mayor Pro Tem Carroll stated that this resolution was the exact same process as the previous motion. Administrator Johnson answered in the affirmative. A motion to proceed with the resolution for surplus equipment was made by Commissioner Wescott and seconded by Commissioner Conner and was unanimously approved. (5 affirm); (0 nays)

Ordinance on surplus equipment less than \$30,000; Town Administrator Johnson stated that he had a question for the board. He asked did they want to have to do resolutions for all surplus equipment at every board meeting. Mayor Pro Tem stated that she did not want to have to do a resolution each and every time and that this was a great idea. Administrator Johnson advised that the information that they received was a draft and could not be voted on during tonight's meeting. He advised that he needed the board's permission to go to the

Town's attorney to have them write up the ordinance for the town. He advised the board that they needed to figure out the who, the how and the why for the ordinance. He also advised that on the "who" to not name a name of a person but name a position/title. This way the ordinance doesn't have to be updated each time a new person comes into that position. This way the person designated is responsible for the statutory requirement of keeping up with what was surplus, how much it was sold for, and where the monies were deposited. A motion was not made so the Administrator could not proceed with getting this forwarded to the Town's attorney. This will be taken back up in the next regular board meeting.

Waste Industry mark-up as of May 2017 billing; Town Administrator Johnson advised that we had received the mark-up notification from Waste Industries but had not received the usual amendment. He had advised what the difference in cost from Waste Industries and VWS would be. He also stated with confirmation from Mr. Todd of VWS that no CPI increase would occur nor would a contractual increase occur unless approved by the Board of Commissioners within the (5) year term of the contract. Upon inspection of the documents that had been provided a motion to proceed with VWS as the new sanitation provider was made by Commissioner Daniels and seconded by Commissioner Conner and was unanimously approved. (5 affirm); (0 nays)

Commissioner's remarks:

Commissioner Daniels asked if the Chamber of Commerce could see if there was a way to get pay at pump stations in the Town of Bailey. BCC President Hawley advised that Sam had already expanded the pumps at Bailey's Tobacco and Grill but that they were not pay at pump stations. Commissioner Bissette stated that it was cost prohibitive because he had already asked about this very same issue. Commissioner Daniels said that it would be nice because there is space between Zebulon and I-95 for a gas station to come in to the Town that would be able to offer this service. BCC President Hawley stated that he would talk to Sam to see if there would be interest in doing this. Commissioner Daniels stated that he would champion a tax credit for any business that would consider doing this in the Town.

Mayor's remarks:

Mayor Pro Tem Carroll asked Dean Holmes from Envirolink about the debris in the storm drains. She wanted to know what they were going to be doing about this issue. Mr. Holmes stated that they were supposed to do this during leaf collection. Mayor Pro Tem Carroll stated that she walks the area early in the morning and that the debris has not been removed. Mr. Holmes stated that he would have this taken care of.

Department Heads Remarks:

Administrator Johnson provided information to the board in reference to the window in the back door of the maintenance building being vandalized. He stated that he submitted the information to the insurance carrier and the adjuster stated that it would pay after the \$500 deductible. He asked if there was anyone that the board knew who could do this type of work. Commissioner Daniels asked if there was a need to see through the door. Administrator Johnson said no. Then Commissioner Daniels made a request that Commissioner Bissette cut a piece of sheet metal and bolt it to the door. Administrator Johnson was asked by Mayor Pro Tem Carroll if a motion was necessary. Administrator Johnson so not if the amount would be less than \$500.00.

Administrator Johnson advised the board that he received a request from NRMPS to have a kiosk placed in the town hall. He provided the information to the board and the board did not approve anything at this time.

Administrator Johnson advised the board that since January 7th the town has collected over \$6800 in back taxes dating from 2008 to present.

Closed Session:

Commissioner Conner made a motion to go in to closed session as permitted by NCGS 143-318 (a) (6) to consider the qualification competence and performance of an employee. Commissioner Wescott seconded the motion and the motion passed unanimously. (5 affirm); (0 nays)

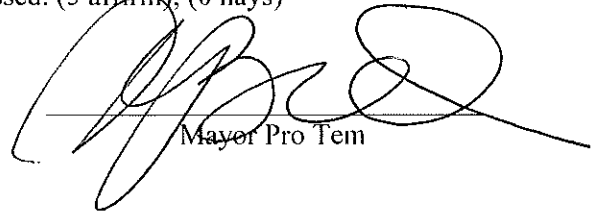
Commissioner Conner made a motion to return to the regular session meeting. Commissioner Wescott seconded the motion and the motion passed unanimously. (5 affirm); (0 nays)

Open Session:

No further business

Adjournment:

There being no further business, Commissioner Conner made a motion to adjourn. Mayor Pro Tem Carroll seconded the motion and the motion unanimously passed. (5 affirm); (0 nays)



Mayor Pro Tem



Clerk