

TOWN OF BAILEY MEETING MINUTES

REGULAR MEETING - 12/20/2021

The Regular Meeting of the Bailey Town Board was held in the Bailey Town Hall on December 20, 2021, at 7:00 PM.

The following members of the Bailey Town Board were present: Commissioners Joel Killion, Dwan Finch (mayor pro tem), 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 Finch (Mayor Pro Tem) asked Commissioner Powell to lead us in prayer, and then the Pledge of Allegiance was recited by the Board and attendees. Commissioner Finch stated that Mayor Richards could not make it tonight, and that she would Chair the meeting in his absence.

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

Approval of financial statements and meeting minutes:

Commissioner Killion moved the Board accept the November 2021 financial statements, and the November 15, 2021, Regular Meeting Minutes, as prepared by Town Clerk Crawford.

Commissioner Powell seconded. Motion carried.

Vote: Richards: Not Present, Finch: Aye, Killion: Aye, Bullard: Not Present, Powell: Aye, Daniels: Aye.

Debt Payoff Proposal: Town Clerk Jeremy Crawford discussed two debt packages included in the Board's packet. Town Clerk Crawford stated that some board members have shown an interest in paying off the small(er) outstanding debt balances in favor of avoiding the interest payments. Town Clerk Crawford reviewed the loan documents for the NC DEQ Clean Water Project, which has a current balance of \$59,900, and the Southern Bank loan, which has a current balance of \$10,612.78. Town Clerk Crawford stated that if the town paid off these two balances now, which mature in early/mid 2023, the town could save over \$3,100.00 in interest payments.

Commissioner Daniels moved the Board pay off the outstanding balance to both the Clean Water Project, and the Southern Bank loan. Commissioner Killion seconded. Motion carried.

Vote: Richards: Not Present, Finch: Aye, Killion: Aye, Bullard: Not Present, Powell: Aye, Daniels: Aye.

Agenda:

Bailey Planning Board: Mr. Walter Wells, Chair of the Bailey Planning Board, thanked Commissioner Finch for her years of service to the town. Mr. Wells stated that some planning issues will be covered in greater detail later in the meeting, but he wanted to stress that the Planning Board's focus for tonight was to present a recommendation regarding the old sewing factory. Mr. Wells stated the Planning Board is also working through some violation related issues, like the permit violations for the house on Main Street, or the variance issues and discrepancies occurring in other locations.

Bailey Chamber of Commerce: Mrs. Tammy Bisette, Bailey Chamber of Commerce, stated the Chamber had a very successful Christmas event weekend. Mrs. Bisette thanked Commissioner Killion, Town Clerk Crawford, and the Town Hall staff who participated in the events. Mrs. Bisette stated the Chamber held their Annual Meeting and approved new officers: Nick Green remaining as President, Dennis Bisette Vice President, Cynthia Green as Secretary, and Amy Pearson will be joining as Treasurer. Mrs. Bisette stated the Chamber Board will start meeting on the 3rd Thursday night of each month. Mrs. Bisette thanked Commissioner Finch for her service to the town.

EnviroLink: Mrs. Libby Jenkins, Area Manager, stated the work on the fire hydrants is still in progress and they are waiting on parts, but the fire hydrant on Main Street (near Deans Street) will be the last one in town that needs repaired. Mrs. Jenkins provided the Nov 2021 Monthly Activity Report and answered questions related to routine work orders. Commissioner Finch asked Mrs. Jenkins about the estimate for the Smoke Test results, and Mrs. Jenkins stated she would need to check with John Nelson. Mrs. Jenkins stated they would have the leaf and limb schedule to the town hall by the first of next week.

Old Business:

Senate Bill 300 (Session Law 2021-138) – Criminal Justice Reform: Town Clerk Crawford provided an update regarding the Town's review and compliance with the Senate Bill 300 (SB300) requirements. Town Clerk Crawford stated he is continuing to make progress with the review, and he is working with his fellow clerks, and representatives from the North Carolina League of Municipalities (NCLM) to prepare a product for the Board to review.

Smoke Test Estimate: Commissioner Finch stated that we covered this part in the comments from EnviroLink.

Viable Utilities Reserve - Resolution: Commissioner Finch stated the Town of Bailey has been awarded a \$5-million-dollar earmark, and the town must submit a proper resolution and application to make sure the state officials have what they need to pass the funds on to Bailey. Commissioner Finch recited the resolution, and it is incorporated into these Minutes for reference as Attachment A.

Commissioner Killion moved the Board accept the Resolution by Governing Body of Applicant, Town of Bailey, Viable Utilities Project. Commissioner Powell seconded. Motion carried.

Vote: Richards: Not Present, Finch: Aye, Killion: Aye, Bullard: Not Present, Powell: Aye, Daniels: Aye.

Commissioner Daniels asked how the project would work going forward. Town Clerk Crawford stated tonight's paperwork is just to get the money moving to Bailey and that the typical bid process to identify an engineering company and contractor must still occur. Town Clerk Crawford stated Joe Dooley from the Upper Coastal Plains Council of Government assisted with the application process. Commissioner Daniels stated he has concerns that everyday we wait, the costs for the project keep going up. Commissioner Finch stated that because of Bailey's distressed" status and listing on the Viable Utilities Reserve list, Bailey should have access to more funding.

Viable Utilities Reserve – Mandatory Training: Town Clerk Crawford stated the Board should find a flyer in their packets detailing the required in-person and virtual training in 2022. Town Clerk Crawford stated he is filling the finance and utility manager requirements, and that Mayor Richards and Commissioner Killion are filling the elected official requirements.

Tank Maintenance Proposals: Commissioner Daniels stated some notes about Southern Corrosion's pricing and maintenance schedule. Commissioner Daniels stated he heard something about an American Tank Fund that might cover the cost of the work up-front. Commissioner Daniels stated we should bid this maintenance out all over again.

New Business:

Swearing In Ceremony for Newley Elected Officials: Commissioner Finch swore in Dillon Bissette and Richard Wilson as new members of the Bailey Board of Commissioners. Commissioners Bissette and Wilson took their seats and Commissioner Finch stepped down from her role as Commissioner/Mayor Pro. [Although absent, Commissioner Shelley Bullard's term expired with the swearing in of the new commissioners.]

Commissioner Daniels assumed the role as Chair of the meeting.

Personnel Policy and Elected Officials Orientation: Town Clerk Crawford stated the Board should have received an email with the draft version of both files, and that he requested the board review these files and provide their feedback. Town Clerk Crawford stated there is a need to make sure Bailey personnel have clear guidance from day-1 regarding their position, their duties, and what is expected of them. Town Clerk Crawford stated the Elected Officials Orientation draft file should provide a solid foundation for all newly elected leaders, and that he would like the board to provide their feedback, hand-written or otherwise, so that he can continue to craft a product for their approval.

2022 Regular Meeting Schedule: Town Clerk Crawford stated the 2022 schedule shows all board meetings for 7:00 PM on the 3rd Monday of each month, except for January as the 3rd Monday in January falls on Martin Luther King, Jr. Day. Commissioner Daniels asked the Board if they would be willing to consider moving the Dec 2022 date up from Monday, Dec 19, 2022.

Commissioner Daniels moved the Board accept the schedule as written, with the only exception being to move the Dec 2022 meeting date up to 12 Dec 2022. The consensus was to accept Commissioner Daniels recommendation, and no vote was required or taken.

2022 Town Hall/Staff Holiday Schedule: Town Clerk Crawford stated the 2022 schedule is almost an exact repeat of the 2021 schedule, which the board previously approved in 2020. The schedule was accepted with no vote required or taken.

Social Media Content Policy: Town Clerk Crawford stated he connected with Spring Hope's Town Clerk, Michele Collins, and they discussed the challenges of managing negative comments on the town's social media posts. Town Clerk Crawford stated, with insight and guidance from the NC League of Municipalities, Spring Hope now has a policy they felt comfortable adopting. Town Clerk Crawford shared a draft copy he created from Spring Hope's current template. Commissioner Daniels asked the board if they felt like voting on the draft tonight, or if they needed time to review it further, and the consensus was to revisit the matter in January 2022.

Phone Tree Message Service: Town Clerk Crawford stated the packets include information about three vendors who provide phone tree message services, AKA robocallers, and he shared how having this feature in place during the recent water outage would have helped ensure greater dissemination of vital information to the public. Town Clerk Crawford stated the current challenge is that, even with mail, social media, the website, and word-of-mouth, many Bailey residents just did not hear about the water outage before it happened. Town Clerk Crawford stated some features and benefits of the phone tree service and discussed some comparisons with the top-3 contenders included in the board member's packets. Town Clerk Crawford stated some pricing details, and advised that with an effective policy in place, we could make sure the system worked to our advantage without the pain of unexpected surges in cost. Commissioner Daniels asked if the board was ready to vote on the matter, and the consensus was to delay the matter until January 2022.

IIMC Clerks Certification Institute 2022 – Training Proposal: Town Clerk Crawford thanked the board for the willingness to support and fund training for him to attend finance and budgeting classes. Town Clerk Crawford stated the training proposal in their packets highlights the benefits of the 20-day clerks certification course, and he outlined the various topics that are covered throughout the year. Town Clerk Crawford stated the pricing schedule for the virtual and in-person sessions and discussed the PROs and CONs of approving the two lectures' methods. Commissioner Daniels asked if Town Clerk Crawford planned to attend other courses this year, and if he expected to ask the board for more funding beyond this course in 2022. Town Clerk Crawford stated this course covered many of the smaller courses within its agenda, and he had

no plans to seek any further requests for training this year. Commissioner Daniels asked for the training schedule, and Town Clerk Crawford described the four, five-day schedules set for Feb, May, Aug, and Oct 2022.

Commissioner Killion moved the Board approve the Training Proposal for the IIMC Clerks Certification Institute 2022 course and to send Town Clerk Crawford to the in-person training method. Commissioner Powell seconded. Motion carried.

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

Mausoleum Placement/Approval: Town Clerk Crawford stated a local cemetery plot owner has requested to place a mausoleum on their plot, and the ordinance limits the approval to place mausoleums to specific plots and plans. Town Clerk Crawford stated he is not aware of any plot or plan map showing where mausoleums can be placed, and he wanted to put this matter before the board for their review and feedback. Commissioner Daniels stated he thought the only section restricted from placing mausoleums is Section E, and that Town Clerk Crawford could review past Meeting Minutes in/around 2004 for previous board decisions on the matter.

Statement of Consistency: Mr. Shawn Lucas, Zoning Administrator / Code Enforcer, welcomed the new board members and introduced the Statement of Consistency for 5825 Main Street. Mr. Lucas stated the hearing and Planning Board review has been completed, and the Planning Board prepared a recommendation to rezone 5825 Main Street from *Community Institutional* to *Outlying Commercial*, and that this change is consistent with the Town's various ordinances and land use plans. Mr. Lucas stated the issue is now being brought before the Board so they can make the final decision via 1) adoption of the Planning Board's Statement of Consistency, 2) disapproving the recommendation and keeping the property categorized as *Community Institutional*, or 3) send it back to the Planning Board for additional review and possible re-drafting of a new statement of consistency.

Mr. Wells stated the Planning Board sent out the required letters to surrounding properties, including the other owners developing in that area, and that their board received very little feedback from the community. Mr. Wells stated the *Outlying Commercial* and *Community Institutional* Use Table categories share a lot of similarities in what types of uses they allow and based on the historical classification and use as an *Outlying Commercial* operation lends to the feasibility of returning the property to the *Outlying Commercial* zoning category. Commissioner Daniels stated he had concerns about the noise that might come from this property's intended operations, especially with the surrounding churches. Mr. Lucas stated Article 519 does limit the operations to the timeframe of 9:00 AM to midnight, and we cannot limit how loud the noise can be, or not be. Mr. Lucas stated that Interim Chief Callahan has discretion when responding to noise complaints, in that she can use the town's General Ordinance to enforce its limitations on the property.

Mr. Lucas offered to bring Mr. Patino forward to speak, and Commissioner Powell stated he was going to recuse himself from voting and asked to hear the Planning Board's recommendations first. Mr. Lucas stated his recommendation is to switch the property's zoning classification from *Community Institutional* back to *Outlying Commercial*. Mr. Wells stated the proposed use is as an Indoor Use property.

Commissioner Killion moved the Board rezone 5825 Main Street from *Community Institutional* to *Outlying Commercial*. Commissioner Bisette seconded. Motion carried.

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

Commissioner Killion moved the Board adopt the Planning Board's Statement of Consistency as their own. Commissioner Bisette seconded. Motion carried.

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

Mr. Lucas informed Mr. Patino that he will be sending a letter informing him that the property has been rezoned to *Outlying Commercial*, and that GIS would be updated.

Public Comments:

Mrs. Deborah Morton: Commissioner Daniels called forward Mrs. Deborah Morton, resident of 5839 Deans Street, Bailey, NC 27807. Mrs. Morton stated she is back for the 9th month, and she is still dealing with water pressure and some discoloration issues. Mrs. Morton stated she can get sufficient pressure when running only one water source, but it falls off after a second source is used. Commissioner Daniels stated he has gotten feedback from other advocates and industry sources, and they advise that any issue beyond the meter, closer to the house, falls on the property owner. Commissioner Daniels stated that he urged the board to caution against offering to take on the responsibility of resolving the property owner's issues, as it might lead to others wanting the town to take responsibility for fixing their issues, as well. Commissioner Daniels stated Mrs. Morton's issues seem to center around the possible build up of scale in her galvanized lines, which while it might provide enough pressure to support one water flow, adding a second water flow will cause both flows to fall off or stop. Commissioner Killion asked if the town had checked the flow and pressure up to the meter, and Commissioner Daniels stated the flow and pressure up to the meter is good. Mrs. Morton stated she cannot take responsibility for replacing the line, especially since the line after the meter is in someone else's yard. Commissioner Killion asked if anyone from the town has contacted the other property owner to see if they'd be willing to work with the town and Mrs. Morton. Town Clerk Crawford stated that property is vacant, and Commissioner Daniels stated the responsibility for action should fall onto Mrs. Morton, as this is not a town issue.

Town Clerk Crawford stated the town previously discussed the line coming in from the Deans St side, and he asked if we know more about that line now. Commissioner Daniels stated the line was checked and the water supply is coming from a main on Mrs. Morton's side of Deans St. Commissioner Daniels stated that the water pressure is very good up to the meter box on the Deans St side. Town Clerk Crawford asked what would stop the town from moving the meter to the Deans St box, and Mrs. Morton stated that would force her to have to pay \$2,000 to put in a new line from the box to her house. Commissioner Daniels stated he has no background about why a line was never run from the Deans St box to Mrs. Morton property. Mrs. Morton left the room.

Commissioner Powell asked if the town could help Mrs. Morton connect with a plumber to help her work through her issue. Commissioner Daniels stated he has already spoke to Keen Plumbing, and they stated the problem is the iron pipe and possible buildup of scale. Commissioner Daniels stated he spoke with Rural Water, and they indicated the responsibility should fall back on the property owner. Commissioner Powell asked if we had anything in writing, not hearsay, as having the responses from these sources – in writing – might help better track what is going on and what can be done. Commissioner Powell stated we should get something in writing stating who has responsibility.

Mr. Robert Shirley: Commissioner Daniels called forward Mr. Robert Shirley, a resident of Boy Scout Road. Mr. Shirley stated he thought the road should have been paved, as it was promised to him even before they moved in. Mr. Shirley asked if the town had any influence with the county to push for the paving of Boy Scout Road? Commissioner Daniels stated he would suggest contacting Representative Matthew Winslow, and if the residents of Boy Scout Rd would put together a joint letter addressing their request, the town would help them in getting that letter to Rep. Winslow.

There were more names on the Sign-Up Sheet, but since the remaining names were all requesting to speak on the topic addressed by Mr. Shirley, the names are part of the Group, and the town heard the Group speaker for the evening when it took comments from Mr. Shirley.

Mrs. Tammy Bissette: Mrs. Bissette requested to address the board, even though she had not signed up, and the board approved her time to speak. Mrs. Bissette stated she would like to urge the board to readdress the topic of mausoleums in the cemetery. Mrs. Bissette stated the family that is requesting the mausoleum be installed, is trying to do so in response to an upcoming funeral service, and the family is meeting tomorrow to discuss their plans for the service and the mausoleum. Mrs. Bissette stated the request applies to Woodrow Strickland's plot, and the family would be here tonight to address the matter, but they all have COVID.

Town Clerk Crawford stated the family plot was not in Section E, to his knowledge, and so he did not push for a decision by the board earlier in the meeting because he did not believe the restrictions of Section E would impact the family plot. Town Clerk Crawford said he could confirm the plot's location, but if they were not in Section E the restrictions would not apply to

their family. Commissioner Daniels asked Mrs. Bissette if she could text them now and find out where their family plot was located, and Mrs. Bissette stated she would try.

Department Head Comments:

Town Clerk, Jeremy Crawford:

New Personnel Datasheet: Town Clerk Crawford stated the new board members should find a Personnel Datasheet in their packets, and requested they complete and return the forms so they can be properly entered into all town systems.

Ethics Training: Town Clerk Crawford stated the new board members are required to complete Ethics Training within their first 12-months of being in office, and they should refer to the flyer included in their packets for additional information.

Photographs: Town Clerk Crawford stated he would like to get some photographs of all members tonight, and when Mayor Richards is available in January, he would like to get a new group photo for the website.

Southern Bank Credit Card: Town Clerk Crawford requested the board consider approving a Southern Bank credit card for use by Interim Chief Callahan. Town Clerk Crawford stated the board could approve a credit card with a balance of \$500.00, and this would allow Interim Chief Callahan to complete departmental purchases within her defined limits, and without forcing Interim Chief Callahan to use her personal accounts to make town purchases. Town Clerk Crawford stated right now Interim Chief Callahan makes purchases with her own card, and then she must wait on the AP cycle to be reimbursed by the town. Town Clerk Crawford stated that approving a credit card with a \$500.00 limit does not impact the policies in place regarding how much each department manager can approve.

Commissioner Daniels stated he would like to see that all purchases still go through the Purchase Order (PO) process, where Town Clerk Crawford must pre-approve all purchases. Town Clerk Crawford stated that no other department manager is required to get pre-approval for purchases within their \$500.00 limit, and that if a purchase is made outside of the current policy, the person making that purchase would be responsible for the expense. Commissioner Killion stated he did not feel that it was right to impose a different standard for Interim Chief Callahan, and that the town clerk is still involved in the process for the final approval and payment of every purchase.

Commissioner Killion moved the Board approved a Southern Bank credit for Interim Chief Callahan with a \$500.00 credit limit. Commissioner Powell seconded. Motion carried.

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

Interim Police Chief, Cathy Callahan:

Interim Chief Callahan stated the Christmas Parade events went along seamlessly, and they had no issues. Interim Chief Callahan stated that for November 2021, the following stats apply:

- The Department completed 22 calls for service, with one crime; three felony charges and one misdemeanor charge, which was taken out on the suspect who broke into the bakery shop on Main Street.
- The bakery break-in occurred on 9/13/2021, and the suspect was apprehended in Radford, VA on 9/20/2021.
- There were 73 business contacts, 99 business escorts, and 132 business checks.
- For the year, the Bailey had 20 criminal investigations with 14 cases closed by arrest, three cases unsolved, one case the owner chose not to prosecute, and two cases cleared as civil matters.

Zoning Administrator/Code Enforcer, Shawn Lucas:

Board Formation: Mr. Shawn Lucas stated he would like to request the board tie up the issue tonight regarding the appointment of a Housing Appeal / Commercial Building Board. Mr. Lucas stated he is prepared to send out some ordinance violation notices, but if the property owner appeals the matter the only current board to hear the issue is the Board of Commissioners. Mr. Lucas stated he did not feel it would be best for the commissioners to take on the additional challenge, and he feels the Planning Board is already working through a challenging workload. Mr. Lucas stated he would recommend creating a new board to focus primarily on housing appeals and commercial building issues. Commissioner Daniels stated he is aware of how the Town of Enfield manages these issues, and he asked Mr. Lucas if we could set ours up the same way. Mr. Lucas stated he is aware of Enfield's process, and like the Town of Nashville, their town manager or administrator serves as the hearing officer. Mr. Lucas stated that Bailey has no town manager/administrator, and that if we did not have an appeals board in place to oversee our process and serve as the hearing officer, it would force Mayor Richards to serve as the hearing officer.

Commissioner Powell asked Mr. Lucas for his recommendation, and Mr. Lucas stated that he would send the task to the Planning Board for the next 90 days while the Board of Commissioners work towards creating a new board. Commissioner Daniels asked if Mr. Lucas felt we should attach the cemetery area to this same board, and Mr. Lucas stated the cemetery issue should be its own board. Commissioner Killion stated there is also an idea of creating a water and sewer task force. Town Clerk Crawford asked what channels have worked in the past for volunteer solicitation, and the consensus was to use social media, notes in the utility bills, and the town website. Mr. Lucas asked the board to consider allowing in-town and ETJ residents to participate on the boards, as the board has mentioned wanting more involvement and input from all area residents. Town Clerk Crawford repeated the board focus areas for clarification as: housing appeal/commercial building board, cemetery commission, and water and sewer task force. Commissioners Killion and Daniels acknowledged the board focus areas.

Ike Bullard Property Issue – Falling Bricks: Mr. Lucas stated they are making progress on the bricks falling on Mr. Bullard's property, and that after speaking with Mr. Bullard's son, Mr. Lucas felt the issue would be resolved this week.

Trash Cart Issue: Mr. Lucas stated there are some recent issues with property owners leaving their trash and recycle carts out after pick-up. Mr. Lucas stated he has spoke with Town Clerk Crawford and they are working to get a message into the next utility bill, and into a post on social media. Mr. Lucas stated that if the issue continues past Jan 2022, he will start sending notices for violating the ordinance.

Driveway Access: Mr. Lucas thanked Mrs. Libby Jenkins, Envirolink, for helping him with a driveway ordinance.

Board of Adjustment: Mr. Lucas stated the Board of Adjustment is meeting January 3, 2022, to hold a Public Hearing for the property 6228 Main Street, which is requesting to operate a bar. Mr. Lucas stated their request is for a Special Use, and while it should be allowed, the Board of Adjustment must set the conditions for which the property owner must follow.

Beer and Wine Tax: Mr. Lucas stated beer and wine tax notices have been sent out to the six owners who sell alcohol in town, and they have begun to file and pay their respective permits.

Dumpster Enclosure: Mr. Lucas stated the Dollar General has completed their dumpster enclosure, which was the first one approved by the board, and if the board gets the chance they should swing by and check it out.

Planning Retreat: Mr. Lucas requested time with the Board of Commissioners to meet and discuss what the commissioners would like to see from the Planning Board and Board of Adjustment for the coming calendar year.

Staff Support: Mr. Lucas stated he has spoken with Town Clerk Crawford about staffing needs, and he requested the board consider allowing the Customer Service Representatives (CSRs), Mrs. Sizemore or Ms. Hayman, to assist in their board activities. Mr. Lucas stated this would involve one of the ladies attending the meeting, taking notes, and helping capture all the activities that occur during the meeting. Town Clerk Crawford stated that based on the infrequency of the Planning Board and Board of Adjustment meetings, he did not see a problem allowing one of the CSRs to shift some of their time to supporting Mr. Lucas' staffing request. Town Clerk Crawford stated the CSRs have not said "Yes" or "No", as he wanted to get the board's feedback first, but he felt like he could help Mr. Lucas without impacting the coverage needed for the town hall.

Office Hours: Mr. Lucas wished the board a Merry Christmas and let them know that his Office Hours for addressing Bailey matters remains from 2:30 PM to 3:30 PM.

Commissioner Comments:

Town Clerk Crawford requested to address the Board before getting into the commissioner comments, and he stated that he was just informed that the Woodrow Strickland cemetery plot issue from earlier does in-fact pertain to plots in Section E. Mrs. Bissette requested the board consider how giving Mr. Strickland was to Bailey, and she asked the board to consider waiving the Section E restriction. Commissioner Daniels asked whether a mausoleum would fit and asked if the family would consider moving to another section. Mr. Bissette stated Mr. Strickland wanted to be beside his brother, who is in Section E. Mr. Bissette stated the family plans to add a double mausoleum on a double plot, and Town Clerk Crawford stated that while some mausoleums have a footprint too large for a standard plot, most will fit Bailey's 5' x 10' plot sizes.

Commissioner Bissette moved the Board allow for the placement of a mausoleum in Section E, for Mr. Woodrow Strickland. Commissioner Wilson seconded. Motion carried.

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

Mr. Lucas asked if he needed to hold a public hearing to change the ordinance's language to read that the Board of Commissioners must approve all mausoleums, and Town Clerk Crawford stated the ordinance already requires board approval, which is why the matter came before the board tonight. Commissioner Daniels stated Town Clerk Crawford must pre-approve any mausoleum that is placed for Mr. Strickland.

Joel Killion: Nothing significant to report.

Richard Wilson: Nothing significant to report.

Dillon Bissette: Commissioner Bissette thanked everybody and stated he looked forward to working with the entire board.

Ervin Powell: Nothing significant to report.

Allen Daniels: Commissioner Daniels stated he feels the board has changed a lot and he would like to see some changes in the commissioner assignments. Commissioner Daniels stated some examples might possibly include him taking on some water issues and setting Envirolink under the maintenance commissioner, although he would not want to take on all water and sewer matters. Commissioner Daniels stated it might be best to place the cemetery and landscaping together under a commissioner, and the construction and grant administration combined under someone else. Commissioner Daniels stated he feels the police commissioner should remain, but that person's responsibilities should stay focused only on the police department area. Commissioner Daniels stated he also felt that someone needed to be tied to the planning board.

Mayor's Comments:

Mayor Richards was not present.

Closed Session:

Commissioner Killion moved the Board go into closed session to address personnel matters, in accordance with G.S. 148-318.11(a)(6). Commissioner Powell seconded. Motion carried.

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

Commissioner Daniels moved the Board return to open session. Commissioner Killion seconded. Motion carried.

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

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

Commissioner Killion moved the Board hire Mr. Steven Jordan as a part-time officer at \$17.00 per hour, with a 90-day probation period. Commissioner Bissette seconded. Motion carried.

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

Commissioner Killion moved the Board approve cashing out Interim Chief Callahan's COMP time, down to 40 hours, and cashing out her Vacation time, down to 40 hours. Commissioner Bissette seconded. Motion carried.

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

Commissioner Killion moved the Board approve the termination of Officer William Bruesch, effective immediately. Commissioner Daniels seconded. Motion carried.

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

Commissioner Killion moved the Board approve Ms. Melissa Hayman's request for a *Leave of Absence* for 30 days. Commissioner Bissette seconded. Motion carried.

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

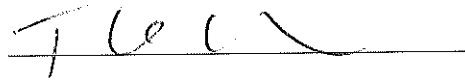
Commissioner Killion moved the Board approve Christmas bonuses for town staff in the amount of \$125.00 for part-time staff, and \$300.00 for the Zoning Administrator, the Interim Chief Callahan, and Town Clerk Crawford. Commissioner Bissette seconded. Motion carried.

Vote: Richards: Not Present, Bissette: 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



RESOLUTION BY GOVERNING BODY OF APPLICANT

Town of Bailey

Viable Utilities Project

WHEREAS, The Federal Clean Water Act Amendments of 1987 and the North Carolina the Water Infrastructure Act of 2005 (NCGS 159G) have authorized the making of loans and grants to aid eligible units of government in financing the cost of construction of wastewater treatment works, allied and related improvements, and

WHEREAS, The Town of Bailey has need for and intends to provide physical interconnection and extension of public wastewater infrastructure to provide regional service; and

WHEREAS, The Town of Bailey intends to request state grant assistance for the project,

NOW THEREFORE BE IT RESOLVED, BY THE BOARD OF COMMISSIONERS OF THE TOWN OF BAILEY:

That Town of Bailey, the **Applicant**, will arrange financing for all remaining reasonable costs of the project, if any, if approved for a State ARP Grant award.

That the **Applicant** will adopt and place into effect on or before completion of the project a schedule of fees and charges and other available funds which will provide adequate funds for proper operation, maintenance, and administration of the system.

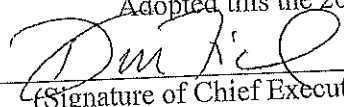
That the **Applicant** will provide for efficient management, operation, and maintenance of the project on completion of construction thereof.

That Thomas Richards, Mayor, the **Authorized Official**, and successors so titled, is hereby authorized to execute and file an application on behalf of the **Applicant** with the State of North Carolina for a grant to aid in the construction of the project described above.

That the **Authorized Official**, and successors so titled, is hereby authorized and directed to furnish such information as the appropriate State agency may request in connection with such application or the project: to make the assurances as contained above; and to execute such other documents as may be required in connection with the application.

That the **Applicant** has substantially complied or will substantially comply with all Federal, State, and local laws, rules, regulations, and ordinances applicable to the project and to Federal and State grants pertaining thereto.

Adopted this the 20th day of December 2021 at Bailey, North Carolina.



(Signature of Chief Executive Officer)


Commissioner (Mayor Pro Temporary)

(Title)

CERTIFICATION BY RECORDING OFFICER

The undersigned duly qualified Town Clerk of the Town of Bailey does hereby certify: That the above/attached resolution is a true and correct copy of the resolution authorizing the filing of an application with the State of North Carolina, as regularly adopted at a legally convened meeting of the Board of Commissioners duly held on the 20th day of December 2021; and, further, that such resolution has been fully recorded in the journal of proceedings and records in my office.

IN WITNESS WHEREOF, I have hereunto set my hand this 20th day of December 2021.



(Signature of Recording Officer)

Town Clerk Jeremy Crawford

(Title of Recording Officer)



**North Carolina Department of Environmental
Quality
Division of Water Infrastructure
Request for Funding
S.L. 2021-180 Appropriated Projects**
(Last updated: September 2021)



1. General Information

Recipient Name	County	DUNS Number
Town of Bailey	Nash	04-7672667

Project Name	Federal Tax ID #	PWSID # (Drinking Water only)
Pump Station & Force Main to Pump Wastewater to Wilson	56-1094121	

Recipient Type	Total Project Cost	Funding Amount Requested
<input checked="" type="checkbox"/> Municipality <input type="checkbox"/> County <input type="checkbox"/> Water and Sewer District <input type="checkbox"/> Water and Sewer Authority <input type="checkbox"/> Sanitary District <input type="checkbox"/> Other (Specify:)	\$5,000,000.00	\$5,000,000.00

Project Type (Please select one. Submit multiple Requests for Funding if you have multiple project types).

- Drinking Water
- Wastewater
- Stormwater, stream restoration

Requested Funding Type (Please select one, See Appendix A)

- Viable Utilities Reserve – VUR Projects (S.L. 2021-180, Section 12.13.(d))
- Drinking Water Reserve and Wastewater Reserve – “At-Risk Projects” (S.L. 2021-180, Section 12.13.(e))
- Drinking Water Reserve and Wastewater Reserve – “Other Projects” (S.L. 2021-180, Section 12.13.(f))
- Stormwater Infrastructure Fund – Directed Projects (S.L. 2021-180, Section 12.14.(b))

List other funds that will be used in this project. Please list here the type of funds and the estimated funding amount.

None

Funding Requirements

I accept that all ARP project funds must be reimbursed by December 31, 2026.

To better ensure that the project will be completed by December 31, 2026, the following Bid and Design Package submittal date is requested (the requested date must be no later than January 1, 2023): January 2, 2023

I accept that all projects receiving ten million dollars or more in ARP funding must comply with Davis-Bacon wage requirements.

I accept that the project funds will not be used to pay existing debt or as a match for other federal funds.

I accept that if the project is co-funded with other federal funds, the federal requirements of the other funds will also apply to the ARP funds.

2. Recipient Contact Information

Authorized Representative Name: Thomas Richards
Authorized Representative Title: Mayor
Mailing Address Line 1: PO Box 40
Mailing Address Line 2:
City: Bailey
State: NC
Zip Code: 27807
Physical Address Line 1: 6217 Main Street
Physical Address Line 2:
Physical Address City: Bailey
Physical Address State: NC
Physical Address Zip Code: 27807
Phone Number: 252-235-4977
E-Mail Address: trichard@townofbaileync.org

3. Form Preparer Contact Information

Firm Name: Upper Coastal Plain Council of Government
Contact Name: Joe Dooley
Mailing Address Line 1: P.O. Box 9
Mailing Address Line 2:
City: Wilson
State: NC
Zip Code: 27894
Physical Address Line 1: 121 Nash Street W
Physical Address Line 2:
Physical Address City: Wilson
Physical Address State: NC
Physical Address Zip Code: 27893
Phone Number: (252) 258-2497
E-Mail Address: dooleyfj@aol.com

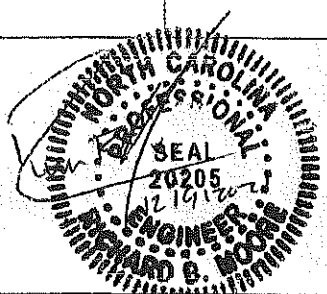
4. Engineer Contact Information

Is the engineering firm different from the preparer? Yes No
Engineering Firm Name: McDavid Associates, Inc.
Contact Name: Richard B. Moore, P.E.
Mailing Address 1: P.O. Drawer 49
Mailing Address 2:
City: Farmville
State: NC
Zip Code: 27828
Physical Address Line 1: 3714 North Main Street
Physical Address Line 2:
Physical Address City: Farmville
Physical Address State: NC
Physical Address Zip Code: 27828
Phone Number: (252)753-2139
E-Mail Address: rbm@mcdavid-inc.com

5. Project Description

Town of Bailey proposes to construct sanitary sewer infrastructure to allow wastewater to be pumped to the City of Wilson. Project components include a barscreen, duplex sewer pump station, 7+ miles of force main and appurtenances. Completed improvements will allow Bailey to abandon its existing land application wastewater system.

(OVER)

6. Project Budget			
	Division Funding Requested	Other Secured Funding Source(s)	Total Cost Amount
Indicate construction costs by line item (e.g., linear feet of different-sized lines)			
<u>Construction Costs</u>			
See attached Engineer's Sealed Budget	\$3,540,000.00		
Contingency (we recommend 10% of construction costs):	335,100.00		
Construction Subtotal:	\$3,875,100		
<u>Engineering Costs</u>			
Engineering Design	\$348,800.00		
Permitting (Application Fees Paid by Owner)	1,500.00		
Land Surveying Costs	7,500.00		
Easement Acquisition	50,000.00		
Railroad Permit	50,000.00		
Wilson Connection Fee	300,000.00		
Pre-Bid Soil Testing Fees Paid by Owner	2,000.00		
Construction Administration (180 Days)	88,250.00		
Construction Observation (180 Days)	99,350.00		
Engineering Subtotal:	\$947,400		
<u>Administration Costs</u>			
Planning			
Grant Administration (if applicable)	\$130,000.00		
Loan Administration (if applicable)			
ER Preparation	20,000.00		
Environmental Documentation Preparation	15,000.00		
Legal - Local Attorney	7,500.00		
Other-Reimbursables by Owner	5,000.00		
Administration Subtotal:	\$177,500.00		
TOTAL PROJECT COST:	\$5,000,000.00		
<p>A PE Seal for the estimate <u>must be provided</u> in the space to the right for the request to be considered complete.</p>			

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Certification by Authorized Representative

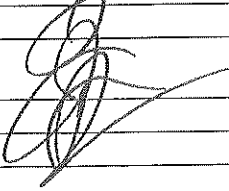
The attached statements and exhibits are hereby made part of this Request for Funding, and the undersigned representative(s) of the Recipient certifies that the information in this Request for Funding and the attached statements and exhibits is true, correct, and complete to the best of his/her knowledge and belief. By initialing each item and signing at the end of this Request for Funding, he/she further certifies that:

- DF 1. as Authorized Representative, he/she has been authorized to file this Request for Funding;
- DF 2. the Recipient agrees to provide for proper maintenance and operation of the approved project after its completion, including budgeting and generating the revenues needed for the eventual rehabilitation and/or replacement of physical infrastructure assets;
- DF 3. the Recipient has substantially complied with or will comply with all federal, state, and local laws, rules, and regulations and ordinances as applicable to this project;
- DF 4. the Recipient will adopt and place into effect on or before the completion of the project a schedule of fees and charges which will provide for the adequate and proper operation, maintenance, and administration of the project;
- DF 5. the project budget provided on Page 4 of this form includes all funding requested from all sources of funding proposed for this project; and
- DF 6. the Town of Bailey, North Carolina is organized and chartered under the laws of North Carolina. All officials and employees are aware of, and in full compliance with NCGS 14-234, "Director of public trust contracting for his own benefit, participation in business transaction involving public funds; exemptions." (For units of local government only. All others should initial "N/A.")

(OVER)

Completeness Checklist*

In addition to this Request for Funding, the following items must be included for a complete package; please initial that each item is included in the submittal.

	Section 1 – General Information, Request for Funding has accepted all ARP funding requirements
	Section 5 - Project Description, Project matches funding eligibility established by funding source (Table 1) and NC State Budget language (Appendix A)
	PE Seal on project budget (construction projects only)

Submittal Information

- Send one (1) original hard copy and one (1) electronic copy (PDF format on a flashdrive) of the Request for Funding. Send complete package to:

Mailing Address† (US Postal Service only)

Division of Water Infrastructure
1633 Mail Service Center
Raleigh, NC 27699-1633

Physical Address (FedEx, UPS)‡

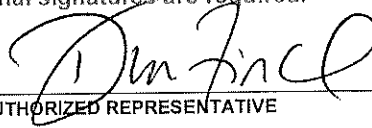
Division of Water Infrastructure – 8th Floor, Archdale Building
512 North Salisbury Street
Raleigh, NC 27604
919.707.9160

†Please allow a week for delivery if mailing via the US Postal Service.

‡For all courier services, please use the physical address, as having a courier deliver to the mailing address will delay package delivery.

Signature

Please note: Original signatures are required.



SIGNATURE OF AUTHORIZED REPRESENTATIVE

Dwan Finch
TYPED NAME

, Mayor Pro-Tem, Town of Bailey ,
TYPED TITLE

12/20/2021
DATE

APPENDIX A

Viable Utility Reserve - VUR Projects

S.L. 2021-180, Section 12.13.(d)

	Funds Appropriated	Recipient
1	\$1,091,797	Town of Andrews.
2	\$5,000,000	Town of Bailey.
3	\$5,000,000	Town of Bath.
4	\$12,000,000	Town of Bladenboro.
5	\$23,349,051	Town of East Spencer.
6	\$150,000	Town of Ellerbe.
7	\$1,000,000	Town of Hot Springs.
8	\$8,350,000	Town of Madison.
9	\$5,000,000	Town of Maysville.
10	\$1,500,000	Town of Middlesex.
11	\$2,000,000	Town of Norwood.
12	\$10,000,000	Rockingham County.
13	\$4,000,000	Town of Seaboard.
14	\$2,800,000	City of Southport.
15	\$400,000	Town of Spring Lake.
16	\$1,070,000	Town of Topsall Beach.
17	\$5,994,000	City of Trinity.
18	\$425,000	Town of Tryon.
19	\$600,000	Town of Walstonburg.

Drinking Water and Wastewater Reserve - At Risk Projects
S.L. 2021-180, Section 12.13.(e)

	Funds Appropriated	Recipient
1	\$2,000,000	Town of Bakersville.
2	\$1,000,000	Town of Beech Mountain.
3	\$22,733,700	Town of Benson.
4	\$4,800,000	Town of Blowing Rock.
5	\$3,000,000	Town of Boonville.
6	\$300,000	Burke County.
7	\$15,300,000	Davidson County.
8	\$1,500,000	Town of Denton.
9	\$2,600,000	Town of Four Oaks.
10	\$16,090,000	Town of Kenly.
11	\$3,150,000	Town of Lillington.
12	\$2,000,000	Town of Littleton.
13	\$11,000,000	McDowell County.
14	\$950,000	Town of Micro.
15	\$3,500,000	Town of Mount Gilead.
16	\$1,995,000	Town of Pine Level.
17	\$2,824,200	Town of Ranlo.
18	\$3,100,000	Town of Red Springs.
19	\$100,000	Town of Robbinsville.
20	\$1,500,000	Town of Roseboro.
21	\$900,000	Town of Salemburg.
22	\$160,000	City of Saluda.
23	\$6,500,000	Town of Selma.
24	\$1,300,000	Town of Sparta.
25	\$1,205,130	Town of Taylorsville.
26	\$7,000,000	Transylvania County
27	\$100,000	Town of Winton.

Drinking Water and Wastewater Reserve - Other Projects
S.L. 2021-180, Section 12.13.(f)

	Funds Appropriated	Recipient
1	\$315,000	Village of Alamance.
2	\$3,619,000	Alexander County.
3	\$10,000,000	Town of Angier.
4	\$10,000,000	City of Burlington.
5	\$35,000,000	Water and Sewer Authority of Cabarrus County.
6	\$9,212,041	Town of Canton <ul style="list-style-type: none"> • For the repair of damages to the water and wastewater systems serving the town and for water and wastewater system storm damage mitigation projects related to impacts from Tropical Storm Fred.
7	\$30,000,000	Cape Fear Public Utility Authority.
8	\$8,800,000	Catawba County.
9	\$1,000,000	Clay County.
10	\$24,000,000	Town of Clayton to be allocated as follows: <ul style="list-style-type: none"> • \$4,000,000 for improvements to the Town's water storage infrastructure. • \$20,000,000 for a wastewater treatment facility.
11	\$19,000,000	Cleveland County Water.
12	\$1,200,000	Town of Clyde to be allocated as follows: <ul style="list-style-type: none"> • \$500,000 for water or wastewater system improvements. • \$700,000 for the repair of damages to the water and wastewater systems serving the town caused by Tropical Storm Fred and for projects intended to mitigate future damage to water system caused by flooding.
13	\$8,400,000	Davie County.
14	\$30,450,000	City of Dunn.
15	\$200,000	City of Elizabeth City.
16	\$13,600,000	Town of Elizabethtown.
17	\$2,400,000	Town of Elon.
18	\$320,000	Town of Faison.
19	\$175,000	Town of Franklin.
20	\$9,703,000	Gaston County.
21	\$18,004,000	City of Gastonia to be allocated as follows: <ul style="list-style-type: none"> • \$4,425,000 for wastewater outfalls. • \$5,579,000 for rehabilitation of a supervisory control and data acquisition system. • \$8,000,000 for smart meters.

	Funds Appropriated	Recipient
22	\$3,750,000	City of Graham.
23	\$150,000	Town of Granite Falls.
24	\$401,447	Town of Green Level.
25	\$10,000,000	City of Greensboro <ul style="list-style-type: none"> • For the extension of water and sewer lines to the National Guard site on Camp Burton Road.
26	\$2,000,000	Handy Sanitary District.
27	\$3,800,000	Harnett County.
28	\$12,700,000	Henderson County <ul style="list-style-type: none"> • For the improvement of wastewater treatment in the Edneyville area of the County. If the County fails to obtain a permit by December 31, 2023, or withdraws its permit application for the project, then these funds will instead be allocated to the City of Hendersonville.
29	\$5,000,000	City of Hendersonville
30	\$100,000	Town of Highlands.
31	\$20,000,000	City of Jacksonville.
32	\$22,000,000	City of King.
33	\$39,000,000	City of Kings Mountain <ul style="list-style-type: none"> • For a wastewater expansion project southwest of the City.
34	\$10,280,000	Town of LaGrange.
35	\$8,000,000	Town of Lake Lure.
36	\$200,000	Lincoln County.
37	\$800,000	City of Locust.
38	\$12,000,000	Madison County.
39	\$5,000,000	Town of Midland.
40	\$2,500,000	Montgomery County.
41	\$1,500,000	City of Mount Airy.
42	\$8,000,000	Town of Mt. Pleasant.
43	\$230,000	City of New Bern.
44	\$500,000	Town of North Wilkesboro.
45	\$8,700,000	Town of Pembroke.
46	\$3,200,000	City of Reidsville.
47	\$750,000	Richmond County.
48	\$1,717,000	Sampson County.
49	\$34,000,000	City of Sanford.
50	\$700,000	Town of Seven Devils.
51	\$7,400,000	City of Shelby.
52	\$3,000,000	Town of Smithfield.

	Funds Appropriated	Recipient
53	\$35,000,000	South Granville Water and Sewer Authority.
54	\$750,000	Southern Wayne Sanitation District.
55	\$3,700,000	Town of Spring Hope.
56	\$20,000,000	City of Statesville.
57	\$800,000	Town of Stedman.
58	\$18,326,250	Stokes County Water and Sewer Authority.
59	\$4,000,000	Town of Surf City.
60	\$500,000	Town of Swepsonville.
61	\$500,000	City of Thomasville.
62	\$2,445,000	Town of Troutman.
63	\$8,000,000	Union County for land acquisition, design, permitting, and construction of any of the following: <ul style="list-style-type: none"> • A new water reclamation facility in the Crooked Creek watershed. • An expansion of the Poplin Road pump station.
64	\$35,000,000	Union County <ul style="list-style-type: none"> • For the Yadkin Regional Water Supply Project.
65	\$801,983	Town of Valdese <ul style="list-style-type: none"> • For the extension of water and sewer lines to serve proposed residential and commercial development on Lake Rhodhiss.
66	\$80,000	Town of Walkertown <ul style="list-style-type: none"> • For a sewer extension along Sullivantown Road.
67	\$6,000,000	Town of Wallace.
68	\$3,100,000	City of Winston-Salem.
69	\$13,000,000	Yancey County.

Stormwater Infrastructure Fund Directed Projects
S.L. 2021-180, Section 12.14.(b)

	Funds Appropriated	Recipient
1	\$400,000	Town of Angier.
2	\$350,000	Town of Autryville.
3	\$700,000	City of Brevard.
4	\$500,000	City of Dunn.
5	\$10,550,000	City of Fayetteville.
6	\$1,500,000	Town of Four Oaks.
7	\$600,000	City of Hope Mills.
8	\$2,200,000	Town of Madison.
9	\$1,500,000	City of Mooresville.
10	\$75,000	City of New Bern.
11	\$75,000	Town of Pine Level.