

MINUTES
YANCEYVILLE TOWN COUNCIL
April 5th, 2016
7:00 PM

The meeting of the Town Council was held in the Council Chambers at the Yanceyville Municipal Services Building on April 5th, 2016 at 7:00 PM.

Council members present: Alvin Foster, Mayor, Odessa Gwynn, Mayor Pro Tem, Margie Badgett-Lampkin, Brian Massey, and Keith Tatum.

Staff: Brian Collie, Town Manager, & Lee Farmer, Town Attorney.

Item 1: Call To Order

Mayor Alvin Foster called the meeting to order at 7:00 PM. Meeting opened with silent prayer. He asked all to stand for the pledge of allegiance. Mayor Foster also stated that copies of the Town's Rules and Procedures were available if anyone needed a copy.

Item 2: Review and Adoption of Agenda – Mayor & Council

Mayor Foster asked Council for a motion to approve the agenda as presented. Mayor Pro Tem Gwynn made a motion to approve the agenda as presented. The motion was seconded by Councilman Tatum and passed with a unanimous vote.

Item 3: Consent Agenda- March 1st, 2016 Minutes

Mayor Foster asked Council to review the minutes from the March 1st, 2016 Town Council Meeting. After review Councilman Massey made a motion to adopt the consent agenda for March 1st, 2016 as presented. The motion was seconded by Mayor Pro Tem Gwynn and passed with a unanimous vote.

Item 4: Public Comment

Mayor Foster stated that no one had sign up to speak during public comments, and asked the audience if anyone would like to approach Council for comments.

Item 5: Code Enforcement Officer Introduction

Manager Collie stated that the Town has contracted out its code enforcement duties within the town to Piedmont Triad Regional Council for the past two years. He stated that our previous code enforcement officer with PTRC had resigned to take a different job and that the town

had recently been assigned a new employee to take over his duties. He stated that Mr. Bradley Rogozinski will be the town's new representative and that he was not able to attend tonight's meeting due to a scheduling conflict but that he wanted everyone to know to please contact him with any code enforcement needs or concerns.

Item 6: Adoption of FY 2016-2017 Budget Calendar

Manager Collie presented Council with the 2016-2017 fiscal year budget calendar for review and adoption.

“2016-2017 Budget Calendar”

“It is time for us to determine our 2016-2017 Budget Calendar to outline when the Town Council and staff will meet to establish our new fiscal year operating budget. At last month's meeting Council agreed on dates for our budget workshops but I would like to go ahead and have our “official” Budget Calendar adopted that also sets the dates of when the Town's Budget shall be announced to the public and when the Public Hearing, Budget Presentation, and Council adoption will be.

Our first workshop will be April 14th, and we will outline priorities of each Council member, and begin discussions on the basics such as tax rate, water and sewer rates, and debt service agreements.

After our first meeting, Ryan and I will work to create a draft proposal that will outline the pleasure of the Council, as well as outline more general day-to-day expenses that we can project accurately. I would suggest at least two more meetings in April for budget review, dividing each meeting into review of the General Fund, and the next into review of the Enterprise Fund (similar to what we did last year), with the possibility of a fourth workshop the first week of May if needed.

If budget preparation moves forward without any delays, we could announce to the public during our May Council meeting that the budget is available for public review. Then, during our June Council meeting we will conduct our Public Hearing. By law the budget must be passed during this meeting (otherwise an interim budget is needed), so all concerns/changes will need to be made well before this meeting.

April 14th, 6:00 p.m. – Budget Workshop (Basics, outline priorities, etc.)

April 21st, 6:00 p.m. – Budget Workshop (General Fund Review)

April 28th, 6:00 p.m. – Budget Workshop (Enterprise Fund Review)

May 2nd, 6:00 p.m. – Budget Workshop (optional)

May 3rd Council Meeting – Budget is announced to the public (final/minor adjustments can be made)

June 7th Council Meeting – Public Hearing, Budget Presentation, Council adoption”

After review Council all agreed to move the first budget workshop from April 14th to the 13th. Mayor Pro Tem Gwynn then made a motion to accept the budget calendar as presented but changing the budget workshop on April 14th to April 13th. The motion was seconded by Councilwoman Badgett-Lampkin and passed with a unanimous vote.

Item 7: Leak Adjustment- Vandalism Discussion

Manager Collie informed Council that the property owner at 164 Ninth Street had requested a leak adjustment but that he needed Councils approval because of the circumstances. He stated that the manufactured home on the property was previously used as rental property and that when the previous renters vacated they maliciously left the outside water spigots on out of spite. He stated that since this was technically not a leak that he could not authorize the adjustment at staff level. He informed Council that they had granted a similar request in the past for the Historical Society’s house when an unknown person turned on one of their outside spigots. He stated that Council agreed to grant them a sewer adjustment off of the high bill as long as they placed locks on all of their outside water sources.

Mayor Foster stated that he did not have a problem with the request. Mayor Pro Tem Gwynn stated that she lives across the road and that her husband was actually the one who noticed the water running and turned it off so it did seem like a legitimate request. She then stated that she would need to recuse herself from voting because she was considering purchasing the property and didn’t want that to sway her vote. Councilman Tatum made a motion to grant the property owner of 164 Ninth Street an adjustment on the high bill by removing the sewer portion as long as they place locks on all of their outside water sources. The motion was seconded by Councilman Massey and passed with a 4-0 vote, with Mayor Pro Tem Gwynn not voting.

Item 8: Major Subdivision Approval- Brian Center Property

Manager Collie presented Council with a preliminary survey of Map and Parcel: 00Y2C024, known as the “Brian Center” property. Mr. Collie stated that the total parcel size is approximately 12 acres and that the

owners would like to subdivide the land into 2 sections. One section around the existing nursing home (6.3 acres) and the other vacant section along Hwy 86 (6.4 acres). Mr. Collie stated that the proposed subdivision map meets the town's requirements set forth in our subdivision ordinance but that it requires Council's approval because the size of the lots makes it a "major" subdivision. Mayor Foster asked what the property was zoned. Mr. Collie responded that it was zoned highway business. Councilman Massey asked what they propose to do with the vacant lot. Mr. Collie stated that he has only been in communication with the surveyor and that he was not aware of the owner's future plans.

After review Councilman Massey made a motion to approve the major subdivision for Map and Parcel: 00Y2C024 as presented. The motion was seconded by Councilman Tatum and passed with a unanimous vote.

Item 9: Town Council's Economic Development Position Approval Discussion

Mayor Foster stated that he requested that the economic development position be placed back on the agenda because he wanted Council to reconsider their motion due to the Commissioners not approving the position on their end. However, he stated that the Commissioners revisited the issue at their meeting on Monday night and voted to approve funding for the position/department. He stated that since the Commissioners now have followed through on their end that Council did not need to make any revisions to the previous approved motion.

Item 10: Bartlett Yancey High School Water Leak Discussion

Manager Brian Collie stated that over the past month that the school maintenance department has addressed 3 separate water leaks at the high school property. He stated that looking back it seems that 1 of the leaks on the gyms water meter (account # 1074) started back in September of 2014 and has caused their bill on that water meter to a very high usage. He stated that the school system had not submitted a formal request for a leak adjustment but they have asked me to speak with Council to see if there was anything that the town could do. Mr. Collie stated an adjustment going back to when the leak started would be an amount around 30k dollars. He stated that the town's protocol each month is to print off a "high usage" report generated by the billing software before bills go out and water customers with unusually high usages are contacted so they are aware that they may have a leak. He stated that he isn't certain at this time if the school was contacted but stated that he would see if anything was saved in the notes for that account. Mr. Collie stated that this meters average bill went from around \$575 a month to an average over 19 months of \$3,500 and that there is no question that the schools

accounting department should have noticed the drastic increase. However, he stated that he feels the town should work with the school on the request because mistakes happen and in this case a mistake has taken funding away from our students that could have helped out somewhere else.

Mayor Pro Tem Gwynn asked if the school had made any specific request. Mayor Foster stated that at this time the school has not made any specific request but that they would like Council to take a look at the issue and see if any help is available. Councilwoman Badgett-Lampkin stated that she needed more time and information before she could make a decision. Mayor Foster made a motion to table the issue until the next Council meeting so that a formal request can be received and more information provided. The motion was seconded by Mayor Pro Tem Gwynn and passed with a unanimous vote.

Item 11: Town Attorney Report

Attorney Farmer stated that he did not have any additional information to report on at this time.

Item 12: Town Manager Report

Manager Collie stated that the Solar Facility Special Use Permit application public hearing was tabled at last month's meeting for tonight but the solar facility applicant requested that Council push it back to the May 2016 Council meeting date. Mr. Collie stated that he was recently contacted by a representative from Duke Energy Progress concerning the town signing a Wireless Attachment Agreement for the town's Wi-Fi antennae's on some of their power poles. He stated that apparently they just now realized that they did not have an agreement with the town even though the antennae's have been on the poles for several years. He stated that after speaking with the representative that he searched the town's files and found an agreement signed by the town from Progress Energy who was the owner when the project started and who Duke Progress Energy bought out. He stated that he has forwarded this signed copy to Duke Energy Progress for their signatures and file but hasn't received a response.

He then stated that the Hwy 62 water service replacement project approved last month had been completed in a timely manner without any problems. Mr. Collie then stated that the High school sidewalk and crosswalk project are on schedule to start construction this summer. He also updated Council that his recent request to the NCDOT for speed limit signs to be added on Kimbro Rd. had been completed.

Mayor Foster then gave an update concerning the town's sewer plant rehabilitation project and went over the town's recent meeting in Raleigh with the state's Water Infrastructure staff. He stated that the State Water Infrastructure Authority did not vote to amend the partially awarded CDBG grant per the town's request and that he feels having applied for the SRF loan was a contributing factor that did not allow the Town's project to be fully funded under the CDBG program. He stated that after many discussions that he feels the best route for the town to take is to turn down both the SRF loan/grant and the CDBG grant and then reapply only to CDBG for full funding in September 2016. He stated that if the town accepts the 2 offers currently on the table that we would have to take out a \$750,000 loan and that in order to pay for that the town would have to raise water/sewer rates and he felt that would be going against the values of the CDBG program and hurting the low income citizens that we are trying to help. Mayor Foster then made a motion to decline both SRF & CDBG offers and for the town to reapply to the CDBG program in September. The motion was seconded by Councilman Tatum and passed with a unanimous vote.

Item 13: Closed Session- G.S. 143-318.11- Attorney Client & Real Estate Discussion

Mayor Foster asked for a motion to go into closed session. A motion was made by Mayor Pro Tem Gwynn. The motion was seconded by Councilman Massey and passed with a unanimous vote.

After Council re-entered the chambers from closed session, Mayor Foster asked for a motion to come out of closed session. Mayor Pro Tem Gwynn made a motion to come out of closed session. The motion was seconded by Councilman Tatum and passed with a unanimous vote.

At that time, Mayor Foster asked for a motion to go back into open session. Mayor Pro Tem Gwynn made a motion to go back into open session. The motion was seconded by Councilman Massey and passed with a unanimous vote.

Mayor Foster stated that nothing had been discussed during closed session that needed to be reported on at this time.

Item 14: Informal Discussion/Public Comment- Discussion & Comments must directly relate to agenda items

Ruby Graves, Kim Monroe, and Gilbert Anderson all commented on the high school's water leak issue, asking why it wasn't caught sooner and if refunding the money back to the school would hurt the budget. Mr. Collie

stated that he wasn't sure exactly why it wasn't caught sooner and that he did not think it would hurt the budget. Mrs. Monroe asked were agendas put on the town's website before the meetings. Mr. Collie stated that they weren't. Mrs. Monroe asked if they could be so that more people would know what is going to be discussed beforehand. Mr. Collie said that he would try to see to it that they were put on the website before the meetings. Albert tardy asked about the proposed notification system and why it had not been implemented. Mr. Collie stated that the town received a poor response from citizens stating that they would like to be a part of the system and that he did not see spending the money and time needed on the system if only a handful of citizens were interested.

Item 15: Adjournment

After no further discussion Councilman Tatum made a motion to adjourn. Mayor Pro Tem Gwynn seconded the motion which passed with a unanimous vote.

Brian Collie, Town Manager/Clerk, prepared the above minutes. They represent a brief description of those matters that were addressed at this meeting. A detailed account of this meeting is available for review on tape at the Yanceyville Municipal Services Building.

Respectively Submitted:

Alvin Foster, Mayor

Brian Collie, Town Clerk