

**YANCEYVILLE TOWN COUNCIL
MEETING MINUTES
Tuesday, October 4th, 2022, at 7:00 pm**

The meeting of the Town Council was held in the Yanceyville Town Council Chambers at the Yanceyville Municipal Services Building located at 158 East Church Street, Yanceyville NC and streamed through the WebEx platform on Tuesday, October 4th, 2022, at 7:00pm.

Council Members present: Mayor- Alvin Foster, Mayor Pro Tem- Odessa Gwynn, Keith Tatum, and Brian Massey

Staff present : Kamara Barnett-Town Manager/Clerk, Georgetta Carden- Deputy Clerk, and Lee Farmer-Town Attorney

Item 1: Call to Order

Mayor Alvin Foster called the Town Council Meeting to order at 7:07pm. The meeting opened with a prayer. He asked all to stand for the pledge of allegiance. Mayor Foster also stated that the Yanceyville Town Council rules and procedures reflect the revisions of the North Carolina open meeting law of the North Carolina General Statutes, a copy of the Yanceyville Town Council rules and procedures are available upon request. Yanceyville Town Council also has rules and procedures for electronic meetings that reflect the revisions of the North Carolina open meeting law of the North Carolina General Statutes, a copy of the Yanceyville Town Council rules and procedures are available upon request.

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

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

Item 3: Consent Agenda

- a.) Minutes from September 15th, 2022, Town Council Meeting

Mayor Foster asked Town Council to review the Consent Agenda. After a short review, Mayor Pro Tem Gwynn made a motion to adopt the Consent Agenda as presented. The motion was seconded by Councilman Massey and passed with a unanimous vote.

Item 4: Public Comment

None

Item 5: Public Hearing- For Approval of multifamily Housing Revenue Bonds not to Exceed \$9,926,000 for the Dillard School Apartment Project

Mayor Foster asked Town Council for a motion. Mayor Pro Tem Gwynn made the motion to go into Public Hearing for the For Approval of Multifamily Housing Revenue Bonds not to Exceed \$9,926,000 for the

Dillard School Apartment Project. The motion was seconded by Councilman Massey and passed with a unanimous vote.

Mayor Foster asked for questions and comments.

After a brief discussion Mayor Foster asked Town Council for a motion to come out of Public Hearing. Mayor Pro Tem Gwynn made a motion to come out of Public Hearing. The motion was seconded by Councilman Massey and passed with a unanimous vote.

Mayor Foster asked Town Council for a motion to go back into Regular Session. Mayor Pro Tem Gwynn made a motion to go into Regular Session. The motion was seconded by Councilman Massey and passed with a unanimous vote

Resolution Providing Approval of a Multifamily Housing facility to be known as Dillard School Apartments in the Town of Yanceyville, North Carolina, and the Financing thereof with Multifamily Housing Revenue Bonds in an aggregate Principal amount not to exceed \$9,926,000

WHEREAS, the Town Council (the "Town Council") of the Town of Yanceyville, North Carolina (the "Town") met in Yanceyville, North Carolina at 7:00pm on the 4th day of October 2022; and

WHEREAS, pursuant to Section 160 D-1311 (b) of the General Statutes of North Carolina, the Town is granted the power to directly exercise the powers of a housing authority organized pursuant to the North Carolina Housing Authorities Law, Article 1 of Chapter 157 of the General Statutes of North Carolina, as amended; and

WHEREAS, the Town has tentatively agreed to issue its tax-exempt multifamily housing revenue bonds in an amount not to exceed \$9,926,000 (the "Bonds") for the purpose of financing the acquisition of the historic Dillard School buildings and the constructing, renovating and equipping therein by Dillard School Apartments, LLC, a North Carolina limited liability company, or an affiliated or related entity (the "Borrower"), of a qualified residential rental project (as defined in Section 142(d) of the Internal Revenue Code of 1986, as amended (the "Code")) to be known as Dillard School Apartments (the "Development"); and

WHEREAS, the Development will consist of 53 units and related facilities and will be located at 403 Dillard School Drive in the Town of Yanceyville, North Carolina; and

WHEREAS, Section 147(f) of the Internal Revenue Code of 1986, as amended (the "Code"), requires that any bonds issued by the Town for the Development may only be issued after approval of the plan of financing by the Town following a public hearing with respect to such plan; and WHEREAS, on this day the Town held a public hearing with respect to the issuance of the Bonds to finance, in part, the Development (as evidenced by the Certificate and Summary of Public Hearing attached hereto); and

WHEREAS, the Town has determined that approval of the issuance of the Bonds is solely to satisfy the requirement of Section 147(f) of the Code and shall in no event constitute an endorsement of the Bonds or the Development or the creditworthiness of the Borrower, nor shall such approval in any event be construed to obligate the Town for the payment of the principal of or premium or interest on the Bonds, or to constitute the Bonds an indebtedness of the City, within the meaning of any constitutional or statutory provision whatsoever;

NOW, THEREFORE, THE TOWN COUNCIL OF THE TOWN OF YANCEYVILLE, NORTH CAROLINA DOES HEREBY RESOLVE, AS FOLLOWS:

1. The proposed housing development consisting of the acquisition, construction, rehabilitation and equipping of the Development described above in the Town by the Borrower and the issuance of the Town's multifamily housing revenue bonds therefore in an amount not to exceed \$9,926,000 are hereby approved for purposes of Section 147(f) of the Code.

2. This resolution shall take effect immediately upon its passage.

Mayor Foster asked Town Council for a motion to approve the Resolution Providing Approval of a Multifamily Housing facility to be known as Dillard School Apartments in the Town of Yanceyville, North Carolina, and the Financing thereof with Multifamily Housing Revenue Bonds in an aggregate Principal amount not to exceed \$9,926,000. Mayor Pro Tem Gwynn made a motion to approve the Resolution. The motion was seconded by Councilman Massey and passed with a unanimous vote.

Item 6: Water and Wastewater Treatment Facilities Update: Gary Stainback, Inframark Representative

Mayor Foster introduced Gary Stainback, Inframark. Mr. Stainback updated and presented Town Council the monthly update as follows:

Yanceyville Water Treatment Plant

One excursion occurrence at the WTP during the month Exceedance of TTHM value on the Providence line in the distribution system. A report must be submitted to the NCQEQ along with action plan. Working with Regional Technical Manager, Dwayne Lowry to resolve this issue. Destiny Talbott has been hired as operator in training. She will be trained at both treatment facilities.

The elevated water storage tank was cleanout, and a complete restoration was done by Suez.

Water Usage has been down since tank was placed out of service

SCADA system is still out of service, waiting on replacement pans.

Yanceyville Wastewater Treatment Plant

Wastewater Treatment Plant was fully compliant for the month of September.

Clean out performed on contact chamber. Clean out done daily on bar screen.

A riser was added to the manhole for influent water. This will help prevent overflowing in the future.

Overflow line was added from the Influent Wet Well to Lagoon to help when plant receives heavy flow.

Mayor Foster thanked Mr. Stainback for presenting a detailed report.

Item 7: Town Attorney Report- Lee Farmer

Attorney Farmer noted that the final draft of the Verizon Wireless agreement to co-locate on the Town's elevated storage tank was approved and will be forwarded to Verizon on tomorrow.

Item 8: Town Manager Report- Kamara Barnett

Town Manager Barnett announced that three applications for SRF funding was submitted to the North Carolina Department of Environmental Quality Division of Water Infrastructure on behalf of the Town for Small Waterline Replacements Water Plant Upgrades and Wastewater Plant Upgrades. She noted that these applications are very similar to the applications submitted in the Spring, but additional documentation was added based on feedback from the reviewers, in the hopes of obtaining additional points.

Town Manager Barnett noted that a Grant Project Ordinance supersedes Grant Project Ordinance # 2022-03 for the Execution, Acquisition, construction, and Installation of the American Rescue Plan Project. She explained that the Town received the second disbursement of funding from the Federal Government.

BE IT ORDANED by the Governing Board of the Town of Yanceyville, North Carolina that pursuant to Section 13.2 of Chapter 159 of the General Statutes of North Carolina, the following grant project ordinance is hereby adopted:

Section 1: The project authorized is a Town project described as the American Rescue Plan Project.

Section 2: The project will be complete in accordance with the requirements set by the American Rescue Act of 2021 grant requirements and all relevant North Carolina state statutes.

Section 3: The following amounts are appropriated for the project:

Account Name	Total Budget
Council Special Appropriations	\$625,603.08
<u>Total Project Appropriation</u>	<u>\$625,603.08</u>

Section 4: The following revenues are anticipated to be available for the project:

Account Name	Total Budget
Grant Revenue	\$625,603.08
<u>Total Project Revenue</u>	<u>\$625,603.08</u>

Section 5: The Finance Director is hereby directed to maintain within the grant project fund sufficient specific detailed accounting records to satisfy the disclosure requirements of all the contractual agreements, if applicable.

Section 6: Funds may be advanced from the General Fund as necessary for the purpose of making payments as due. Reimbursement requests shall be made in an orderly and timely manner.

Section 7: The Finance Director is directed to report, on a quarterly basis, on the financial status of each project element in Section 3 and Section 4.

Section 8: The Finance Director is further instructed to include a detailed analysis of past and future revenues and expenses during each annual budget submission made to the Governing Board.

Section 9: Copies of this grant project shall be furnished to the Town Clerk, Finance Director, and Town Manager for direction in conducting this project

Mayor Foster asked Town Council for a motion the Grant Project Ordinance Supersedes Grant Project Ordinance # 2022-03 for the Execution, Acquisition, construction, and Installation of the American Rescue Plan Project. Councilman Massey made a motion to approve the Grant Project Ordinance. The motion was seconded by Mayor Pro Tem Gwynn and passed with a unanimous vote.

Town Manager Barnett indicated that she had been approached about a time change for Regular Town Council Meetings from 7pm to 6pm. Mayor Foster asked what is the pleasure of Council?

Mayor Foster suggested that the time change to 6:00pm for October thru March and 7:00pm for April thru September. He also mentioned that if it becomes an issue, we can change the time back to 7:00pm.

Mayor Foster asked Town Council for a motion. Councilman Massey made a motion to change the Yanceyville Town Council meeting time to 6:00pm from October - March and 7:00pm April September on the First Tuesday of each month unless otherwise noted. The motion was seconded by Mayor Pro Tem Gwynn and passed with a unanimous vote.

Town Manager Barnett noted that the November 1st, 2022, Town Council meeting will start at 6:00 pm.

Item 9: Closed Session - G. S. 143-318.11 Contractual and Personnel

Mayor Foster asked Town Council for a motion. Mayor Pro Tem Gwynn made a motion to go into Closed Session NC General Statutes 143-318.11 Contractual and Personnel. The motion was seconded by Councilman Massey and passed with a unanimous vote.

After Town Council returned 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 Massey and passed with a unanimous vote.

Mayor Foster asked Town Council for a motion to go back into Regular Session. Councilman Massey motion to go back to into Regular Session. The motion was seconded by Councilman Tatum and passed with a unanimous vote.

Mayor Foster noted that while in Closed Session Town Council needed to approve Inframark sectioning off a small portion of the Raw Water Pump Station at the Water Treatment Plant with a floor-to-ceiling demising wall, as you enter the single man-door at the right of the building. This room will safely accommodate the carbon feed system and provide room to store an inventory of 50 lb. carbon bags. The problem with this arrangement is that the building has no separation of the carbon (dust) from potential electrical explosion hazards. Electrical spark can come from the pumps, control panels, plugs, lights, and electrical components that are not currently spark or explosion proof in this building. This location causes a considerable safety concern because carbon, when handled, causes dust that may become combustible at certain concentrations.

Mayor Foster asked Town Council for a motion. Councilman Massey made a motion to approve sectioning off a small portion of the Raw Water Pump Station at the Water Treatment Plant with a floor-to-ceiling demising wall, as you enter the single man-door at the right of the building at a cost estimate of \$43,334.43. The motion was seconded by Councilman Tatum and passed with a unanimous vote.

Item 10: Informal Discussion/Public Comment- Discussion & Comments must directly relate to agenda items

Mayor Foster asked if anyone had any questions or comments at this time on agenda items covered at tonight's meeting.

Mr. Matthew Hoagland inquired about a coverage map for the number of antenna array for Verizon that will be place on the water tower. Town Attorney Farmer noted that at this time the Town has a design map which was prepared by Kimberly Horn, Engineering Firm from Raleigh, North Carolina. He noted that once the Town receives the location of the corral and placement of units it will be a part of the public record and will share at that time.

Item 11: Adjournment

Mayor Foster asked Town Council for a motion to adjourn the October 4th, 2022, Town Council Meeting. After no further discussion, Councilman Tatum made a motion to adjourn. Councilman Massey seconded the motion that passed with a unanimous vote. Meeting ended at 8:41pm.

Kamara Barnett, Town Clerk and Georgetta Swann prepared the above minutes. They represent a brief description of those matters that were addressed at this meeting.

Respectively Submitted:

Alvin Foster, Mayor

Kamara Barnett, Town Clerk

Georgetta Swann , Deputy Clerk