

**MINUTES  
YANCEYVILLE TOWN COUNCIL  
February 3<sup>rd</sup>, 2015  
7:00 PM**

The meeting of the Town Council was held in the Council Chambers at the Yanceyville Municipal Services Building on February 3<sup>rd</sup>, 2015 at 7:00 PM.

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

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

**Item 1: Call To Order**

Mayor Pro-Tem 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. The Mayor-Pro Tem also reviewed the statement of Rules and Procedures.

**Item 2: Review and Adoption of Agenda – Mayor Pro-Tem & Council**

After review Mrs. Odessa Gwynn made a motion to approve the agenda. The motion was seconded by Mr. Brian Massey and passed with a unanimous vote.

**Item 3: Consent Agenda**

Mayor Pro-Tem Foster asked Council to review the minutes from January 6, 2015. After review Mrs. Gwynn made a motion to adopt as presented. The motion was seconded by Mr. Keith Tatum and passed with a unanimous vote.

**Item 4: Public Comment**

There were no public comments at this time.

**Item 5: Fiscal Year 2013-2014 Financial Report- Patricia Rhodes**

Mrs. Patricia Rhodes came before Council and presented the Town's Financial Report from Stout, Stuart, McGowen, and King for June 30<sup>th</sup>, 2014. She gave Council a brief outlay of how the financial documents are laid out in her report. She then started on page three, and gave a summary on what their responsibilities are. Mrs. Rhodes then went on to page six and stated that it was an excellent that the Town's management gave a summary of what's in the report.

She stated that for the fiscal year the Town underspent and increased revenue by over \$200,000, which was a very good thing. She said that the Town's overall debt increased due to the bond for the emergency water line. Mrs. Rhodes then addressed the statement in the audit concerning the Town's inadequate separation of duties. She said that that it is derived from the level of internal control the Town has which is generic to the Town's small staff. She said that they were in communication with the Town's staff on how to circumvent the inadequacies. Mrs. Rhodes then thanked Town Council and told them to please call her at any time if there are ever questions.

#### **Item 6: Building Demolition Quotes- Town Manager**

Manager Brian Collie presented demolition quotes received for the structures located at 198 Court Square and 97 West Main Street. Mr. Collie stated that two quotes were received for the demolition of both structures, D.H. Griffin and Lynch Grading. Mr. Collie stated that this was an abatement procedure and that Town Council in 2014 adopted ordinances to demolish both of these structures. Mr. Collie then said that D.H. Griffin had provided everything as requested and meets all of the Town's terms that were set forth and came in with a total price of \$39,600 for 198 Court Square and \$17,200 for 97 West Main Street. Mr. Collie stated that D.H. Griffin had indicated that if they were given both jobs that they would subtract 5% of the total cost which would be \$53,960 versus \$56,800. He then went over everything that the Town had requested in the advertised request for quotes. He said that Lynch Grading had not completely provided everything requested in the advertisement but had verbally ensured that he had liability insurance and all other permits requested and would provide them to the Town if chosen. Lynch Grading quoted 198 Court Square at \$36,550 and 97 West Main at \$15,495, totaling \$52,045.

After Council review and discussion Mr. Collie informed Council of an email received about the displeasure of us considering the demolition of the historic home located at 97 West Main. He said that the gentlemen would like to help look for investors to purchase and rehab the property for the Town. I then informed Council that the owners of the property at 97 West Main owe close to \$7,000 in property tax and that the Tax Director cannot locate their whereabouts or get a response from them. Mr. Tatum said that it seemed smarter for us to let someone purchase the property and rehabilitate it, instead of us paying to have it torn down. Mayor Pro-Tem Foster said that if we can't get any response from the property owners and they won't sell the property then there is nothing we can do even if a potential investor wanted to buy the property and start rehabilitation. Mr. Massey inquired about how we would pay for the demolitions since we did not allocate any funds into this years budget.

Mayor Pro-Tem Foster stated that we would have to do a budget amendment and use monies from our general fund. Attorney Farmer stated that after the projects are complete if the owner does not pay the Town back we a lean would be placed on both properties and could eventually be sold under a demolition lean.

Mrs. Gwynn asked Mr. Collie if he had received a response from the County concerning the letter he sent to them about the County's assistance with the "Ford" building. Mr. Collie stated that he had not. She then asked him if he could put that topic on the agenda for the upcoming joint council meeting. Mr. Collie stated that he would. Mrs. Gwynn then stated that she thinks that Council should wait on making any decision tonight until we receive a response from the County. Attorney Farmer stated that we could lose the bids if we waited and have to go through the expense to advertise again. Mayor Pro-Tem said that whether or not the County provides assistance doesn't change the fact that we still plan to demolition the building. He then stated that with D.H. Griffin's experience and track record he felt that they would be better suited to demolish the "Ford" building because of the location of the building to other structures and roads. He said that he would like to give the house on West Main to Lynch Grading since they are a local business but that since they did not properly submit the requested items on time he felt that legally we couldn't approve them for the project. At that time Mayor Pro-Tem Foster made a motion to give both jobs to D.H. Griffin. The motion was seconded by Mr. Tatum and passed with a unanimous vote.

**Item 7: Designation & Approval of Review Officer- Town Manager**

Mr. Collie stated that he would like Council to designate him as the Town's Review Officer. He said that this title would allow him to sign off on all survey maps in the future that our located within Town Limits. He provided Council with a list of responsibilities a review officer has when reviewing maps and said that his 7 years working with the County that this was one of his job titles and that the Town needs someone designated as the review officer so that they don't have to pay the County to execute this function for them.

Mrs. Gwynn made a motion to make Mr. Brian Collie the Town's Review Officer. The motion was seconded by Mr. Tatum and passed with a unanimous vote.

**Item 8: Approval to Designate Economic Development Commission as Local Contact to Work With School of Government on Economic Development Feasibility Study- Mayor Pro-Tem Foster**

Mayor Pro-Tem Foster stated that the School of Government needs a specific entity to work directly with while doing the Economic Development Study previously approved. He stated that he feels that the Economic Development Commission created by the Town, County, and Milton would serve as a suitable non-profit group. After discussion and review Mayor Pro-Tem Foster made a motion to designate the Chairman of the Economic Development Commission to be the local contact to work with the School of Government on the beginning phase of the Economic Feasibility Study. The motion was seconded by Mr. Massey and passed with a unanimous vote.

### **Item 9: Solar Ordinance Draft Review & Discussion- Town Manager**

Mr. Collie presented a draft solar ordinance that the Town's Planning Board created and made a recommendation for approval at their January meeting. He stated that he began discussion on the idea to the Planning Board after several inquiries about specific properties within the Town for solar projects were made, because the Town does not currently address solar farms as a permitted use in its ordinances.

After Council review and discussion referenced a document from the School of Government as a great resource for anyone wanting to learn more about solar in the state and that she thinks the Town should have a solar workshop before any decision is made so that the citizens can ask questions and let us know what they think. The rest of Council agreed that was a good idea. Mayor Pro-Tem proposed that we set the date of the workshop for Tuesday February 17<sup>th</sup> at 7:00 p.m. Council agreed and also requested that Mr. Collie put solar discussion on the agenda for the joint council meeting since the County was also currently looking into solar farm regulation.

### **Item 10: Water & Sewer Policy Draft Amendment Review- Town Manager**

Mr. Collie reviewed the water & sewer amendment that he requested at the previous Council meeting regarding changing the requirements for leak adjustments to allow citizens to provide receipts for items purchased when leaks are fixed by someone other than a licensed plumber. After full review and discussion Mr. Massey made a motion to approve the amendments as presented. The motion was seconded by Mr. Tatum and passed with a unanimous vote.

### **Item 11: Town Manager Report**

Mr. Collie stated that after discussions with NCDOT Division Engineer, Mike Mills, he was contacted by NCDOT Engineer Vance Barham. He

stated that he is looking into placement of a “No Right Turn” sign for trucks traveling west on Main Street that would prevent them from turning right onto North Ave. He hopes this will help with the problem at that intersection that results in tractor trailers tearing down the Historical Society’s fence.

Mr. Collie then said that Mr. Barham also stated that if the Town wants to address the safety hazard resulting from parking issues at the intersection of Main St. and First Ave. that the NCDOT would work with us but that the Town needs to adopt a “no parking” ordinance for that specific intersection. He stated that he is getting the Town a template to use.

He then stated that he wanted to make Council aware that he has given permission to use the Municipal Building for the Caswell County Recreation Commissions monthly meetings. He said he was designated as an ex-officio on this Commission and will attend every meeting or see to it that a Town employee is present. They currently are meeting in a very cramped office space that I do not consider a proper meeting venue. They meet the third (3<sup>rd</sup>) Tuesday of every month at 6:30 p.m.

Mr. Collie stated that he has contacted Jeff Holdenrid, Sales Engineer from DoubleRadius, Inc. and will be meeting with him next week to talk about expanding the Town’s Wi-Fi capabilities. He then made Council and citizens aware that he will be in Chapel Hill attending the Municipal/County Administration course February 17<sup>th</sup> through the 20<sup>th</sup>.

### **Item 12: Closed Session-Contractual & Litigation**

Mayor Pro-Tem Foster asked for a motion to go into closed session for contractual and litigation purposes. Mr. Massey made a motion to go into closed session. The motion was seconded by Mr. Tatum and passed with a unanimous vote.

After Council returned from closed session Mrs. Gwynn made a motion to go out of closed session. The motion was seconded by Mr. Tatum and passed with a unanimous vote.

### **Item 13: Informal Discussion/Public Comment**

Mrs. Gwynn then made a motion to go back into open session. The motion was seconded by Mr. Massey and passed with a unanimous vote.

Mayor Pro-Tem Foster asked the audience if anyone would like to speak concerning items from tonight’s agenda. Mrs. Ruby Graves asked Council where the Wi-Fi would continue in Town. Mayor Pro-Tem Foster said that at the beginning of the project Council wanted to go from Main Street

to Hwy 62, Main Street to Thomas Oil, and most all of Downtown. She then asked what benefit the solar ordinance would be for the Town. Mr. Collie stated that it proposes protection for property owners based on where they can be located, requires them to be screened, and requires a decommissioning plan.

Mr. Albert Tardy asked Council why the leak adjustment amendment was so long and why couldn't it simply say the Town allows one leak adjustment per year. Mr. Collie stated that it has to be more specific than that because we have to be able to show validation that there was an actual leak and not misuse.

Mrs. Gwynn stated that on March 18<sup>th</sup> Town hall day through NC League of Municipalities is the same day as NCBEMO.

**Item 14: Adjournment**

After no further discussion Mrs. Gwynn made a motion to adjourn. Mr. Massey 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:

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Alvin Foster, Mayor Pro Tem

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Brian Collie, Town Clerk