

MINUTES
YANCEYVILLE TOWN COUNCIL- SPECIAL MEETING
August 8th,2017
7:00 PM

The meeting of the Town Council was held in the Council Chambers at the Yanceyville Municipal Services Building on August 8th,2017 7:00 PM.

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

Staff: Brian Collie, Town Manager/Clerk, Lee Farmer, Town Attorney, and Kamara Graves, Assistant Town Clerk

Item 1: Call to Order

Mayor Alvin Foster called the meeting to order at 7:00 PM. Meeting opened with a silent 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.

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

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

Item 3: Consent Agenda- July 11th,2017 Minutes

Mayor Foster asked Council to review the minutes from the July 11th, 2017 Town Council Meeting. Mayor Pro Tem Gwynn made a motion to adopt the consent agenda minutes from July 11th, 2017. The motion was seconded by Councilwoman Badgett-Lampkin and passed with a unanimous vote.

Item 4: Public Comment

Mayor Foster asked, Town Manager Collie did anyone sign up for public comments? Town Manager Collie replied, no.

Item 5: Public Hearing -For Consideration and Adoption of Voluntary Annexation of the Blackwell Estate Property- Lee Farmer, Town Attorney

Mayor Foster asked for a motion to go into Public Hearing for Consideration and Adoption of Voluntary Annexation. Mayor Pro Tem Gwynn mad a motion to go into Public Hearing of Voluntary Annexation of the Blackwell Estate. The motion was seconded by Councilman Massey and passed with a unanimous vote.

Attorney Farmer stated that he had previously submitted a Petition of Voluntary Annexation of the R.R. Blackwell Estate Property that is joined by a portion of the

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Town's property that was annexed several years ago, and it's the request of the Morrisville University that this property becomes a part of the Town of Yanceyville. Attorney Farmer noted that Town Manager Collie had done the necessary Certification and Sufficiency that was previously filed with Council. A public notice had been published for tonight's meeting. Attorney Farmer stated, I have a proposed ordinance for Council to consider if you so desire to annex this property. Attorney Farmer specified the R.R. Blackwell Estate consists of 269 acres. The property will hook up with a satellite annexation on Hwy 86 known as the Gregory Property.

Attorney Farmer stated that he would answer any questions at this time. Mayor Foster asked, Town Council did they have any questions for Attorney Farmer before addressing the public. Mayor Foster then, asked did anyone from the public have any questions for Attorney Farmer.

Attorney Farmer stated he would assume that Town Manager Collie will recommend that this property be zone RA- Residential Agricultural. Town Manager Collie stated that he brought his property before the Planning Board July 19th ,2017. The Planning Board made a recommendation to Town Council to zone this property as RA- Residential Agricultural it was a unanimous vote.

Attorney Farmer updated Council that he is conversing with two other landowners with sizeable tracks of land that may possibly like to petition to become a part of the Town by the end of the year.

After discussion, Mayor Foster asked for a motion to go out of Public Hearing for Consideration and Adoption of Voluntary Annexation. Mayor Pro Tem Gwynn mad a motion to go out of Public Hearing. The motion was seconded by Councilman Massey and passed with a unanimous vote

Mayor Foster asked for a motion to adopt the ordinance to extend the corporate limits of the Town of Yanceyville as presented for the R.R. Blackwell Estate. Mayor Pro Tem Gwynn mad a motion to adopt the ordinance to extend the corporate limits of the Town of Yanceyville as presented for the R.R. Blackwell Estate. The motion was seconded by Councilman Massey and passed with a unanimous vote

Item 6: Review & Consideration of Engineering Services for Dam Inspection and Emergency Action Plan

Town Manager Collie updated Council on a letter received from the North Carolina Energy, Mineral, and Land Resources for a Notice of Inspection requesting action for the Yanceyville Water Supply Dam, located on Badgett Sister Parkway. Town Manager Collie explained, the letter indicated a large crack on the downstream upper right side of the concrete ogee spillway is still present. Therefore, the State is listing the dam in the "High Hazard" category. Town Manager Collie explained that included in the agenda

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packet is a proposal from Schnabel Engineering South, P.C. for engineering services to evaluate the dam.

Town Manager Collie explained that in 1979 there was a washout with the dam, and the dam gave away. The dam was rebuilt. In 1991 in the same location where the crack has appeared today the crack became present. The crack was fixed in 1991, and it has become present again since about 2014. Town Manager Collie explained that he is not sure that the crack the State is referencing is impeding any of the structural integrity of the dam. Town Manager Collie explained that he had spoken with the Town Engineer, Alley, Williams, Carmen and King, and they don't specialize in projects such as this. They recommended Schnabel Engineering, South P.C., who specialize in these types of projects. The proposal from Schnabel Engineering is \$15,700, which includes gathering data, site visit and visual inspection of the dam, and an Emergency Action Plan which the State requires. Town Manager Collie explained that if something unforeseen was to happen with the dam, and nothing had been implemented the Town would be held liable.

Mayor Pro Tem Gwynn asked are there rodent problems present at the dam. Town Manager Collie replied that this issue has been included on the letter from the State for the last five years or so. Mayor Pro Tem stated that the issues with the dam should be taken care of as soon as possible, because it would be liability for the Town.

Councilwoman Badgett-Lampkin asked, is this just a proposal for the dam to be analyzed? Town Manager Collie explained that this is just for an analysis of the dam, and it would also include an Emergency Action Plan that is required by the State, the proposal does not include having the dam repaired. He explained that the analysis has to be complete in order to know what the actual state of the dam is in.

Attorney Farmer stated, there are tremendous penalties under the State Dam Laws if something were to derived, and nothing was implemented in reference dam.

Town Manager Collie stated, the first step would include having the analysis completed to determine the issues.

Mayor Foster asked Council for a motion. Mayor Pro Tem Gwynn made to have Schnabel Engineering South, P.C. to compete the analysis on the dam and the funds will be pulled from the enterprise fund. The motion was seconded by Councilwoman Badgett-Lamkin and passed with a unanimous vote

Item 7: GOP Building Use Request Approval

Town Manager Collie stated that we have considered Building Use Request several times in the past. If a political party or any political affiliation the Municipal Building is requested for usage it would have to be approved by the Town Council first along with proper paper work completed and submitted. Town Manager Collie noted that the GOP

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would like to use the Municipal Building on Tuesday August 15th, 2017 from 7pm until 8:30pm.

Mayor Foster asked Council for a motion. Mayor Po Tem Gwynn made a motion to allow the GOP the use of the Municipal Building on August 15, 2017 from 7pm -8:30pm with proper paperwork submitted. The motion was seconded by Councilman Massey and passed with a unanimous vote

Item 8: Public Wireless Internet Quote from Brooks Network Services

Town Manager Collie, stated that we have Steve Brooks and Matt Angel with Brooks Network Services, LLC here to discuss and give a summary of the proposal in the agenda packet. Town Manager Collie explained in 2011 the Town started a Wi-fi project with the end goal of providing the Town with wireless internet. The Wi-Fi project lasted from 2011 until the first part of 2013 that was funded as the initial start-up project. The company that was contracted with the Town to provide these services went bankrupt, and left the Town hanging. Town Manager Collie explained that we have talked about this project several times, and it has been several years and the project hasn't been completed. He explained that the quote form Brooks Network Services is in three phases totaling \$105,000

Mr. Brooks states as follows:

Infrastructure Requirements -Public Wi-Fi – Town of Yanceyville

In order to provide an efficient and time standing Public Wi-Fi network, it is recommended to install a network backbone that can sustain the emergence of future technologies. In this order, we plan to install Corning Single mode Fiber at 12 and 48 strand levels to support deployment of Public Wi-Fi for the Town of Yanceyville North Carolina.

Does the Town of Yanceyville have access rights to current utility poles within the Town Limits?

- Yes

The Town of Yanceyville has provided contractual rights to Brooks Network Services, LLC to install and mount fiber cable and termination in an aerial fashion on existing utility infrastructure.

Does the Town of Yanceyville have access rights to current County Facilities and Buildings?

- Yes

The Town of Yanceyville has provided contractual rights to Brooks Network Services, LLC to install and mount fiber cable and termination in an aerial fashion on existing utility infrastructure.

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Infrastructure Design

Phase 1

Corning Single Mode Fiber, 48 Strand will be installed overhead from Yanceyville Town Hall among First St to Main St. A junction point (FTP) will be set in place. This will be the primary fiber demarcation point.

A 12-strand fiber will be extended along Main St to Court Square which will continue down Main St W to a utility pole located near the intersection of Main St W and First Ave.

A 6- strand fiber will be installed from Main St W down to First Ave to Main St where it will terminate at First Ave and Main St to provide coverage for Main St Court Square and along Main St to Wall St.

Phase 2

A 6- stand fiber will be installed along Main St W to Hooper St and continue along Hooper St to Main St intersection, at which it will terminate with the Main St to Wall installation.

Phase 3

A 6- stand fiber will be installed along Main St to the Barco St Intersection.

Cisco Meraki Access points and switch gear will be installed in weather tight, NEMA enclosures with electric access or solar power energy panels, depending on availability at each mounting location. Directional Sector antennae's will be used to provide Public Wi-Fi coverage along the Main thoroughways and desire community support location of Yanceyville North Carolina.

Mr. Brooks asked if there were any additional questions. Mayor Foster thank Mr. Brooks for presenting to Council.

Item 9: Town Attorney Report

Attorney Farmer updated, Town Council on the Sweepstakes facilities that have shown up throughout Yanceyville. He explained that after attending the City Attorney Conference at this point is there is a case pending judgement that has been entered by the court. Attorney Farmer stated that at this time there is no legal authority to prohibit Sweepstakes in North Carolina, but there will be further court proceeding. He explained that eventually the Sweepstakes will be construed by the courts, and it appears that it will be ruled as gambling. After which, the ALE and the Sheriff's Department will have authority to shut the "fish games" down. Attorney Farmer stated that the ruling could take months.

Attorney Farmer updated, Town Council on the Dan River Water Project. He explained that there is some legislation that has been introduced in the new budget that has been approved by Senate Burr and Senate Tellis. Attorney Farmer explain in Town Council

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meetings in the past he has spoken about the authorization that was found about 10 or 12 years ago that set aside a sizable amount of money for the Dan River Project. He explained that the authorization is getting ready to expire by the first of 2018. The new legislation that Senate Burr has approved will be on the budget which will continue that authorization which at some point Yanceyville will be able to tap into the money to help pay for a substantial portion of the Dan River Project. He also explained that the money will still have to be appropriated, but there will be an authorization for at least 13 million dollars. Attorney Farmer stated, hopefully this will be in the budget within in the next 60 days.

Item 10: Town Manager Report

Town Manager Collie updated Council on the Maud Gatewood Reservation Form.

He stated that he had three different reservation forms in the agenda packet. The current form only requires a signature and a five-dollar key deposit and the contact information of the person using the facility. The park is open to everyone. Town Manager Collie explained that in the past due to damages to the bathroom the bathrooms are locked. If you complete the reservation form, pay the five-dollar key deposit you are able to get the key for the bathrooms. The initial form that was approved by Council had a refundable clean -up deposit of \$10,0 and also fees for a Town Resident which include \$20 half day (10-3 or 4-dusk) and \$40 full day (10-dusk and for a Non-Resident \$30 Half Day (10-3 or 4-dusk) and 50.00 Full day (10-dusk) that you were not refunded. Town Manager Collie explained that the update of the reservation form includes a refundable clean- up deposit of \$100 (the “clean-up” deposit will not be refunded if the park is not left in the same condition as found or if the property is damaged or if the Town’s keys to bathroom are not returned.

Councilman Tatum asked how many persons/groups use the park? Town Manager Collie answered on average there are at least five to seven groups that complete the reservation form for special events.

Mayor Foster asked Council for a motion. Councilman Tatum made a motion to adopted the updated reservation form for the Town of Yanceyville Gatewood Memorial Park which includes a refundable “clean-up” deposit of \$100. Mayor Pro Tem Gwynn seconded the motion that passed with a unanimous vote.

Item 11: Informal Discussion/Public Comments- Discussion & Comments must directly relate to agenda items

Community Stakeholder Kimberly Monroe asked was the dam broke in the same location as it did before? Town Manager Collie explained that in 1979 the dam was completely washed out and rebuilt. In 1991 the crack that formed then is pretty much in the same location today. He explained that we will have to have an engineer to perform studies and

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gather data to find the issues that are causing problems to reoccur. Until, we have the test performed it was simply be a guess of what the problem(s)are.

Ms. Monroe then, asked about the Public Wi-Fi phases 1-3, and the cost associated with each phase. Mr. Brooks answered that the cost is actually calculated as a whole unit it has not been broken down in cost for each phase. He explained that the first phase consists on installing the fiber strand, the second phase is actually getting online, and third phase includes installing p.c. equipment.

Ms. Monroe asked what would prevent you from doing the project phase by phase? Town Manager Collie explained that he had the same question for Mr. Brooks. He explained that completing phase 1 -3 is basically building the heart of the project. He explained that the phases could be done one by one but it would cost more. He explained that if you have to complete phase one and pull away, and come back to complete phase two the cost would increase significantly, because you have to bring equipment and workers back several times to complete the job. Town Manager Collie explained that we would have complete all phases in order to build the backbone of the project so that in the future we could expand providing more of the Town with wireless internet coverage. He explained that the start-up is expensive, but it's vital in completing the project.

Mayor Foster announced "Yanceyville Night" with the Burlington Orioles and the Danville Braves for Tuesday, August 15, 2017 he has additional free tickets that are available.

Item 12: Adjournment

Mayor Foster asked Council for a motion to adjourn. After no further discussion, Mayor Pro Tem Gwynn made a motion to adjourn. Councilman Tatum seconded the motion that passed with a unanimous vote.

Brian Collie, Town Manager/Clerk, and Kamara Graves, Assistant Town 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 Manager / Clerk

Kamara Graves, Assistant Town Clerk

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