



ELM CITY BOARD OF COMMISSIONERS  
TUESDAY, MARCH 12, 2019  
ELM CITY TOWN HALL  
CONFERENCE ROOM

MINUTES

1. **Call to Order**

Mayor Grady Smith (hereinafter "Mayor Smith") called to order the regular meeting of the Elm City Board of Commissioners (hereinafter "Board") at 7:30 pm, on March 12, 2019.

2. **Roll Call**

Mayor Smith conducted a roll call. The following were present:

Commissioner, Dale Childress (hereinafter "Comm. Childress")  
Commissioner, Melvin Cooke (hereinafter "Comm. Cooke")  
Commissioner, John Edwards (hereinafter "Comm. Edwards")  
Commissioner, Marsha Wells (hereinafter "Comm. Wells")  
Commissioner, Gil Wheeler (hereinafter "Comm. Wheeler")  
Interim Town Administrator, Dena Owens (hereinafter "Interim Admin. Owens")

3. **Approval of Minutes from Last Meeting**

Mayor Smith gave the Board opportunity to review the proposed minutes from the February 12, 2019, meeting.

*MOTION: Comm. Cooke made motion to approve the February 12, 2019 meeting minutes; seconded by Comm. Childress. Motion passed by unanimous vote.*

4. **Interim Administrator's Report**

**Wastewater Grant** – Interim Admin. Owens has spoken with David Honeycutt. The extension requested from the State was granted. McGill has received good feedback from the most recent submitted hydrogeological report, where it can be resubmitted next week.

**Water Filtration Grant** – David Honeycutt is interested in meeting with the Board to discuss options for the water filtration at the Oakview Well. He is concerned about the possibility of costs being higher than what would be practical. After much discussion the Board voted to end work on the filtration grant, however, continuing to work to find an answer for the concern with the problems at Oakview Well.

*MOTION: Comm. Wheeler made motion that the Town withdraw work on the Water Filtration Grant; seconded by Comm. Cooke. Motion passed by unanimous vote.*

**CDBG-I Project** – The final funds have been received and invoices have been paid for the waterline improvement project, closing out the financial process.

**FEMA Reimbursement** – Interim Admin. Owens mentioned that final payment of \$43,004.88 had been received from FEMA. All funds will remain in the Town's General Fund, other than \$3,376 due to Envirolink for third-party work.

**AIA Grant – Mike Tolson of Mack Gay Associates** – Reimbursement funds have been received and payment will be made to Mack Gay for their work with the water and sewer AIA. Both Scott Bumgarner and Mike Tolson are interested in planning a meeting with members of the Board to give them the opportunity to see the program at work. Interim Admin. Owens will work to schedule the meeting. The work is twenty-five percent completed on the water and nearly fifty percent with the sewer inventory.

**FY 17/18 Audit** – Interim Admin. Owens spoke with Greg Redman, Auditor. The LGC has not currently approved last year's audit. Both Mr. Redman and Interim Admin. Owens received an email from Amy Szalaj, financial reviewer with the Department of State Treasurer, State and Local Government Finance Division stating that there was a question on the General Fund's Final Budget not agreeing with the presentation page. Mr. Redman sent them explanation. Interim Admin. Owens will schedule a meeting with the Board and Mr. Redman.

**Compliance Meeting with Judy Hunt, USDA** – The meeting that was scheduled earlier this year was postponed due to the recent government shutdown. This meeting has been rescheduled for Thursday, April 10<sup>th</sup> at 10:30. Information is pulled and ready.

**Rate Information from Towns with Near Our Population** – The Board had opportunity to study rate sheets from other municipalities with or close to the Town's population.

*MOTION: Comm. Wheeler made motion to change water and sewer tap rates with road patching to \$1,500 Water; \$3,000 Sewer, \$1,500 Road Patching – and cost may change to be commensurate with the amount to have work completed; seconded by Comm. Cooke. Motion passed by unanimous vote.*

**Additions:**

Due to Mr. Harris' inability to attend tonight's meeting, Interim Admin. Owens will work to schedule a meeting with the Board and Andrew Harris, CPA on Tuesday, April 2<sup>nd</sup> at 7 pm to begin work on the budget for both this fiscal year and next.



The Board had opportunity to review the past Water Shortage Response Ordinance. J. P. McCann with Envirolink mentioned need of having the ordinance renewed and approved.

*MOTION: Comm. Childress made motion that the Town's Water Shortage Response Ordinance be approved; seconded by Comm. Cooke. Motion passed by unanimous vote.*

Interim Admin. Owens mentioned a concern with online payments being accepted by other sites, taking days to process payments, and causing issues for Town citizens and their accounts. Johnathan Evans, website advisor, was contacted to work to correct the issue by making a "landing page" for anyone searching for making a payment with the Town. This page will take them directly to the Town's official site. Interim Owens also contacted the town attorney, Slade Rand, regarding the issues and concerns with the Town's website being used without permission to accept payments. Mr. Rand mentioned that a Mayor from a neighboring town had called with the same concerns. Mr. Rand will take the concern to the State's attorney general.

Interim Admin. Owens voiced concerns for the need of closing out the Town's BB&T account due to fees that continue to be assessed.

*MOTION: Comm. Childress made motion that the BB&T account be closed immediately, transferring any funds left to the Town's NCCMT Powell Bill Account; seconded by Comm. Wheeler. Motion passed by unanimous vote.*

Mayor Smith will sign to close out the Town's checking account with BB&T within the upcoming business days.

*MOTION: Comm. Wheeler made motion that funds of approximately \$54,000 be transferred into the Town's NCCMT Powell Bill fund from the Southern Bank account; seconded by Comm. Edwards. Motion passed by unanimous vote.*

Mayor Smith mentioned that the Town had received a letter regarding a civil penalty assessment from the Town's WWTP, where the system is working outside of the given range of spray, the NOV that was received last year. When the NOV was first received, the Town sent a letter requesting that the fee be waived, and gave information regarding the capital improvements that had been completed since 1998. Mayor Smith mentioned that the State would allow the Town to request an oral presentation. Said request has been made. He has been in contact with Mike Myers of Envirolink and their attorney to help with the presentation. Representative Farmer-Butterfield and Senator Fitch have also been contacted with information. The Town is currently awaiting a date to make the oral presentation.

5. **Invoices**

Interim Admin. Owens presented the Board with the monthly Town invoices in the agenda packet.

Addition:

NC Geodetic Survey - \$500.00 (AIA Reimbursable)

BB&T - \$29.03 - supplies

*MOTION: Comm. Edwards made motion to pay bills; seconded by Comm. Wheeler. Motion passed by unanimous vote.*

6. **Comments from Public Floor**

Shirley Barron requested information of when the resurfacing of roads would begin, being that the weather is changing. Interim Admin. Owens will work to see when the work will begin.

Comm. Wheeler made mention that due to the weather bringing so much rain to the Town, that there is need of patching in several areas. He will work to make a list of all areas needing attention. He feels it best to have Moses' Paving do the patching work.

Ms. Mercer of 709 Cobb Road mentioned that the ditch in front of her home is not flowing once again. J. P. McCann took notes to check into the concern.

Mrs. Robinson of East Taylor Street thanked the Board for the kind words placed in the Town's newsletter regarding her work with the flower boxes placed in Town. She mentioned that her yard debris had been missed. Mr. McCann assured her that they would be picked up. She also mentioned the empty buildings in Town, that there may be someone interested in opening a temporary crafting shop, but also knows they would not be able to afford the rent requested. She wondered if any owners would lease monthly verses requiring a year's lease.

Dwight Collins with Pristine Turf Management requested that the Board consider increasing the contract price from \$3,350 a month to \$3,500. He has not increased his price in the eight years he has been in contract with the Town.

*MOTION: Comm. Edwards made motion to pay Pristine Turf Management a contract amount of \$3,500 each month; seconded by Comm. Wheeler. Motion passed by unanimous vote.*



7. **Commissioner Concerns**

There were no commissioner concerns brought forth.

8. **Closed Session**

*MOTION: Comm. Childress made motion to move into closed session under NCGS §143-318.11; seconded by Comm. Edwards. Motion passed by unanimous vote.*

9. **Re-opening of Open Session**

*MOTION: Comm. Childress made motion to adjourn the closed session and move back to open session; seconded by Comm. Wheeler. Motion passed by unanimous vote.*

Comm. Edwards mentioned the need of raising the rental fees for the Depot.

Proposed changes:

\$300 Deposit – refundable  
\$500 for 8 hours  
\$600 for 8 hours with alcohol  
\$300 for 4 hours  
\$400 for 4 hours with alcohol  
\$60 for each additional hour

*MOTION: Comm. Childress made motion that the proposed changes be accepted; seconded by Comm. Cooke. Motion passed by unanimous vote.*

Comm. Edwards mentioned ordinance concerns with the property at the corner of Tyson and Main. He also mentioned concerns with the compiling of tires taking place again at the corner of South Parker and Main. Interim Admin. Owens will contact the Slade Rand, Town Attorney, to see what steps need to be taken with the owner not following the court order regarding the tires.

Comm. Wells brought to the Board's attention information included on the Sharpsburg rate sheet for the Board to consider. She also made mention of the need to be sure that Envirolink is not picking up business construction material placed by the road by contractors.

10. **Adjournment**

Mayor Smith adjourned the meeting at approximately 10:27 pm, March 12, 2019, upon motion of Board.

*MOTION: Motion was made to adjourn by Comm. Edwards; seconded by Comm. Childress. Motion passed by unanimous vote.*

Minutes submitted by Dena H. Owens, Town Clerk