

MINUTES
YANCEYVILLE TOWN COUNCIL
May 6, 2014
7:00 PM

The Special Meeting of the Yanceyville Town Council was held in the Council Chambers at the Yanceyville Municipal Services Building on May 6, 2014 at 7:00 PM.

Council members present: Curtis E. Davis-Mayor, Alvin Foster-Mayor Pro-Tem, Odessa Gwynn, and Brian Massey.

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

Item 1- Call To Order

Mayor Davis called the meeting to order at 7:00 PM. The meeting opened with silent prayer followed by the pledge of allegiance. The Mayor also reviewed the Statement of Rules and Procedures.

Item 2- Review and Adoption of Agenda-Mayor & Council

Mr. Alvin Foster made a motion to adopt the agenda as presented. The motion was seconded by Mrs. Odessa Gwynn and passed with a unanimous vote.

Item 3- Consent Agenda

Mayor Curtis Davis presented the consent agenda. After review from Council Mrs. Odessa Gwynn made a motion to approve the minutes from Town Council's March 31, 2014 meeting. The motion was seconded by Mayor Curtis Davis and passed with a unanimous vote.

Item 4- Public Comments

Mr. Jerry Totten approached Council stating that he owns two properties that are at 259 West Church Street. He stated that he had been approached by Mr. John Ganus and said that he is standing here tonight because he was not given enough time to get the property up. He stated that it seemed like every time he would present a plan the goal post had been moved. He stated that it takes time to get a grant. He said that he has submitted stuff to N.C. Central University and that they are looking at the material. He stated that one of the houses used to be a treachery back in the segregation days. He said that he needs more time so that NC Central can review the information and get back to him and he would then get the information to Mr. Ganus.

The next speaker to address Council in public comments was Mr. James McAdden. He said that three years ago when we got the grant he was told that they were going to fix up the house at 292 First Street. He said that now he has a guy calling him telling him that he wants to tear it down. He said that back in October he was told that the County had \$279,000 and that someone was supposed to get back with him after talking with the Attorney and Contractor. He said that it was not his house but that the girls that own it left it in his hands and that he pays the taxes on it but that he has not paid it yet. He said that he has furniture in the house but that he cannot get into the house. He said that he was told that he was third on the list to get repaired and that he does not think its fair that the house is going to be torn down. Mayor Davis then stated that he would address a little bit of that. Mayor Davis said that was under the 2008 grant and that it had been frozen and taken away from the Town and that is nothing that we can do when

funds are taken away from you. He said that the money had dried up and that was all he could say about that. Mr. McAdden asked about the money that the County had. Mayor Davis said that he doesn't know anything about that. Mr. McAdden said that Mayor Davis got the Town Manager at that time and met him outside and promised him. Mayor Davis stated again that the money was once allocated and then they took it away. Mrs. Gwynn then told Mr. McAdden that they would explain to him why the funds were not available after the meeting.

Item 5- Code Enforcement Ordinance Adoption Request- NFocus Code Administrator, John Ganus

Mayor Davis said that next on the agenda was code enforcement ordinance adoption. Mrs. Gwynn said that before we get into that agenda item that she would like to address that we have had some code enforcement issues. She said that she has to partially agree with Mr. Totten because when we started this we said that if persons were talking with us and letting us know what their intent was that we would work with them. She said that she was appalled when she found out that a letter had been sent to the Totten's in January concerning their homes and that a letter was then sent to the Town from a law firm representing the Town in February that no one from the Town said was ever received. She said for the citizens, in October 2013 the Council agreed that we would not have Mr. Ganus come back to the Town of Yanceyville. Mayor Davis spoke up and said that we cannot talk about that matter at his time. Mayor Davis said that she could not disclose Mr. Ganus' name in the matter and sought Attorney Farmers opinion stating that it was against the law to do so. Mrs. Gwynn said that she would then knowingly violate the law because Council had agreed to not have him back and that we were to contact NFocus to ask that another staff member be provided. She said that she had not missed any meetings since she had been on council and that she does not know how or who changed what Council decided to do and that she had an email from the former manager explaining that he was working with NFocus to acquire another employee to serve the Town. She then said that there must be some other meetings because she doesn't know how some of this stuff is getting done. Mayor Davis asked for the Attorneys advice. Attorney Farmer asked if this was a contract issue and when did this occur. Mrs. Gwynn said, October. Attorney Farmer said not knowing all of the facts that he would think Council would need the principles of the company present to discuss contract performance. Mrs. Gwynn then explained that she had an email that the former Town Manager was already in that process and that she is speaking about the proper procedure and process needs to be taken. Attorney farmer said that under any legal contract there are obligations that both parties must follow. Mrs. Gwynn stated that she thinks we are missing what she is saying. She said that this body made a decision. Mayor Davis said that we cannot make any decision in closed session. Mrs. Gwynn said now wait a minute. Mayor Davis stated that he was the speaker and that she was not to get above him. Mrs. Gwynn stated that the Mayor does not have any more authority that he did and that he is just a ceremonial head. Mayor Davis said that he was the Chair and that she will listen to him. Mrs. Gwynn then stated and you will listen to me. Mayor Davis stated for Mrs. Gwynn to come to order and that she shall get above him when he is trying to get a clarification from the Town's Attorney. Attorney Farmer said that if Council is considering modifying or rescinding a contract that it opens the Town up to liability and if Council in the past did not take any legal action concerning the contract then there is nothing to do at this time. Mrs. Gwynn said that Council had agreed on something and then someone else had changed it and that's what she was concerned with because there was apparently a meeting that she didn't attend. She said that we did not agree to get rid of NFocus. Mr. Farmer said but that's who your contract is with and that you have to do something with the contract holder. She asked well who has the authority to do that. Mr. Farmer said that there would have to be a formal vote from the Council.

Mrs. Gwynn stated again that she must have missed a meeting whether it was closed or open that an agreement was made to go back on what Council had agreed to do. Mr. Foster asked Mayor Davis for the

floor. Mayor Davis agreed. Mr. Foster stated that what has occurred here is a discussion happened in closed session where no vote was ever made. He said that Haynes was instructed to look into it and that he thinks he started that process but did not finish it before he left. Mr. Foster said that he was offended that Mrs. Gwynn said that there was a meeting and that someone made a decision without you. Mrs. Gwynn said no. Mr. Foster said that yes you did. Mrs. Gwynn then asked then how did we get back to where we are with Mr. Ganus. Mr. Foster said that the process of acquiring a new code administrator had not been done. Mrs. Gwynn then asked well how it was reversed. Mr. Foster said that it wasn't reversed that only an agreement was made in closed session. Mr. Foster stated that Mr. Ganus is sitting here tonight and if I were him I would be very uncomfortable with you talking about him in this form. Mr. Foster said that he understood that Mr. Ganus has several cases that are open that he is close to finishing. Mr. Foster said that this Council is policy and we are not administration. Mrs. Gwynn said again that she was not made aware what happened. Mr. Foster said that yes you were and that the previous Town Manager sent you an email that he did not send anyone else. She said that was because that she asked to be kept informed. Mayor Davis said that a decision was never made final in open session. Mrs. Gwynn said again that she did not know who made the decision to go against what Council had agreed and that she was not at any meeting that was done. Mr. Collie said that yes Town Council in closed session may have agreed to not have Mr. Ganus back but the previous Town Manager in talking with NFocus never told them to absolutely not bring John Ganus back to Yanceyville. With that said Mr. Ganus just continued as usual working on the cases that he had previously been working on.

Mr. John Ganus then came before Council and presented a memorandum for the demolition of the Old Ford Building. He stated that this property has been in a dilapidated state for many years. He said that on December 13, 2012, an inspection was conducted with Michael Dilettoso, the owner of the structure. At that time he stated that his intent is to conduct repairs and restore the structure. Mr. Ganus said he was advised of the actions the he would be required to do to stabilize and secure the structure during the renovations. He verbally agreed and was advised to put those standards in writing as an agreement. After the owner failed to submit the requested agreement a letter was issued that stated the standards that had been agreed upon and provided a deadline of July 1, 2013 to comply.

Mr. Ganus said in July 2013, a severe storm with heavy rains and winds cause portions of the structure to collapse. In addition, the portions that collapsed was placing an excessive load on the side walls causing them to lean. These walls were in a deteriorated condition which included the brick and mortar being brittle and breaking or falling apart. On July 18, 2013, upon verbal consent of the owner by phone, an inspection of the interior of the structure was conducted by the Code Administrator, a structural engineer, the county building inspector and the town manager. The building inspector posted the Condemned Notice on the structure upon completion of inspection. The overall conditions of the structure make it extremely unsafe for persons to enter onto or into the structure. In addition, the conditions render the structure as a hazard to vehicles and pedestrians along the adjacent streets and parking lots. Since that date the owner has attempted to delay action by the town but has not taken any reconstructive action to secure and make the property structurally sound. There have been several meetings with the owner and option provided. The conditions continue to worsen with every storm and high wind event. To date the owner has taken no action toward repairing, altering, improving, or vacating and demolishing the structure.

Mr. Ganus stated that the problem was the vacant, severely dilapidated structure poses hazards to the health and safety of the community due to defects increasing the potential for accidents and fire.

He stated that his findings and conclusion were the dilapidated structure is vacant and continues to deteriorate. It is estimated the repairs cannot be made at a reasonable cost percentage of the present value

(\$35,578) of the structure. It appears the owner does not intend to comply with the Order; therefore, it is recommended the following Ordinance directing the Code Administrator to demolish and remove the dilapidated structure be adopted by the Town Council. He said that it is unclear what the cost of construction will be but that all associated cost will constitute a lien against real property.

After review and discussion Mr. Farmer asked that since this is a quasi-judicial case for Mr. Ganus to inform Council about what Historic Preservation has done. Mr. Ganus said that the Preservation of NC and their attorney met with us, the Town Manager, the owner and his attorney and that they discussed the buildings condition and what needed to be done but there has not been any structural activity but no action to provide and help from the Historic preservation. Mr. Dilletoso said that he has had his engineer look at the building and submit drawings but when seeking a permit they weren't accepted until he could produce a \$100,000 bond in which he was not capable of doing. He did say that he had engineered drawings and a plan of action. He said that he is ready to move forward with it but he needs more time. Mayor Davis said that this has been going on for over 10 years with nothing done and that we cannot continue to let this safety issue go.

Mayor Davis made a motion to seek bids to demolish the Old Ford Building. The motion was seconded by Mr. Foster. Mrs. Gwynn said that we have unknown cost of what the demolition will be and that she feels that we should know that before we approve this motion. Mayor Davis said that this ordinance allows him to seek bids for demolition. Mr. Collie said that once the bids are approved then Council still has to approve the spending of those funds to demolish and that the motion is to adopt the ordinance for demolition. Mayor Davis said that he withdrew his previous motion and stated the new motion was to adopt the ordinance for demolition of the Old Ford Building. Mr. Foster seconded the motion. The motion passed with a unanimous vote.

Mr. Ganus then presented the memorandum to demolish the property located at 97 Main Street owned by Robert & Rachel Dugger. Mr. Ganus said that after several requests to meet owners for the inspection with no results and no contact, an inspection was conducted under an Administrative Inspection Warrant on December 13, 2012. No owners attended. Upon completion of the inspection, a Hearing was scheduled with Notice issued by Certified and First Class mail. Notice was also posted on the house. On March 1, 2013, a Hearing was held to determine the fitness for human habitation of the dwelling with no parties in interest being present. The Certified mail was returned as unclaimed, however, the First Class mail was not returned. Following the hearing, a Finding of Fact and Order was issued by Certified and First Class mail. Notice was also posted on the house. The Certified mail was returned as unclaimed, however, the First Class mail was not returned. The Order required the owners to bring the above described structure into compliance with the Town of Yanceyville Minimum Housing Code by repairing, altering, improving, or vacating and demolishing the structure by a date not later than July 31, 2013. To date the owners have not complied with the order of the Code Administrator. The staff at North Carolina State Historic Preservation Office conducted a site visits and inspection on September 9, 2013. Their findings were in agreement that the structure is beyond reasonable repair or renovation.

Mr. Ganus stated that the problem is the vacant and dilapidated structure poses hazards to the health and safety of the community due to defects increasing the potential for accidents, fire, and vagrants.

He stated that his findings and conclusions were that the dilapidated structure is vacant and continues to deteriorate. It is estimated the repairs cannot be made at a reasonable cost percentage of the present value (\$64,600) of the structure. It appears the owner does not intend to comply with the Order; therefore, it is recommended the following Ordinance directing the Code Administrator to Demolish and Clear the dilapidated structure be adopted by the Town Council.

Mr. Ganus said the cost to demolish the structure is not known at this time. An informal bid process will be used to determine the lowest responsible bid price. Additional costs may be incurred for the Asbestos inspection and abatement. Funds for such demolition and clearance is provided in the Town budget. All related costs will constitute a lien against the real property.

Attorney Farmer asked if the historic preservation covers this property. Mr. Ganus said that the preservation of NC is not involved in this but that the state agency has looked at it and agreed that it is beyond repair. Mrs. Gwynn asked what the owner's response was. Mr. Ganus said that they have not responded at all throughout the whole process. Mr. Foster made a motion that we approve the ordinance for demolition. The motion was seconded by Mr. Brian Massey. Mrs. Gwynn said she was concerned that we haven't had a response from the owners. Mr. Ganus said that registered mail is returned but first class mail does not come back. Mrs. Gwynn asked when first letter was sent. Mr. Ganus said September 5th, 2012. The motion passed with a unanimous vote.

Mr. Ganus then read the memorandum for demolition for 247 West Church Street, owned by Jerry and Virginia Totten. Mr. Ganus stated that this case began in September 2012. Upon completion of an inspection with the owners in October 2012, the owners requested additional time to arrange for renovations before a hearing. On February 5, 2013, upon not receiving any information from the owners and no evidence of progress on the structure, a Complaint and Notice of Hearing was issued by Certified and First Class mail and by posting such notice on the structure. The Certified mail was not claimed, however the First Class mail was not returned. On March 1, 2013, a Hearing was held to determine the fitness for human habitation of the structure at 247 West Church Street. Mr. Jerry Totten and Ms. Virginia Totten were present at the Hearing. Following the hearing, a Finding of Fact and Order was issued by Certified and First Class mail and by posting such notice on the structure. The Certified mail was acknowledge and the First Class mail was not returned. The Order required the owners to bring the above described structure into compliance with the Town of Yanceyville Minimum Housing Code by repairing, altering, improving, or vacating and demolishing the structure by a date not later than July 31, 2013. Through a series of emails, Mr. Totten requested extensions to the deadline for historical reasons but did not produce any evidence or documentation of such. However, in waiting and requesting such evidence, Mr. Totten was granted extensions up to December 31, 2013. To date, no work has been accomplished and the owners have not complied with the order of the Code Administrator.

Mr. Ganus said that the problem was the vacant and dilapidated structure poses hazards to the health and safety of the community due to defects increasing the potential for accidents, fire, and vagrants. He stated that his findings and conclusion was that the dilapidated structure is vacant and continues to deteriorate. It is estimated the repairs cannot be made at a reasonable cost percentage of the present value (\$ zero) of the structure. It appears the owner does not intend to comply with the Order; therefore, it is recommended the following Ordinance directing the Code Administrator to Demolish and Clear the dilapidated structure be adopted by the Town Council.

Mr. Ganus said the cost to demolish the structure is not known at this time. An informal bid process will be used to determine the lowest responsible bid price. Additional costs may be incurred for the Asbestos inspection and abatement. Funds for such demolition and clearance is provided in the Town budget. All related costs will constitute a lien against the real property.

Mrs. Gwynn said that a year or so back she saw information from NC Central University stating that they were interested in renovating the property. She then said that she had received a letter addressed to the Town from Balance Law Firm who was representing the Totten's in this case. She said the letter was dated February 2014. She said that she gave a copy of the letter to Manager Collie. Mr. Ganus had not

received the letter. Mr. Foster asked Mr. Totten if he had a plan for the two properties in question. 247 and 259 West Church Street. Mr. Totten responded that yes he does have a plan, and that he plans to renovate the property with grant money. He said that he had to hire an attorney with his own money to help him with this case. Mr. Totten said that Mr. Ganus would not respond to any of his emails. After further discussion Mr. Massey asked that within 12 months of getting grant money the properties would be renovated. Mr. Totten said yes. Mrs. Gwynn requested that Mr. Totten put into writing a time line. Mr. Lee Farmer explained to Council that no member on Council should be involved in the fact finding or communication with any property owner in code enforcement cases. The reason being is that you have to make a definitive ruling on these properties and you don't want to be involved prior to making these independent tribunal decisions. It is an executive function and should be delegated to staff. Mrs. Gwynn said that Council then needs to be kept informed and she wants to make sure things are done in a fair manner.

After further discussion Mr. Foster made a motion that the properties at 247 and 249 West Church Street be tabled at this time and that our code enforcement officer give Mr. Totten an extension for these properties for 12 months as long as he stabilizes the property to keep it from detraining further. The motion was seconded by Mrs. Gwynn and passed with a unanimous vote.

Mr. Ganus then read the memorandum to close for the property located at 269 Dillard School Dr. owned by Mr. John Fulton. Mr. Ganus stated that on May 22, 2013, an inspection was conducted of the abandoned, deteriorated structure at 296 Dillard School Road, with the owner present. The structure has not been in occupied for some time and is in a deteriorated condition. On June 12, 2013, a Complaint and Notice of Hearing was issued by First Class Mail, Certified Mail and by posting upon the structure a copy of the notice. On June 27, 2013, a Hearing was held to determine the fitness for human habitation of the structure. Mr. John W. Fulton, owner, and had previously acknowledged receipt of the Certified mailing of the Hearing Notice. The First Class notices were not returned. Following the hearing, a Finding of Fact and Order was issued by Certified and First Class mail and posting on the structure, with receipt acknowledged by the owner. The Order required the owners to bring the above described structure into compliance with the Town of Yanceyville Minimum Housing Code by repairing, altering, improving, or vacating and closing the structure by a date not later than November 10, 2013. To date the owners have not complied with the order of the Code Administrator.

Mr. Ganus stated that the problem was the vacant, unsecured, abandoned and deteriorated structure poses hazards to the health and safety of the community due to defects increasing the potential for accidents and fire. Mr. Ganus stated that his findings and conclusion was that the deteriorated structure is vacant and continues to deteriorate. It is estimated the repairs can be made at a reasonable cost percentage of the present value (\$27,551) of the structure. It appears the owner does not intend to comply with the Order; therefore, it is recommended the following Ordinance directing the Code Administrator to close the deteriorated structure be adopted by the Town Council. Mr. Ganus said that a competitive bid process will be used to obtain a lowest responsible bid to close the structure. Funds for such closure and clearance are provided in the Town budget. All related costs will constitute a lien against the real property.

Mr. John Fulton said he was told the house was going to be pushed down. Mayor Davis said that no we are just proposing to require it to be boarded up. Mr. Fulton said he had been negotiating a sale of the property and that's why he hadn't boarded it up.

After discussion Mr. Fulton said he could have it boarded up within 6 months. Mrs. Gwynn made a motion to amend section 6 of the ordinance to allow Mr. Fulton 60 days to board the house up himself. The motion was seconded by Mr. Foster and passed with a unanimous vote.

Mr. Foster made a motion to adopt the ordinance as amended. The motion was seconded by Mrs. Gwynn and passed with a unanimous vote.

Item 6- Budget Presentation- 2014-2015

Town Manager, Brian Collie read the 2014-2015 budget presentation. Mr. Collie stated that he was pleased to present the recommended budget for the fiscal year 2014-2015. He said the budget was prepared in accordance with G.S. 159.17, the North Carolina Local Government Budget and Fiscal Control Act. All funds within the proposed budgets are balanced, and all revenues and expenditures are identified for the fiscal year 2014-2015.

He stated that the budget is presented with no changes in the current ad valorem tax rate, but that there is a proposed 3% increase in the water and sewer rates for customers. He said in 2014-2015, a conservative approach was used in preparing projections for all six statewide revenue sources: Beer and Wine Tax, Utility Franchise Tax on Electric Service, Sales Tax on Telecommunications, Piped Natural Gas Excise Tax, Local Option Sales Tax and Powell Bill revenues. Mr. Collie said that the Town has developed a conservative budget that seeks to maintain current service levels, while also addressing infrastructure needs to maintain our current assets to allow for prolonged use and efficiency.

He stated that the proposed budget for the General Fund is approximately .07 % lower than the 2013-2014 fiscal year (down from \$712,418.94 in 2013-2014 to \$668,818.42 in 2014-2015); primarily due to loss of facility rental and the removal of grants that were satisfied in the previous year. We are not expecting an increase in ad valorem tax collection for 2014-2015.

He said the Enterprise Fund is approximately .03% lower than the respective budget for the 2013-2014 fiscal year (down from \$1,702,000.00 in 2013-2014 to \$1,652,712 in 2014-2015). This decrease is primarily due to a reduction of funds allocated from the enterprise reserve fund and lack of any capital improvements to water and sewer.

He said the Town will allocate 3% of all water revenues to the repayment of the USDA loan that has allowed the Town to pursue an emergency water line connection with the City of Danville, Va. The Town anticipates the revenues collected from the 3% of water revenues to allow the Town to pay off the debt taken on by the project much sooner. Construction on the project is expected to begin in late summer of 2014.

Mr. Collie then stated that the Special Revenue Fund will be used to track all grants awarded to the Town during the fiscal year, as well as Powell Bill funds, which are allocated from the State annually and are restricted for use on pedestrian and side-walk projects only. The Special Revenue Fund will be tracked as a stand-alone fund, and will be shown on the financial statements separate from the General Fund.

He said that the total budget amount for all funds in 2014-2015 is \$2,522,880.42, compared to \$2,614,768.94 in 2013-2014 (a total decrease of 3.5%).

There will be no proposed use of un-appropriated fund balance to balance the budget this year. The Town has made strong efforts to increase the un-appropriated fund balance of the Town, and has done so over the past four budget cycles quite significantly. The current estimated un-appropriated fund balance (roughly 69% of operating expenditures) remains healthy and well above the required standards (8%) set forth by the North Carolina Local Government Commission.

The proposed budget for 2014-2015 will include no expected increases to existing Town staff. The Town does intend to continue working with third-party contractors for Water and Wastewater Management and Operations. He then went over some of the major items in this year's budget.

Mr. Collie then went over specific grant projects, the budget format, and gave his manager's message. He said that the recommended budget provides the financial resources necessary to continue improving the current level of Town services.

He then stated that on behalf of all our outstanding Town employees, he wanted to express our gratitude to the Mayor and Town Council for their strong leadership and dedication to the community. And to the dedicated Town employees, thank you for the continued devotion to providing outstanding service to the Town and the citizens of our community.

Mrs. Badgett-Lampkin asked Council if she could speak. Mayor Davis said that she would be given a chance to speak about the budget at the budget ordinance public hearing. Mr. Collie stated that the public hearing would be May 20th at 1:00 p.m.

Item 7- Emergency Water Line Letter of Recommendation- Alley, Williams, Carmen, & King

Mr. Mark Averette from Alley, Williams, Carmen, and King presented a letter of recommendation to the Council for the emergency water line connection. He stated that bids were received for the project on March 25th and that we had 12 contractor bidders. He said that they have checked the bids and that Tony E. Hawley Construction was the low bidder in the amount of \$845,602.00 and that they submitted good faith efforts as required by the MBE requirements and that they indicated a 10% MBE utilization. After review of the letter of recommendation to accept Tony E. Hawley's bid Mrs. Odessa Gwynn referred to the tab pf bids and asked if minority contractors were considered. Mr. Averette said that they had been advertised properly and that Tony E. Hawley Construction had a 10% MBE utilization which was a requirement. Mr. Averette said that Mrs. Gwynn could get a list of the contractors that submitted bids.

Mayor Davis made a motion to adopt the letter of recommendation with Tony E. Hawley Construction being the lowest bidder, contingent on LGC approval and funding secured. The motion was seconded by Mr. Foster and passed with a unanimous vote.

Item 8- Supplemental Bond Order for Water & Sewer Bond

Mr. Collie said that in order to keep the ball rolling we will have to recess this meeting for this particular item and then reconvene on Mya 6th, at 1:00 p.m. due to the time of closing.

Item 9- Town Manager Report

A. Fire Department Expansion Update

Mr. Collie stated that over the past month we have looked into several different design processes for building the Fire Departments expansion. The three processes that were considered were the traditional design-bid-build approach, the design-build approach, and the design-build-bridge approach. Taking into consideration many factors including design cost, building cost, staff time/cost, project time frame, LGC approval, and the Town's security he said he has decided that the best alternative for us would be to do the traditional design-bid-build approach. This process allows for the Town to have their own engineer designing and overseeing the entire project from start to finish. It allows for a better sense of security because we have a transparent project where we will know exactly what we are getting. This approach

also makes it easier for the Town to secure a loan and get permission and approval from the Local Government Commission.

B. CDBG (Community Development Block Grant) Sewer Funding Project Update

Mr. Collie then said that since our last meeting where we had the public hearings concerning potential water/sewer grant funding through the CDBG I have some new information. I met with Cy Stober and Michael Blair with the Piedmont Triad Regional Council and the Town's engineers to talk about filling out applications for the previous 3 projects. PTRC informed me that in this grant cycle they are only funding larger infrastructure projects and that the 3 small projects that we were looking at would not even be considered. So we are now working on completing an application for seeking grant funds to close our waste water treatment lagoon and install a new digester and storage tank. The WWTP has an old sludge lagoon that is currently an environmental risk and needs replacing. The need for this project is to improve health, sanitation, and security needs. To improve system operation and maintenance and to allow for future growth. We also found out that in this grant cycle that every application has to be either water or sewer, it cannot contain both. So along with the WWTP rehabilitation project we will also add the Main street sewer line lag project into this application. Attached is an aerial view of both projects. PTRC believes that seeking the larger project in this grant cycle will give us a lot better chance of receiving funds.

Mr. Collie said that in order to submit the application to the CDBG, Town Council must re-adopt the Fair Housing procedure and resolution, Equal Opportunity Employment Plan, Procurement policy, Section 3 plan, acquisition/relocation plan, citizens participation plan, code of conduct, 504 grievance procedure. After discussion and questions from Mrs. Gwynn concerning the documents for approval Mr. collie stated that these are the same policies and procedures that the Town has adopted for all past CDBG projects and that they are required for the Town to adopt before seeking any funding for this specific project.

Mr. Foster made a motion to approve all of the documents in item B of the Town Manager's report with an amendment to remove the incorrect page numbers. The motion was seconded by Mr. Massey and passed with a unanimous vote.

C. USDA-RUS Emergency Waterline Grant

Mr. Collie then said that pending the approval of the letter of recommendation to begin work on the emergency water line for the Town of Yanceyville utilizing Tony E. Hawley Construction we must first approve additional forms from the USDA for granting us an additional \$80,000 for project cost over-run. The forms are listed below and are attached to my report. The Town has already approved these forms for the previous grant amount but needs to do it again for the additional \$80,000.

He said the forms are Form RD 400-4 Assurance Agreement, Form RD 400-1 Compliance Statement, and RUS Bulletin 1780-12 Water and Waste System Grant Agreement.

After discussion Mayor Davis made the motion to approve the three forms listed in item C of the Town Managers report for the additional \$80,000 in grant money from the USDA. The motion was seconded by Mrs. Gwynn and passed with a unanimous vote.

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

Item 10- Closed Session- Pending Litigation & Consultation with Council

Adjournment

Mr. Foster made a motion to recess the May 6, 2014 meeting until May 20, 2014 at 1:00 p.m. The motion was seconded by Mrs. Gwynn and passed with a unanimous vote.

Brian Collie, Town Manager, 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:

Curtis E. Davis, Mayor

Brian S. Collie, Town Clerk