

THE FOUR HUNDRED AND THIRTY THIRD SESSION OF THE BOARD OF ALDERMAN
VILLAGE OF ALAMANCE
JUNE 23, 2014 – 7:00 PM

Present: Mayor Bundren, Mayor Pro Tem Tichy, Alderman Clemmons, Alderman Sharpe, Alderman Slaughter, and Clerk York.

Absent: Alderman Gregory and Alderman Crouse

Alderman Clemmons gave the invocation.

Alderman Sharpe moved to approve the May 19, 2014 meeting minutes. Mayor Pro Tem Tichy seconded the motion. The motion passed unanimously.

Public Hearing on 2014-2015 Budget

Alderman Sharpe made the motion to open the Public Hearing on the 2014-2015 Budget. Alderman Clemmons seconded the motion. The motion passed unanimously. Clerk York presented the 2014-2015 Budget, following distribution of copies of the budget for those present at the meeting. The tax rate will remain the same at 20 cents per \$100.00 valuation. This relates to the General Fund. Most everything else remains the same, with a couple of minor changes to Utilities and the smaller line items. In the General Fund, the salary for the Town Clerk will increase by 2%. The Cabin Project will eliminate the pump station and install a siphon system. There will be a generator installed at the NC 62 station. Alderman Clemmons added that the money used for that project is money the Village already has in the bank. No funds will be borrowed; money for the project has been built up over time. Clerk York then addressed the Water and Sewer Fund. The main change is that the water and sewer rates will increase. Burlington is increasing their rate by 2%, so the Village is increasing its rates accordingly. The water rate for the Village will increase from \$5.19 per 1000 gallons to \$5.28 per 1000 gallons. The sewer rate will increase from \$5.88 to \$6.07. There is no increase for recycling. Ms. Sherry Ford asked how this compares to what the City of Burlington charges its residents. Clerk York pointed out the differences charged to a municipality as opposed to the rate charged to residents inside the city. The rate for the Village of Alamance is \$2.28; add 21% to that for the Jordan Lake Rules. Burlington water bills include the main water charge, then under that is the Jordan Lake charge, sewer, etc. The additional 21% is charged for funding the upgrade to their facilities. The City of Burlington has delineated these charges for residents. It is the base rate that Burlington has adjusted, not the 21%. This will cause the increases as Clerk York described. He estimated that Burlington charges not quite \$3.00 more. Mayor Bundren pointed out that this is well offset by the fact that taxes are 20 cents on \$100.00, as opposed to Burlington's 52 cents per \$100.00. Clerk York stated that he would be happy to address any questions related to specific line items in the budget. A question was raised about Plaid Day. Clerk York responded that the Village currently does not have a budget for Plaid Day. There are no plans, as of now, for Plaid Day. Ms. Ford asked if an amount could be budgeted for a small gathering of those who grew up in the Village and worked in the mills. This would not necessarily include all the booths and extra effort that have been part of the Plaid Day Festival. The emphasis would be on the heritage of the Village and gathering the people who lived here. Clerk York referred this to the Board of Aldermen. Mayor Bundren observed that having something smaller has been discussed. It has been tabled for now. She stated that the Board is not opposed to doing something on a smaller scale for Plaid Day. This could be pulled together without being a budget issue. Clerk York offered to answer any other questions regarding the budget. There were no further questions.

Mayor Pro Tem Tichy made the motion to close the Public Hearing on the 2014-2015 Budget. Alderman Clemmons seconded the motion. The motion passed unanimously.

Approval of 2014-2015 Budget

Alderman Clemmons made the motion to approve the 2014-2015 budget for the Village of Alamance, as presented. Mayor Pro Tem Tichy seconded the motion. The motion passed unanimously.

OLD BUSINESS

Report on Cabin Pump Station Project

Mark Reich reported that all of the permits for the project have been received. They have been in contact with some of the property owners, but not all of them. Mr. Connett is in general agreement with the layout; however, he has raised a question which has been referred to Attorney Bateman for legal advice. Mr. Connett's question relates to this area, as described by Mr. Reich: where the existing pump station is, and the small segment of easement from the pump station up to the new manhole, where they'll go across the creek and down to the siphon, and also the ? drain easement that goes from the existing pump station back up to Councilman Drive. Mr. Connett has asked if this can be abandoned and released back to him. Attorney Bateman stated that the easement could be "terminated," which would have the same effect. The Village would give up all rights to it and it would revert back to the way it was before. The pump station site is a different story. The question is whether it is in fee simple. Mr. Reich said they would check that out. Attorney Bateman stated that this is more difficult on a deeded piece of land. Mr. Reich said that he was thinking it was just an easement. Mayor Bundren asked if this would be "in exchange" for the easement with Mr. Connett. Mr. Reich answered that he will confirm that. There was consensus on the Board that they were willing to do that, if this was for an exchange. Mr. Reich summarized that he will work on the details with Attorney Bateman to move forward. Mr. Reich still has not been able to contact Ms. Shoffner or the Kirkpatricks. He has been told that Ms. Shoffner may be in a nursing home. Alderman Sharpe observed that Alderman Crouse may know. Mayor Bundren thanked Mr. Reich for his report.

ORC Report

Arnold Allred opened his report by noting he is looking forward to the construction at the Cabin station. There was another pump failure at the Cabin Pump Station. It is being repaired now at the shop. Jerry was able to get it out the very next day. The other pump station is working great. An email message has been received that indicates the Village may not be fined; an official letter has not yet been received. Clerk York added that he has spoken to Cory Basinger. They consider the matter closed. Mr. Arnold remarked that this is very good news. Under the Distribution System, the switch back over to chloramines was completed in early May. They did some THM testing which turned out very well. Last week, lead and copper sampling was completed. The Village is well in line with everything, as reported by Mr. Allred. Mayor Bundren thanked Mr. Allred for his report.

There was no further Old Business.

NEW BUSINESS

Audit Contract

Clerk York referred to the copies of the Audit contract and the letter in the packets. The rates are listed on the front sheet of the contract. It should be in line with last year, in terms of the range. The amount that will be billed should be in line with last year. Alderman Slaughter made the motion to continue the audit contract with Cobb Ezekiel Loy & Co., PA. Alderman Clemmons seconded the motion. The motion passed unanimously.

Heritage Glen Phase 5

Mark Reich provided the overview for this item. A few months back, the Board of Aldermen approved the preliminary plan for Phase 5 of Heritage Glen. Since then, the developers have reviewed all the streams. The big issue with the new rules is the fact that there will be a possible loss of four lots to the subdivision. This is a result of the Jordan Lake Rules. The developers have asked Mr. Reich to review the situation from a vested rights perspective. He contacted Attorney Bateman relative to this request. Clerk York went back and pulled out all of the permits that have been issued in that area. What was found was that prior to the passage of the 2010 Jordan Lake Rules, there has been continuous progress within a two year period. This is the timeframe for vested rights: as long as there is a continuous two year cycle of either infrastructure improvements or building improvements. From the data that Clerk York pulled, from the permits relative to water and sewer permits and erosion control permits, there has been a continuous cycle from the beginning of the project in 2000 until now. Attorney Bateman has stated that this complies with the vested rights. Therefore, the developers would not need to comply with the Jordan Lake Buffer Rules. Attorney Bateman added that the law is clear. So long as they are actually in process of developing infrastructure or issuing building permits during a two year period, they are entitled to comply with that original plat. He has given Clerk York a legal opinion to that effect. Mayor Bundren asked if the developers are moving forward. Mr. Reich indicated he has not yet heard back from the developers. As far as he knows, they are still moving forward with the project. They were still having some internal investigations and still doing their due diligence at that point in time. Mr. Reich has not been notified, one way or the other, as to their final decision. He will call to try to get an update and relay that back to Clerk York.

At this point in the meeting, Mayor Bundren asked if a motion was necessary to approve the increase in the water rates, even though the budget had been approved. Attorney Bateman responded affirmatively.

Budget Amendment

Clerk York presented the budget amendment which included two items. The first item relates to an increase of \$8700.00 for Yard Waste. This is the exact amount that was paid for debris pickup following the ice storm. The Village has been fully reimbursed for the debris pickup. Clerk York reported that he has received the check from FEMA for the reimbursement for debris pickup and the cost related to the sewer. All of the expense items must show full approval. The check is recorded in revenue. Under Expense, the expenses themselves must be approved to make sure the item is okay for the end of the year. Overall, the sanitation department is okay. In Sewer Maintenance, there is about \$3000.00 in that budget line now. That should be enough to cover the pump repair, but something could come up in the last week and something might need to be sent off. Even if the bill should come in July, the cost still goes onto the month of June, for

accounting purposes. Clerk York has added another \$3000.00 to this line in the budget amendment. Mayor Pro Tem Tichy made the motion to approve the budget amendment. Alderman Slaughter seconded the motion. The motion passed unanimously.

Finance Report

Clerk York observed there was not a Finance Report in the packet. The CD will not mature until Wednesday, June 25, 2014. The reimbursement from FEMA was \$22, 817.00 for everything related to the pump station, the generator, as well as picking up all of the debris.

Alderman Clemmons made the motion to approve the increase in the water rate from \$5.19 to \$5.28 and to approve the increase in the sewer rate from \$5.88 to \$6.07. Mayor Pro Tem Tichy seconded the motion. The motion passed unanimously.

OTHER BUSINESS

Ms. Debbie Matta raised a question about potholes. Clerk York asked which streets she was referencing. There are two big potholes on Highway 62. Clerk York stated that he will contact NCDOT about the potholes.

There was no other business.

PUBLIC COMMENT

Alderman Clemmons introduced Dr. and Mrs. Christmas who will be new residents in the Village. They will be building a house. The Mayor extended a welcome to the couple.

Ms. Debbie Matta raised the concern about cigarette butts being thrown out. When she had straw on her reseeded yard, she was concerned about the danger. She realizes nothing can be done. She then asked about indoor furniture placed on porches, for example at the boarding house. Attorney Bateman stated this had recently been checked on for the City of Burlington. Voluntary compliance has been pretty effective, in relation to the Nuisance Ordinance which does address this. Ms. Matta added that they are very proud of their little village. In response, Mayor Bundren commented on the flags that have been recently displayed in the Village. The Mayor has received many calls, with compliments about how nice the Village looked. She has given that group of Villagers the credit. Also, the luminaries at Christmas speak well of the historic Village. Someone even asked the Mayor why this wasn't in the newspaper. Mayor Bundren expressed her appreciation for these efforts.

Ms. Sherry Ford inquired about the status of trying to get the Sheriff's Department to do something about the speeding in the Village. Mayor Bundren observed that a letter was sent a long time ago. Clerk York added that a recent check was made to see what happened regarding the letter. He received an email from NCDOT indicating a letter would be sent. Alderman Clemmons asked about the letter. Clerk York stated that the original letter, sent in 2008, requested a uniform speed limit of 35 mph throughout the Village. Alderman Clemmons stated that he remembered the Sheriff's deputies saying they felt this would help them. Really, it's a matter of the deputies being present in the

Village, and they are understaffed as it is right now. It's a matter of law enforcement being able to be present in the Village. Ms. Ford commented that she remembered the discussion of flashing lights with the speed limit signs, to get attention. Mayor Bundren observed that this has been done before, but it wasn't effective. Ms. Ford asked if there had been any discussion about a part-time officer for the Villager. Alderman Clemmons indicated this had not been discussed before. Ms. Ford noted that the town of Green Level had a contract with the Sheriff's Department. Alderman Clemmons suggested maybe this was the time to discuss this. Ms. Matta added that this related to breakins, too. Alderman Clemmons said the completion of the last phase of Heritage Glen would add about 50 homes. Ms. Ford invited people to come sit on her porch to try to relax and talk, stating that it's horrible, with all the traffic. Alderman Clemmons said they will need to discuss costs-benefits when the time comes. Ms. Matta commented on the sounds of the speeding vehicles. Alderman Clemmons summarized that the answer is for the bypass to be completed. Ms. Matta asked if there was any push for the bypass. Alderman Clemmons noted that the Village is on the list. Mayor Pro Tem Tichy reported that the bypass is on a long list. All funding has been cut off. The criteria have been changed. The bypass is being re-evaluated now, but is not being considered for the next 5-10 years. Ms. Ford commented that they were told in 1998 or 2000 that the bypass for the Village was in the 15 year plan. Mayor Pro Tem Tichy stated that it was in the 15 year plan. A lot of funding was used for access roads, such as for Wal-Mart. The economic development issues have taken priority over general improvement issues with the state. The state is chasing jobs with the money when they can. The budget is not what it used to be because tax collections are not what they used to be. There is just not the money in the state budget to do what they wanted to do. Mayor Pro Tem Tichy stated that the Board will keep pushing for the bypass, but he does not see anything happening within the next five years. Ms. Matta said it was likely people would still use Highway 62 because it is shorter. Mayor Bundren observed that this was said about Haw River, but the bypass has made a difference. She thinks the bypass will also make a difference for the Village of Alamance. In the meantime, when the Town Hall building was built and dedicated in 2005, the premise of having a Sheriff's station in the building was so there would be a better law enforcement presence in the Village. There has been more of a law enforcement presence, but this has not deterred the speeding. The bypass should make the difference.

Clerk York reported on his findings regarding a generator for the Town Hall. He has contacted Kemco, King Electric, Hall Electric, and Mr. Prevatt, who did the wiring for the Town Hall. He has received only one quote so far. To have a generator at the Town Hall, in order to provide some services for residents during a power outage, would require a 30KW generator. The cost would be \$40,000.00 to \$45,000.00 including installation, based on this initial quote and their recommendations. Clerk York has talked with Duke Energy, after first consulting with David Leonard. The largest load on the Town Hall at any one time has been 23KW. There are actually two air conditioning units at the Town Hall. If there were a lot of people, both units would be needed. Generally, the Village would need to obtain something providing for more than normal use. Mayor Bundren asked Clerk York to bring the additional information back to the Board.

There was no other public comment.

Alderman Sharpe moved to adjourn and Mayor Pro Tem Tichy seconded. The motion passed unanimously and the meeting was adjourned.

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_____ Cathera R. Bundren, Mayor

_____ Ben York, Village Clerk