

MINUTES OF THE MEETING OF
THE TOWN BOARD OF COMMISSIONERS
TOWN OF WILLIAMSTON, NC

September 11th, 2023

The Board of Commissioners of the Town of Williamston met in regular called meeting on Monday, September 11th, 2023, at 5:30 p.m. at the Town Hall Assembly Room at 102 East Main Street, Williamston, NC.

PRESENT Commissioners: Mayor Pro-Tem Alton Moore, Jerry Knox, Dean McCall, and Darnell Scales
Town Administrator: Eric Pearson
Town Clerk: Jackie Escobar
Police Chief: Travis Cowan
Police Captain: Beth Coltrain
Public Works Director: Stacy Stalls
Parks and Recreation Director: Allen Overby
Fire Chief: Michael Peaks
Finance Officer: Mandy Bullock
Internal Auditor: Linda Harrison
Planning and Zoning Administrator: Cameron Braddy
Town Attorney: Watsi Sutton
Tax Collector: Tiffany White

ABSENT Mayor Joyce Whichard-Brown

CALL TO ORDER AND INVOCATION

The Mayor Pro-Tem called the meeting to order. First, Commissioner Coffield led the pledge of allegiance, and Commissioner Scales offered the invocation. The Mayor Pro-Tem extended a special welcome to Martin County Commissioner Dempsey Bonds. There was a moment of silence in remembrance of the September 11th, 2001 tragedy.

AGENDA APPROVED

The Mayor Pro-Tem asked if there were any adjustments to the agenda or if the Board wished to remove or add to the agenda. The Town Administrator requested to add a closed session under Attorney-Client Privilege N.C. 143-318.11(3). *It was moved by Commissioner Scales, seconded by Commissioner Knox, and unanimously amended the regular agenda.*

CONSENT AGENDA

It was moved by Commissioner Moore, seconded by Commissioner McCall, and unanimously approved the consent agenda as amended.

Items approved in the Consent Agenda are as follows:

- (1) Approval of the Regular Board Meeting Minutes of August 7th, 2023
- (2) Approval of EJ Hayes Request for Funding
- (3) Amended Budget Calendar

PUBLIC HEARING – TEXT AMENDMENT

The Mayor Pro-Tem opened the floor at 5:36 pm. The Planning and Zoning Administrator reported that Darren and Candace Whitehurst had submitted a request to change the definition of Kennels in the Zoning Ordinance definitions section. Darren and Candace Whitehurst currently run a program at their property on Warren Street that helps ex-inmates transition to “productive, responsible, and accountable men in our community” (as stated in the request). The Zoning Ordinance and Williamston Code of Ordinances allow up to four (4) animals/pets to be located on a property. By current definition, a “kennel” is defined as: “a fenced-in or enclosed structure or structures or facilities in which actual or intended use is to domicile or board more than four domesticated animals. Dogs and cats shall be included with the meaning of “domesticated animals.”

Whitehurst's property does not allow kennel operations based on its current zoning classification (Downtown Commercial). Instead of requesting to rezone the property to a zoning classification that does allow kennels, they have requested to change the definition in the Zoning Ordinance text to read:

“a fenced-in or enclosed structure or structures or facilities in which actual or intended use is to domicile or board more than six domesticated animals. “Dogs and cats shall be included with the meaning of “domesticated animals.”

To date, the Town of Williamston Planning Department has received complaints from neighboring property owners about the number of dogs on the property and noise complaints from barking dogs. The Planning Board, at their regularly scheduled meeting on August 21st, 2023, heard the following information and voted unanimously not to recommend approval.

Michael Weeks, a property owner adjacent to the Whitehurst's property, spoke against the text amendment. He noted a foul smell and barking due to the number of dogs on the property. Mr. Weeks referenced a state statute that property owners are entitled to the peaceful enjoyment of their premises; however, his property cannot be enjoyed due to the nuisances mentioned earlier. If the Town Board approves the text amendment, Mr. Weeks would like himself and adjacent neighbors to be notified by mail.

The Mayor Pro-Tem closed the public hearing at 5:44 pm.

MAYOR'S PRESENTATION – PROCLAMATION RECOGNIZING THE WILLIAMSTON FIRE AND RESCUE LADIES AUXILIARY

The Mayor Pro-Tem presented a proclamation, signed by Mayor Joyce Whichard-Brown, recognizing the Williamston Fire and Rescue Ladies Auxiliary. The Auxiliary was awarded the “Most Helpful Auxiliary” for 2022 at the North Carolina State Firefighters Association.

PUBLIC COMMENT

Rachel Knox thanked the Board for honoring the National Day of Remembrance while conducting the meeting business. She then reported that she observed bullying of the Town Board and Town employees within the community. Ms. Knox specifically called out social media bullying by specific individuals. Mrs. Knox suggested that voters rethink their choices if their candidate aligns themselves with social media bullying. At this point, Mayor Pro-tem requested that Mrs. Knox refrain from addressing matters concerning the candidacy of any person seeking public office as listed in the Public Comment rules. Ms. Knox defended her stance by saying she was not advocating for or against any particular candidate but simply asking citizens to research before voting. Finally, she suggested that the public approach Town staff instead of relying on social media posts. Mayor Pro-Tem emphasized that the Town of Williamston does not participate in political campaigning for or against any candidate.

OLD BUSINESS

Capital Project Ordinance 2023-10 Skewarkee Gut Project

The Finance Officer reported that the Skewarkee Gut Project proposes to reduce infiltration/inflow into the sanitary sewer collection system. Rehabilitation is to reduce inflow and infiltration in approximately 7,950 linear feet of 8-inch to 16-inch gravity sewer lines along First Street, Park Avenue, and Fairview Street, and along Skewarkee Gut from Victoria Street to Roberson Street. This project will be funded by a Revolving Loan of \$2.5 million with \$500,000 principal forgiveness from the N.C. Department of Environmental Quality (NCDEQ). This project will be accomplished through a combination of rehabilitation methods, including the following:

- lining of existing 8-inch to 16-inch gravity sewer pipelines;
- implementing gravity sewer pipeline point repairs and pipe replacements;
- replace existing sanitary sewer manholes, if necessary;
- Line existing sanitary sewer manholes.

The final scope of the work will be determined following the Phase 2 Sanitary Sewer Evaluation Survey. The project will appropriate a total amount of **\$2,540,000**. *It was moved by Commissioner Scales, seconded by Commissioner Coffield, and unanimously approved Capital Project Ordinance 2023-10 Skewarkee Gut Project. Ordinance 2023-10 is hereby attached with the meeting minutes and incorporated in the Town's Ordinance Book for future reference.*

NEW BUSINESS

Ordinance 2023-11 Consider Text Amendment to Zoning Ordinance

The Planning and Zoning Administrator reported that the public hearing at the beginning of the meeting was for Ordinance 2023-11. Darren and Candace Whitehurst submitted a request to change the definition of Kennels in the Zoning Ordinance definitions section. *Ordinance 2023-11 Consider Text Amendment to Zoning Ordinance was denied. It was moved by Commissioner Knox, seconded by none, and denied without a second.*

Nonprofit Request for Funding Application

The Town Administrator reported that recent requests for Town of Williamston funding raised questions about ensuring Town funding is used for public purposes. In response, Town staff recommends an Application for a Nonprofit Community Development Grant. The application asks applicants to state how the requested funds will be used. The application requires a report at the end of the fiscal year showing that the funds provided were used as the applicant detailed. Applicants must submit applications for town-provided grants for future budget years **by December 31st**. The attached document is for the Fiscal Year 2024-2025 (FY25), as the Board has already approved the Fiscal Year 2023-2024 (FY24) budget. The Board can use the applications as part of the annual January budget retreat to consider grant requests that may best benefit the Town's plans for the upcoming year or years. The application shows Eligible and Ineligible uses of town funds. By statute, the Town cannot grant funds to for-profit applicants or for reasons that are not for a public purpose. This critical detail will now be precise for any FY25 or future requests. Additionally, it is essential to note that programs such as Community Development Block Grants (CDBG) and other state or federal programs are often eligible for private for-profit entities, and the Town will continue to seek these grants. As part of the approval process for this agenda item, town staff recommends that within the motion, the Board cap individual grant requests at \$15,000 and put a cap on the total amount of grants available for the year at \$50,000. By placing these caps, it in no way should be inferred, surmised, or indicated that the Town Board intends to provide that total amount of grants. The cap ensures that the total potential impact on the FY24, FY25, and future budgets is defined. It is also noted that even with the total cap in place, the Town Board is not required to approve any grant application, even if the cap has yet to be reached. If the Board approves the attached form, the Town will notify current grant recipients about the request deadline. The Town will properly publicize this newly adopted process to reach any entities seeking Town grant funding. Town staff recommended approval of the presented Application for Nonprofit Community Development Grant and sets a cap on individual grant requests at \$15,000 per application and a total cap for the budget year of \$50,000. *It was moved by Commissioner McCall, seconded by Commissioner Scales, and unanimously approved Application for Nonprofit Community Development Grant. This motion included setting a cap on individual grant requests at \$15,000 per application and a total cap for the budget year of \$50,000.*

Resolution 2023-10 Authorize Applying for a Lead and Copper Service Line Study

Ben Williams of Rivers and Associates presented Resolution 2023-10 Authorize Applying for a Lead and Copper Service Line Study. This Resolution allows Rivers and Associated to execute and submit the Lead and Copper Service Line Study grant application. The Environmental Protection Agency (EPA) requires that all community water systems (CWS) and non-transient non-community (NTNC) water systems develop an inventory of all service line connections, both system-owned and customer-owned. The inventory must identify the potential presence of lead within each service line connection. The Town must complete the initial inventory and submit it to the North Carolina Public Water Supply Section **by October**

16th, 2024. The application will seek funding assistance to develop and categorize lines and plan for their replacement. Commissioner Moore questioned what occurs if homeowners refuse to allow testing. Ben Williams noted that the agency would note refusal and move on. *It was moved by Commissioner Coffield, seconded by Commissioner Scales, and unanimously approved Resolution 2023-10 Authorize Applying for a Lead and Copper Service Line Study. Resolution 2023-10 is hereby attached with the meeting minutes and incorporated in the Town's Resolution Book for future reference.*

Resolution 2023-11 Authorize Applying for West End Storm Water Planning Study

Ben Williams of Rivers and Associates presented Resolution 2023-11 Authorize Applying for West End Storm Water Planning Study. This Resolution would authorize Rivers and Associates to apply for a water planning study grant. The agency defined the area as West End for flexibility. However, it encompassed West Main Street, Park Street, and McCaskey Road. Commissioner Moore noted that flooding was common near Russel's Barber Shop near W. Main St. and McCaskey Rd. *It was moved by Commissioner McCall, seconded by Commissioner Scales, and unanimously approved Resolution 2023-11 Authorize Applying for West End Storm Water Planning Study. Resolution 2023-11 is hereby attached with the meeting minutes and incorporated in the Town's Resolution Book for future reference.*

DEPARTMENTAL REPORTS

Public Works

The Public Works Utilities Director reported the following:

- The department would open bids for street projects on September 14th, 2023. The Director noted that the department spent about \$137,000 annually on street paving. Mayor Pro-tem Alton Moore questioned which streets would be paved. The Public Works Director noted that Carolina, White, Haughton, Little, and Unions to Biggs streets will have paved areas.
- Lead and copper samples were collected. This has happened annually since the 90s.
- The Sanitation department picked up 37 tons of leaves and limbs 18 tons of household items, and the street sweeper picked up 42 tons of debris.
- The department will order truck signs to specify what material they are collecting.

Police

The Police Chief provided the following report:

- Police officers attended field training.
- Annual CPR training with the Fire Department was expanded to include Stop the Bleed and Narcan training.
- Four sergeants attended a 3-week program for instructor training.
- Events included the department's annual Fun in the Sun Event, Robersonville's Back to School Bash, and the upcoming Homecoming events, Main St. Stage Concert on September 16th, 2023, and the Annual Carolina Country Stampede on September 29th-30th, 2023.
- The Police Chief presented Lieutenant Henry Poston with an Advanced Law Enforcement Certificate from the State of North Carolina Department of Justice. Lt. Henry Poston has been a part of the Williamston Police Department for almost 12 years and has completed 1,200 hours of training.
- The Police Chief noted that his department had seven officers with Advanced Law Enforcement Certificates and five officers close to receiving their Advanced Law Enforcement Certificates.

Fire/Rescue

The Fire Chief provided the following report:

- The Fire Department hosted a September 11th Remembrance Memorial Service.
- Hydrant inspections were completed.
- The department underwent a National Guard Security Check.
- The Hazmat team competed at the SAFRE (South Atlantic Fire Rescue Expo) event.
- The department prepared an incident action plan for the upcoming Stampede.
- Regarding the hospital closing, the Fire Chief noted he was notified along with the general public. The hospital closure immediately changed the "playbook." The Medical Director sets local protocols. His staff are Advanced Emergency Medical Technicians. An Advanced Emergency Medical Technician (AEMT) is a healthcare provider who has completed advanced training beyond the basic EMT level. The Fire Chief wanted to reassure the public that the department has the resources to help residents.

Parks and Recreation

The Parks and Recreation Director reported:

- The Soccer opening day would be September 23rd, 2023.
- The department had a new hire: Turner Griffin.
- The department attempted to fix the streetlights issue at Godwin Coppage Park.
- The new gym floor at Gaylord Perry Park received positive feedback.
- The Gaylord Perry Park renovations were still underway.

Planning

The Planning and Zoning Administrator reported:

- The Planning and Zoning Administrator thanked the various departments that assisted in the Annual Carolina Country Stampede.
- The Downtown trees would be planted the first week of September.
- The Annual NC Main St Site Visit found no issues.
- 108 W Main St. Update: The building owners informed us that the top front façade would be completed and the sidewalk cleared in time for the Stampede.
- The Planning and Zoning Administrator was reviewing the Right of Way for the street lights near the Country Club.
- The Planning and Zoning Administrator provided a Code Violation list to the Board.

Finance

The Finance Director reported:

- The Fiscal Year 2022-2023 audit report was available to the public.
- The department was still undergoing the software conversion. The Finance Director described the lengthy process and thanked the finance department staff for their hard work. Taxes were still converting, and tax bills would go out as soon as possible.

Closed Session – Business Prospect N.C. 143-318.11(4) and Employee Matter N.C. 143-318.11(6)

Commissioner Knox moved, with a second by Commissioner Scales, to go out of regular session into closed session for Attorney Client Privilege N.C. 143-318.11(3) at 7:10 pm. The motion passed unanimously.

It was moved by Commissioner McCall, seconded by Commissioner Scales, to go out of closed session into a regular session at 8:17 pm. The motion passed unanimously.

Mayor Pro-tem noted he heard that unknown money was “found” in the budget and questioned where that idea came from. The Town Administrator replied that it was due to his wording about the restricted Powell Bill fund. The NC Department of Transportation administers the Powell Bill program, providing state street aid to qualified, incorporated municipalities within North Carolina. This funding resurfaces municipal streets and maintains, repairs, builds, or widens streets, bridges, and drainage areas. The Powell Bill Reserve is part of the Town's Fund Balance, but it is restricted and can only be used for qualified Powell Bill Projects. As listed in the recent Fiscal Year Budget 2022 audit, the Powell Bill Reserve has over **\$400,000**. When presenting during the July Board meeting, the Town Administrator referenced the numbers provided by the auditor since they are not part of the unrestricted fund balance budget. This reference was misconstrued as not knowing about the money if not for the audit.

There being no further business, the Mayor Pro-Tem declared the meeting adjourned at 8:17 pm.

Submitted By:

Approved By:

Town Clerk

Mayor Pro-Tem