

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

August 6, 2020

The Board of Commissioners of the Town of Williamston met in regular session on Thursday, August 6, 2020 at 5:30 p.m. in the NC Telecenter located at 415 East Blvd #130, Williamston, NC.

**PRESENT** Mayor Joyce Whichard-Brown  
Commissioners: Jerry Knox, Alton, Moore Al Chesson, and William Coffield  
Town Administrator: John O'Daniel  
Town Clerk: Christina Craft  
Town Planner and Zoning Administrator: Cameron Braddy  
Town Attorney: Daniel Manning

**ABSENT** Mayor Pro Tem Ronell Rodgers

**CALL TO ORDER AND INVOCATION**

The Mayor called the meeting to order and welcomed everyone. Commissioner Coffield led the pledge of allegiance. Commissioner Chesson offered the invocation, after a moment of silence for all affected by the hurricane and Corona Virus.

**AGENDA APPROVED**

The Mayor asked if there were any adjustments to the Regular Agenda or if the Board wished any items to be removed or added to the Regular Agenda. The Town Administrator requested the addition of the Utility Payment Arrangement Update as Item 3 under Old Business. The Mayor requested to move the COVID-19 Operations Update prior to the Public Comment period as to allow Vickie Manning (MTW Health Department Supervisor) to report and leave if she chooses. *It was moved by Commissioner Chesson, seconded by Commissioner Coffield, and unanimously passed to approve the regular agenda as amended.*

The Mayor asked if there were any adjustments to the Consent Agenda or if the Board wished any items to be removed or added to the Consent Agenda. *It was moved by Commissioner Moore, seconded by Commissioner Coffield, and unanimously passed to approve the consent agenda as presented.*

Items approved in the Consent Agenda are as follows:

- (1) Minutes of the July 7 and July 15, 2020 meetings
- (2) Williamston Housing Authority Reappointment – Kenneth Johnson

**COVID-19 OPERATIONS UPDATE**

Vickie Manning, MTW Health Department Supervisor, updated the Board on the COVID-19 statewide and local statistics. There are 23 active cases in Martin County. There are 4 active cases in Tyrell County. There are 17 active cases in Washington County. 54% of the cases in Martin County are male. 2,900 people in Martin County have been tested. She stated the Health Department is accepting appointments for testing. The testing is done via "drive-up."

The Town Administrator reported the Town will continue with the current COVID-19 precautions. He requested Board consideration on softball as the Town was hopeful the State would be in Phase 3 by this time. The Parks and Recreation Director was available for questions and wanted direction as to other sports, such as volleyball, softball and football. The Recreation Director reported the church softball league wants to continue to play. There are other groups that also want to play. There are approximately three more weeks of softball on the schedule. Commissioner Chesson recommended continuation of registration to be prepared to continue with the season if allowed. The Town Attorney requested liability aspects of this discussion to be handled in Closed Session under Attorney/Client Privilege.

**PUBLIC COMMENT**

None

**OLD BUSINESS**

**Code Enforcement Priority List with Estimates**

The Town Administrator presented a priority list with estimates as directed by the Board. The Bowen Sign Building was estimated at \$4,100 but have received a quote for \$8,000. He reported the demolition of the Mitchell Photography building will have a major impact on the annual demolition budget. The Mayor questioned who provided the estimates. The Town Administrator reported he and Town Planner and Zoning Administrator provided the estimates.

He reported the residential demolitions will be delayed until the Mitchell Photography building is demolished in an attempt to remain within the current budget. Commissioner Moore questioned if the Mitchell Building was included in the budget. The Town Administrator reported more funding was budgeted for Code Enforcement to address the properties. Commissioner Knox reported the Mitchell building has been an ongoing problem which needs to be handled first. The Town Administrator reported the possibility of a grant to demolish the Mitchell building if the owner donates to the town. Commissioner Chesson reported all of the items on the list are paramount as the amounts given will and the Town needs to make a statement. The Town Planner and Zoning Administrator reported concern as regular lot mowing consumes one-third of the Code Enforcement budget and wanted the Board to be aware other items are handled under the same budgeted line. He wanted the Board to be aware there will have to be a budget amendment later in the year if the Board moves forward with all items on the priority list. Commissioner Chesson questioned how under budget the Town was for 2019/2020. He is counting on excess funds to handle all of the items on the priority list. *A motion was made by Commissioner Chesson to proceed with the demolition of 110 Perry Street, Bowen Sign building, 415 N. Haughton Street and remove debris plus area preparation for the Magnuson property, seconded by Commissioner Coffield and unanimously passed.*

#### **Approval of Mitchell Building Donation**

The Town Administrator reported a Code Enforcement letter has been sent to Mr. Mitchell regarding the Mitchell Photography building which gives him 75 days to bring the property to code or demolish the building. Mr. Mitchell indicated he has no intention to do either but would rather donate the property to the Town. If the Board accepts the donation, the Town will work with the Town Attorney for the property transfer and apply for a Demolition grant. He is hopeful to receive notification about the CDBG grant in October and should have a contractor at that time to begin demolition. The Town Administrator reported the taxes have not been paid on the property. The Town Attorney reported at least three years of back taxes are owed to the Town and County. The Town Attorney reported Mr. Mitchell has offered to donate the Mitchell Photography building to the Town. The Board has to accept the donation prior to conveying the property to the Town. The Town Administrator reported a meeting could be held in the next week to convey the property. The Mayor questioned if the Board needs to make the decision as to when the County taxes are paid. The Town Attorney reported the only decision that needs to be made at this time is whether to accept the donation the Mitchell Building. *A motion was made by Commissioner Moore to accept the donation of the Mitchell building, seconded by Commissioner Coffield. Commissioner Chesson requested the motion to be amended to the donation must be no later than August 17, 2020. The amended motion was passed unanimously.*

#### **NEW BUSINESS**

##### **Utility Payment Arrangement**

The Town Administrator presented a payment arrangement plan to the Board. Per Board direction, the plan will allow nine months to pay the utility arrears. The original payment arrangement had a clause that would void the agreement if a payment was missed and the full amount would become due immediately. The Attorney General interprets this as another penalty and payments would be caught up within the next month. The plan presented is more advantageous to the citizens than the prior plan. Commissioner Moore questioned that, even if the document is signed, a citizen misses a payment on the plan, water would not be turned off? Town Administrator reported water would be disconnected for current bill plus the monthly payment due on the arrangement. In the previous plan, the entire past due amount would become immediately due and water would have been disconnected until payment is received. The computer system is not designed for this and is a learning curve for the department. The Mayor questioned if citizens have been told they can make higher payments during any month to reduce the amount due the next month. Jeneane Everett, Payroll Supervisor, reported there will be many variations and plans to work with the citizens. *A motion was made by Commissioner Knox, seconded by Commissioner Chesson to accept the utility payment arrangement*

##### **ACCEPTANCE OF FISCAL 2019 AD VALOREM TAX SETTLEMENT AS OF JUNE 30, 2020 REPORT**

Jeneane Everett reported as Tiffany White was unable to attend. She reported that the original tax levy was \$2,683,766.82. The uncollected tax as of June 30, 2020 is \$281,897.03. The 2019 tax collection rate and deductions are at 92.468%. Ms. Everett reported the tax collection rate would have been 93.286% if Walmart had paid on time. The Tax collection and deductions for the 2019 levy were 89.420%. Ms. Everett requested, in accordance with G.S. 105-373(a) that the report be approved and accepted as a settlement of the 2019 Ad Valorem Tax Levy. Commissioner Coffield questioned the discoveries. Ms. Everett reported the tax assessor finds property when performing assessments and adds the properties to the list. The Mayor questioned why the Mitchell Building was not listed. Ms. Everett reported all delinquent taxes are published in the newspaper but not all were listed for this report. *It was moved by Commissioner Chesson seconded by Commissioner Moore and unanimously passed to approve the Fiscal 2019 Ad Valorem Tax Settlement report as presented.*

#### **TAX ORDER TO COLLECT FISCAL 2020 PROPERTY TAXES**

Jeneane Everett requested approval of the Tax Order to Collect Fiscal 2020 Property Taxes in accordance with G.S. 105-373(a). *It was moved by Commissioner Coffield, seconded by Commissioner Moore and unanimously passed to approve the Tax Order to Collect Fiscal 2020 Property Taxes as presented.*

#### **Consideration of Community Garden**

The Town Administrator reported a request of the Williamston Community Gardeners to establish a community garden in Williamston as a public service. If the Board approves, an easement for the community garden would be created for with a term limit of one year. The Town Attorney reported if the agreement is in the form of a lease, the Town Administrator would be authorized to renew the agreement annually without bringing it before the Board in the future. Commissioner Coffield questioned who furnishes the seeds or plants. The Town Administrator reported the Town will not have any financial responsibility to the garden. The Williamston Downtown Planning and Marketing Coordinator Zach Dickerson reported the Williamston Community Garden is a proposed ongoing community service project. The goal of the Community Garden is to serve as both a place where Williamston residents can participate in a hands-on project while also meeting the need of food insecurity. The proposed location of the community garden is in the lot adjacent to Martin Memorial Library at 302 N. Smithwick Street. They are asking permission to use the property with the expectation that the agreement be reviewed on a yearly basis. The group, Williamston Community Gardeners, currently has 23 members and hopes to grow participation in the future. While the community is encouraged to participate, there will be set people who are designated to maintain the garden. The group seems very organized. Walmart has already donated 200 plants to get it started. The plan is for each member to take over a section. There will be baskets onsite for anyone to pick vegetables at no cost. Commissioner Chesson reported the idea is great but the location is highly travelled with limited parking. Dickerson reported the parking lots are full except the church parking lots during the week. Commissioner Chesson reported concern over how well manicured the garden would be. While he supports the idea of the community garden, he does not feel the proposed spot is a good area. Dickerson reported the garden would be a good fit per the zoning ordinance and would increase utilization with the location beside the library. He stated there will be semi-raised areas in the garden. The Town currently mows the lot but the Williamston Community Garden would maintain the garden area. Commissioner Chesson expressed concerns over the maintenance which could be addressed as the agreement is only for one year. Commissioner Knox reported parking in the area was already bad. The Town Attorney reported stipulations for parking could be added to the lease. Commissioner Chesson questioned if they need alternative sites as he offered the use of his 10-acre property by the hospital. There is plenty of parking and a pond for water supply. His only issue with the project is the proposed location. Dickerson reported the area is zoned as "09" (office and institution). Commissioner Chesson suggested Dickerson to speak with the committee concerning other areas. *Commissioner Chesson motioned to table the discussion, seconded by Commissioner Coffield and unanimously passed.*

#### **2020/2021 Street Project Proposal**

The Town Administrator reported Public Works Director Spivey submitted a listing of priority streets that need to paved. The current budget for streets is \$85,000. The streets include a portion of Williams Street, Roberson Street, MLK Drive and Haines Circle. Commissioner Chesson reported Williams Street is concrete and asphalt over concrete will most likely not last long. The Town Administrator will discuss further with the Public Works Director. The Town Administrator questioned if there are any other streets the Board would like added to the list so staff can move forward with obtaining contracts to begin the work in the fall before the asphalt plant closes. *Commissioner Chesson motion to direct the Public Works Director to obtain quotes and prioritize the recommendations, seconded by Commissioner Moore and unanimously passed.*

#### **Approval of Ordinance 2020-12 Setting Speed Limit on Elm Street**

The Town Administrator reported the Board directed staff to install speed limit signs between White Street and Church Street. The proposed Ordinance 2020-12 will make the speed limit sign enforceable. The Mayor questioned the violation portion of "not more than \$50." The Town Attorney reported the violation portion was taken directly from the NC State Statutes. *A motion was made by Commissioner Moore to approve the Ordinance 2020-12 Setting Speed Limit on Elm Street. Commissioner Coffield seconded the motion and the motion was passed unanimously. The ordinance is hereby attached with the minutes of this meeting and incorporated in the Town's Ordinance Book for future reference.*

#### **Discussion of Street Lights for Annexation Area**

The Town Administrator reported Street Light Surveys were sent to 32 residents in the two areas in the Country Club area with a submission deadline of August 3, 2020 to verify the residents would be willing to give the Town an easement to install the lines and poles. Due to a low response or denied easements, there are very few areas where

Dominion would be able to install a light. He plans to send the survey to Dominion to see if there are any alternatives. Prior to meeting with Dominion, the Town Administrator reported he plans to send the survey to the unresponsive residents. A couple of responses denied easements but requested an entry light which is not something the Town does. The Mayor questioned if the area has a spoke person. The Town Administrator reported the survey received previously from one of the residents was not accepted by Dominion which is why there was a need to do an additional survey. The letters are only sent to the residents where easements are required for the project. Commissioner Chesson reported the Town has the responsibility and morally obliged to try to install streets lights per the Annexation agreement. Without approval, the Town will not be able to install lights. *A motion was made by Commissioner Chesson to direct staff to seek approval from existing residents with a submission deadline of August 31, 2020 and based upon those results, seek Dominion Power resources responses to see if the project is financially feasible. Commissioner Moore seconded the motion and the motion was unanimously passed.*

#### **Approval of Administrative Services Contract for Urban Redevelopment Grant**

The Town Administrator reported, at the September 12, 2016 meeting, the Board agreed to accept the Mid-East proposal to assist with the final CDBG Downtown Redevelopment Grant application at a cost of \$3,500 and for the administration of the grant for \$20,000 for a total of \$23,500. The contract for the grant application and administration was never received and signed. The contract has been received and reviewed by the Town Attorney. *A motion was made by Commissioner Chesson to approve the signing of the contract. Commissioner Knox seconded the motion and the motion was unanimously passed.*

#### **Approval of Chamber Request for Outdoor Space and Stage Area**

Chase Conner, Martin County Chamber Director, reported the Chamber applied for an AARP grant to develop an outdoor space in Downtown Williamston. Originally, the space beside the Chamber office was considered. Due to a lien on the property, the property could not be donated. The Chamber is requesting the 140 West Main Street property to be donated to the Martin County Chamber. The Chamber's plan is to build a covered stage at the far end, patio and seating area off the Main Street sidewalk, and above ground gardening boxes along the building wall that will spell out "Williamston" along its side. The Town Administrator reported the Mitchell Building would have been a great location except the demolition grant stipulates the use of the property as commercial. If the Town tore down the building without the grant, the timeline would be too close to the end of the AARP grant timeline. The grant is for \$15,000 for renovation and upkeep of the lot. *A motion was made by Commissioner Chesson to donate 140 West Main Street to the Martin County Chamber of Commerce for economic development purposes. Commissioner Knox seconded the motion and the motion was unanimously passed. The Town Administrator reported the Town will no longer provide upkeep for the lot once the property is donated.*

#### **Administrator Update**

The Town Administrator reported:

- There is approximately \$67,000 in unpaid utility bills due to COVID-19 and will need to be paid via payment arrangements.
- There was an issue with several meters that did not read properly. The Utility Clerk found some that had read a zero usage for months and some accounts were over 4 years. The citizens were receiving a minimum bill. 50% of the past due was waived and the remainder was charged to the resident with the option of paying the excess over nine months. The Mayor reported it was unfair to charge the citizen for the Town's mistake. The Town Administrator reported other towns still charge as the citizen used the water. Commissioner Knox reported the plan in place is fair as the plan encourages honesty. Commissioner Coffield reported the end user knew something was wrong and should have asked questions. The Town Administrator reported the 13 accounts found is an approximate total of \$10,000 prior to the 50% reduction. Procedures are in place to review the extra reports every few months. The Public Works staff do not see the amount of usage when using the device to wireless take readings as most meters are not manually read. Commissioner Moore reported he would have questioned if his water bill dropped and remained low with the same usage. *A motion was made by Commissioner Coffield to allow the 50% reduction in the amount owed to be paid on a nine-month payment plan. The motion was seconded by Commissioner Knox and unanimously passed.*
- An individual requested at the last meeting to reduce the minimum bills for his mobile home park on Highway 125. Only a portion of the mobile home park has homes in the lots. Commissioner Coffield requested staff to review the options and report back to the Board.
- One of the four EMS units is out of service. This is one that was slated for a remount but was moved to next year in the Capital Improvement Plan. There are enough units to provide service as one was a backup unit. The Finance Director and Fire Chief are reviewing options.

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- The Fire and Police Departments did a fantastic job during the hurricane as many went to Bertie County to provide assistance. While 47% of Martin County lost power, only one household is currently without power.

**CLOSED SESSION**

It was moved by Commissioner Coffield, seconded by Commissioner Chesson and passed to go out of regular session into closed session to address Attorney-client per N.C.G.S. 143-318-11(a)(3) and Personnel matters per N.C.G.S. 143-318.11(a)(6).

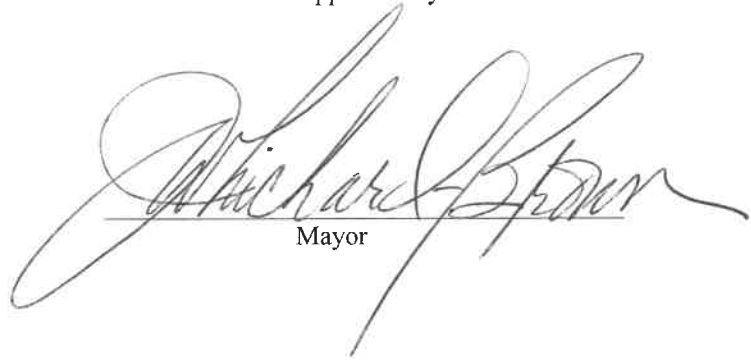
It was moved by Commissioner Chesson to go out of closed session and into regular session. The motion was seconded by Commissioner Coffield and passed.

There being no further business, the Mayor declared the meeting adjourned at 8:23 p.m.

Submitted By:

Approved By:

  
Town Clerk

  
Mayor