

Maiden Town Council Regular Meeting
Tuesday, March 14, 2023, 6:00 PM
Council Chamber, Maiden Town Hall

The Maiden Town Council met on Tuesday, March 14, 2023, at 6:00 p.m. for their regular scheduled meeting, held in the Town of Maiden Council Chamber.

Present for the meeting were, Mayor Max Bumgarner Jr., Mayor Pro Tem Beth Rudisill, Councilmembers Bob Sigmon, Ronnie Williams, Cameron Ramseur, and Holly-Crafton-Lay.

Also, present were Town Manager Todd Herms, Town Attorney Wesley Deaton, and Town Clerk-HR Officer Wanda Barnes

Others attending: See attached sheet.

The meeting was called to order at 6:00 p.m. by Mayor Max Bumgarner Jr.
The invocation was given by Councilmember Cameron Ramseur
The Pledge of Allegiance was led by Councilmember Cameron Ramseur

4. Presentation

MOTION WAS MADE BY COUNCILMEMBER RONNIE WILLIAMS AND MAYOR PRO TEM BETH RUDISILL TO APPROVE RESOLUTION #10 -2023. MOTION CARRIED UNANIMOUSLY 5-0.

5. Approval of Meeting Minutes

MOTION WAS MADE BY COUNCILMEMBER HOLLY CRAFTON-LAY AND SECONDED BY COUNCILMEMBER RONNIE WILLIAMS TO APPROVE THE REGULAR MEETING AGENDA AS PRESENTED. MOTION CARRIED UNANIMOUSLY 5-0.

6. Approval of Meeting Agenda

MOTION WAS MADE BY COUNCILMEMBER HOLLY CRAFTON-LAY AND SECONDED BY MAYOR PRO TEM BETH RUDISILL TO APPROVE THE REGULAR MEETING AGENDA AS PRESENTED. MOTION CARRIED UNANIMOUSLY 5-0.

7. Citizen Request & Comments

Assistant to the Manager, Ms. Anna Hughey states, the Maiden mystery egg scavenger hunt will be held April 1st at 3:00 pm and it's where the businesses downtown and beyond come together. They will give out prizes to adults and kids. There will be a \$300 grand prize for a Food Lion gift card.

Citizens been asking about the new Maiden shirts. Todd, Jess, and I are working on a plan to sell those items. We plan to sell them at Jive after five.

Public Works Director, Bryan Duckworth states, I would like to give you an update on the AMI project. It is a big-ticket item for the next year's budget. We had some wishes and some things that we would like to accomplish with the AMI system. Number one we would like to have one vendor

handle both utilities, so we are not juggling two software's. Number two, we would like to have a simplified network for direct communication. Number three we would like to have remote shut off for both utilities given our customer service the capabilities of shutting off and cutting off remotely from town hall. The final one was a vendor with some experience with integration and the billing software which is encoded. There are all kinds of vendors that make water meters, but there's very few that can handle both utilities both water and electric and have the capabilities of doing the remote shut off for both utilities. Next month you will have the RFP coming before you which is request for purchase. As part of the bid process, we plan to go out for bids. We have looked at some funding options. The most viable is through electricities, grip funding GRP and that stands for grid, resilience, innovative partnership. That is federal money from the bipartisan infrastructure law. There is about \$918 million available for this coming up fiscal year. That grant is administered through the Department of Energy. Their goal, however, is to only fund 10 projects throughout the United States to incorporate that \$900 million. After several conference calls with electricities there is some concerns. The biggest one is it only fund electrical infrastructure. Which means anything that has to do with our water utility is not eligible. The total project has an initial cost budget estimate for \$2.1 million, with a match there is probably only \$700,000. Should we be chosen for that 700,000, there must be a 25% match. That leaves us about \$525,000, which is grant eligible. Maiden and 31 other municipalities are interested in doing AMI. As a combination application through electricities for the grant, we do have some concerns. We already have a very narrow pool when it comes to vendors. The application process is very intensive. I think I have heard the initial application is almost 100 pages. I think we all know what we are up against when dealing with federal money and federal dollars. The other concerns are project delays. The biggest concern to me is contractor requirements. When you are dealing with federal money your contractors must meet certain requirements. The biggest that I am familiar with is Davis Bacon, which says you must pay your employee, the contractor; must pay his employees X amount of dollars. There is extensive paperwork that the contractor must complete to meet those requirements. There is just a lot of strings attached. I am to a point to where I know there is probably \$500,000 on the table, but in the long run is it going to delay the project, is it going to drive the cost of the project up, and is it even going to further narrow the vendor pool? My suggestion and I think it's staff recommendation, that we fund the project in house.

Town Manager Mr. Todd Herms states, the last federal grant required Davis Bacon, when we dealt with electrical contractor. It drove the price up from the lowest bidder. Davis bacon which will drive the price up on the electrical contractors. Even though we can get a grant for \$500,000, it will cost the town more money. When you read the grant, it is set up for larger municipalities. We do have the money in our fund balance set aside for this project.

Councilmember Ronnie Williams states, is it just a one-year project?

Town Manager Mr. Todd Herms states, yes, we were going to phase it in over three or four years. We are finding out that it cost more money. This is a multi-department project, so they all had input and we are all coming to about the same conclusion.

Councilmember Ronnie Williams states, will we be doing any of the work or installation ourselves or strictly on the contractor.

Public Works Director Bryan Duckworth states, I will be turnkey per vendor.

Mayor Pro Tem Beth Rudisill states, the Grip fund is through electricitie, but who is the grant through? Mr. Duckworth states, the US Department of Energy.

Police Chief Tracy Ledford states, Jamie Fletcher our captain, decided he had 30 years of

creditable service and decided to retire. July one is his last day. We will bring him forward later and present him with some items. I would like to recognize Tyler Whisenant, in connection with this, he will assume captain position effective March 1st. Todd was gracious enough to let us make that move which gives him and Jamie time to coordinate together and learn from him as much as possible.

Town Manager Mr. Todd Herms states, the Police Department have been busy on multiple job, and they have done a great job. Street Crew Lead, Josh McCaslin, resign to start his own business. The Customer Service position should be is filled. We are just waiting on the background check to return.

Councilmember Holly Crafton-Lay states, I had a call from Terry Rhine. He was asking about an update on the speed limits on Boyd Street. Chief, didn't you do a street study?

Police Chief Tracy Ledford states, we completed 30 days of studying data and we share the information. I will share that information again.

Councilmember Holly Crafton-Lay states, Todd you sent out and update for the Fire Department grant. Do you have another update?

Town Manager Mr. Todd Herms states, we have submitted all 17 items for the USDA funding grant application. There have been some delays on that and the architect side. It looks like we will have a late Fall or early summer groundbreaking. Nothing has stop, like everything else it is taking three times longer to get anything done. When you cannot walk into an office, sometimes communications get crossed. We have sent the same report five times. It keeps getting lost. The environmental report is one of those items. We are traveling to Raleigh in two weeks, the Chief, Mayor, and I are trying to get more funding. The project is still on go and we haven't cut or delayed anything. No one get in a hurry about anything anymore. Everything asked of staff has been turned in for the USDA and the architect.

8. Consent Agenda

A. Finance Officer's Report (Motion)

MOTION WAS MADE BY COUNCILMEMBER HOLLY CRAFTON-LAY AND SECONDED BY COUNCILMEMBER BOB SIGMON TO APPROVE THE FINANCE OFFICER REPORT AS PRESENTED. MOTION CARRIED UNANIMOUSLY 5-0.

9. New Business

A. Lowdermilk Church & CO LLP Audit contract (Motion)

MOTION WAS MADE BY MAYOR PRO TEM BETH RUDISILL AND SECONDED BY COUNCILMEMBER RONNIE WILLIAMS TO APPROVE THE LOWDERMILK CHURCH & CO LLP AUDIT FINANCE AUDIT CONTRACT. MOTION CARRIED UNANIMOUSLY 5-0.

B. Budget Year 2023-2024 New Positions Advertisement (Motion)

Town Clerk and HR Officer Wanda Barnes states, I come before you requesting to advertise our 2023

2024 budget season new hire positions prior to July 1st. My request is in the best interest of the town for hiring in the current labor market. The early advertising will give me additional time attract the best candidates for each position. The town will be advertising for a Data Manager /Accounts Representative, Meter Technician and the planner position. It is taking an additional two to three weeks to fill positions in the current labor market. If this request is granted, we will begin advertising for these positions next week. Town Manager Mr. Todd Herms states, everyone is aware of the current labor market. We will also have an additional police officer, firefighter, and the position we have open. That is a lot of positions to recruit at one time. Wanda and I discussed getting the positions out there as soon as possible. We are also looking for two employees to retire this year. We will have 8 or 9 positions open at one time.

MOTION WAS MADE BY MAYOR PRO TEM BETH RUDISILL AND SECONDED BY COUNCILMEMBER BOB SIGMON TO APPROVE EARLY ADVERTISING FOR ALL 2023-2024 BUDGET POSITIONS. MOTION CARRIED UNANIMOUSLY 5-0.

C. WPCOG Board Delegates and Alternate (Motion)

Town Manager Mr. Todd Herms states, when Danny resigned, he was the policy board delegate and Holly was the alternate. Holly will now move to the delegate and Mayor ask that Ronnie be the alternate.

MOTION WAS MADE BY MAYOR PRO TEM BETH RUDISILL AND SECONDED BY COUNCILMEMBER BOB SIGMON TO APPROVE HOLLY AS THE DELEGATE AND RONNIE AS THE ALTERNATE FOR WPCOG BOARD. MOTION CARRIED UNANIMOUSLY 5-0.

D. 509 E. Main St. Vacate and Close Ordinance (Motion)

Planning and Zoning Director Blake Wright states, in fall of last year 509 E Main St. went through the tax foreclosure process and it was sold to a new owner and in that process, we have to begin the minimum standards process. Here with us tonight is Chad Powell. He is our code enforcement officer, and he will be able to walk you through what has been done up into this point and what council is deciding on.

Code Enforcement officer Chad Powell states, this matter is concerning the ordinance to vacate and close the property located at 509 E Main St. The property at 509 E Main St. the dwelling on this property is in violation of town and state regulations concerning rental housing standards. The process for addressing violations of minimum housing standards in step one would be to issue a notice of violation and set a hearing date, step two is to hold a hearing and make a decision on how to proceed, step three is to issue an order to repair or demolish, step four allows for a 10 day appeal process, step five is provide adequate time for the property to be brought into compliance, which is usually 90 plus days, step six is if the property is not in compliance with the issue order or not showing satisfactory progress toward compliance you municipality may pass an ordinance to vacate and repair or close and demolish. The cost placed as a lien against the property. When I took over as code enforcement officer for the town of maiden in January of 2022, I immediately noticed that the condition of the dwelling located at 509 E Main St was in violation of the town's minimum housing standards. After an initial investigation of the property, it was discovered that foreclosure proceedings were pending, and the property had no real owner at the time. I had to wait until the foreclosure process has been completed. The foreclosure process for this property was near completion around September of 2022. The new owner was Mr. Jason Cox who had won the

foreclosure bidding process. I initiated the minimum housing process with Mr. Cox on September 12th, 2022, by mailing out notices of violation via certified and regular mail under general statute 160D-1206. Mr. Cox contacted me by phone on September the 14th, 2022 and he informed me that once he finalized his purchase of the property, he planned to fully renovate the existing house on the property and retain it as a rental property or resale it. My phone call with Mr. Cox on September the 14th, 2022, served as the minimum housing hearing for this case. I provided Mr. Cox with a deadline extension of 60 days in order to allow the needed time to finalize his purchase of the property and to take official ownership of the property. I spoke with Mr. Cox again on November the 4th, 2022, and he stated that he had completed the purchase of the property and that he had construction personnel and structural engineers to look at the property. They had assured him that the house can be repaired at a reasonable cost instead of being demolished. Due to Mr. Cox desire to renovate the dwelling as well as a variety of other factors including the age and potential historic value of the house square footage. I issued Mr. Cox an order to repair on December the 5th, 2022 which carried a 90-day deadline. The deadline of that order was set for march the 6th, 2023. Mr. Cox contacted me on February the 2nd 2023 and he stated that he had experienced problems with his contractors canceling which is why he had not had any work completed on the property. Today, the property remains in violation of the town's minimum housing standards. The next step in the process for minimum housing is authorized under 160D-1203 subsection. The town can require the property to be vacated and closed by ordinance until the necessary repairs are completed. The only action currently required in this ordinance, would be for me to push placards on the property. There are no expected costs to be incurred. The town action is a close ordinance be adopted. It will become unlawful for the property to be utilized for human habitation purposes. The property owner will still be authorized to complete the renovation work to get the property up to standards. The property should remain vacated and closed for a period of one year pursuant to this ordinance. Further actions can then be taken by the town and in accordance with 160D -1203 subsection 6 pertaining to the owner's abandonment of intent to repair. If the property should continue to remain unproved after the one year. That action would likely result in demolition.

Mr. Jason Cox states, I just got title to the property on February 14th, and I have been in contact with contractors. I am basically here to let you know I am in the presence. I am trying to make the effort to get contractors.

Town Manager Mr. Todd Herms states, they could approve the ordinance tonight and then if Mr. Cox needed more time, it will be based off what he has gotten accomplished.

MOTION WAS MADE BY COUNCILMEMBER RONNIE WILLIAMS AND SECONDED BY COUNCILMEMBER BOB SIGMON TO APPROVE THE 509 E MAIN ST VACATE AND CLOSE ORDINANCE. MOTION CARRIED UNANIMOUSLY 5-0.

E. Planting Tree Water Plant Property (Motion)

Planning and Zoning Director Mr. Blake Wright states, this motion is to add additional trees on the water plant property. The water plant has been successfully demolished at this point. The staff is recommending taking about an acre and a half down near the water plant Rd. Providence mill and replanting that with trees. Staff has been in contact with the forestry service about getting seedlings and getting that replanted. We have an additional meeting with them soon but would like to approval of council to move forward with having some trees as barriers. We will leave the bottom portion open so that Public Works can access the dam if needing work to be done.

MOTION WAS MADE BY COUNCILMEMBER BOB SIGMON AND SECONDED BY MAYOR PRO TEM BETH RUDISILL TO APPROVE THE PLANTING TREE WATER PLANT PROPERTY. MOTION CARRIED UNANIMOUSLY 5-0.

10. Ordinance/Resolutions

- A. Ordinance #13-2023 An Ordinance to Amend the FY 2022-2023 Budget Water Plant Dam. (Motion)

MOTION WAS MADE BY COUNCILMEMBER HOLLY CRAFTON-LAY AND SECONDED BY MAYOR PRO TEM BETH RUDISILL TO AMEND THE 2022-2023 BUDGET WATER PLANT DAM. MOTION CARRIED UNANIMOUSLY 5-0.

- B. Ordinance # 14-2023 An Ordinance to Amend the FY 2022-2023 Budget in the Capital Reserve Fund. (Motion)

MOTION WAS MADE BY COUNCILMEMBER RONNIE WILLIAMS AND SECONDED BY COUNCILMEMBER HOLLY CRAFTON-LAY TO AMEND THE 2022-2023 BUDGET IN THE CAPITAL RESERVE FUND. MOTION CARRIED UNANIMOUSLY 5-0.

- C. Ordinance # 15-2023 An Ordinance to Amend the FY 2022-2023 Budget in the Capital Reserve Fund 60. (Motion)

REMOVE 10.C Ordinance 15-2023.

- D. Ordinance #16-2023 An Ordinance to Amend the FY 2022-2023 Budget in the Capital Reserve Fund 60. (Motion)

MOTION WAS MADE BY MAYOR PRO TEM BETH RUDISILL AND SECONDED BY COUNCILMEMBER CAMERON RUMSEUR TO AMEND THE 2022-2023 BUDGET IN THE CAPITAL RESERVE FUND 60. MOTION CARRIED UNANIMOUSLY 5-0.

- E. Ordinance # 17-2023 An Ordinance to Amend the FY 2022-2023 Budget in the Capital Reserve Fund 60. (Motion)

MOTION WAS MADE BY COUNCILMEMBER HOLLY CRAFTON-LAY AND SECONDED BY COUNCILMEMBER CAMERON RUMSEUR TO AMEND THE 2022-2023 BUDGET IN THE CAPITAL RESERVE FUND 60. MOTION CARRIED UNANIMOUSLY 5-0.

- F. Ordinance # 18-2023 An Ordinance to Amend the FY 2022-2023 Budget in the General fund – Powell Bill. (Motion)

MOTION WAS MADE BY COUNCILMEMBER BOB SIGMON AND SECONDED BY COUNCILMEMBER RONNIE WILLIAMS TO AMEND THE 2022-2023 BUDGET IN THE GENERAL FUND -POWELL BILL. MOTION CARRIED UNANIMOUSLY 5-0.

- G. Ordinance # 19-2023 An Ordinance to Amend the FY 2022-2023 Budget in the General Electric and Water & Sewer Fund. (Motion)

MOTION WAS MADE BY MAYOR PRO TEM BETH RUDISILL AND SECONDED BY COUNCILMEMBER BOB SIGMON TO AMEND THE 2022-2023 BUDGET IN THE GENEARL ELECTRIC AND WATER AND SEWER FUND. MOTION CARRIED UNANIMOUSLY 5-0.

- H. Ordinance # 20-2023 An Ordinance to Amend the FY 2022-2023 Budget in the CDBG Grant Fund 56. (Motion)

MOTION WAS MADE BY COUNCILMEMBER HOLLY CRAFTON-LAY AND SECONDED BY MAYOR PRO TEM BETH RUDISILL TO AMEND THE 2022-2023 BUDGET IN THE CDBG GRANT FUND 56. MOTION CARRIED UNANIMOUSLY 5-0.

- I. Ordinance # 21-2023 An Ordinance to Amend the FY 2022-2023 Budget in the CDBG Grant Fund 56. (Motion)

MOTION WAS MADE BY COUNCILMEMBER RONNIE WILLIAMS AND SECONDED BY MAYOR PRO TEM BETH RUDISILL TO AMEND THE 2022-2023 BUDGET IN THE CDBG GRANT FUND 56. MOTION CARRIED UNANIMOUSLY 5-0.

- J. Resolution #9-2023 An Resolution Approving Disposal of Donation of Various Computer Equipment pursuant to N.C.G.S. 160-280. (Motion)

MOTION WAS MADE BY COUNCILMEMBER CAMERON RAMSUER AND SECONDED BY BOB SIGMON TO APPROVE THE DISPOSAL OF COMPUTER EQUIPMENT. MOTION CARRIED UNANIMOUSLY 5-0.

11. Adjourn

MOTION WAS MADE BY COUNCILMEMBER BOB SIGMON AND SECONDED BY MAYOR PRO TEM BETH RUDISILL TO ADJOURN AT 7:08 PM MOTION CARRIED UNANIMOUSLY 5-0.

Respectfully Submitted:
Wanda Barnes, Town Clerk

Max Bumgarner Jr., Mayor

ATTEST:

Wanda Barnes, Town Clerk