THE FOUR HUNDRED AND NINETEENTH SESSION OF THE BOARD OF ALDERMAN
VILLAGE OF ALAMANCE
APRIL 22, 2013 – 7:00 PM

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

Absent:

Alderman Crouse gave the invocation.

Mayor Pro Tem Sharpe moved to approve the March 25, 2013 meeting minutes. Alderman Slaughter seconded the motion. The motion passed unanimously.

OLD BUSINESS

Website

Clerk York reported that all of the files for the website have been converted. The test site has been readied, but is not "live" yet. He will be updating the website with the meeting minutes and ordinances. It will then go "live" and will look just like the old website. The only difference is that the photos of the Council members are to the side, with the information on the right of the page. Other than this, the website looks exactly the same. It will be easy to use and update. Announcements can now be posted on the website. A new photo could be made of the new Board at the next meeting. The website itself is ready to go "live" this week, with just the individual photos of the Board members, until a new group photo is made.

Report on Cabin Pump Station Project

Mark Reich stated that there is not a tremendous amount to report. He did send out letters to all the property owners. There are three property owners, including one across the street, Mr. Kirkpatrick. He may not have been contacted previously. The letter was sent last week, informing property owners that surveying would be done. A copy of the map of the project was included with the letter. Mayor Bundren asked for the names of the property owners involved. Mr. Reich named the property owners: Tim Crouse, Mr. Shoffner, and James Kirkpatrick, who is on the north side of the creek. Mr. Kirkpatrick has a Kirkpatrick Road address. The property owners have been notified of surveying in the near future. Clerk York has received copies of the letters. Mayor Bundren asked Mr. Reich if he had heard anything from the DOT. Mr. Reich replied that he has not heard anything yet. He will follow up with the DOT. Instead of referring to this project as the Cabin Road Pump Station Project, it will be referred to as the Cabin Road Outfall Sanitary Sewer Extension & NC 62 Pump Station Upgrade. The survey work will be done in the very near future. Contacts have also been made with some sub-consultants about doing some geo-technical work.

Historic Commission

Clerk York distributed copies related to this agenda item. At the last meeting, there was discussion about the Historic Commission. Clerk York referred to the resolution that was originally passed in 2010. Mayor Bundren observed that the guidelines state that the Historic District Commission must contain some members that own property. There could be some

members outside of the historic district. Clerk York said that at least one member must own property in the Historic District. Mayor Bundren questioned whether Alderman Slaughter could serve on the Commission. Clerk York noted that there is nothing written which prevents an Alderman from serving on the Commission. It is a 5-member Commission, with 3 members from the historic area, with at least one from outside the area. There are 4-year terms for each member, staggered, so that there is an opening every two years. Section Five sets up how the terms are staggered. When the Commission is first set up, two members will be given 2-year terms, while the other members are given 4-year terms. When the first two years are completed, all the terms will be 4-year terms, to achieve the staggered terms from that point forth. The Commission will meet once a quarter and also as needed. Mayor Bundren asked for the minimum and maximum number of members on the Commission. Clerk York pointed out the second clause that establishes 5 members on the Commission. Alderman Slaughter reported that she had received a list of names and telephone numbers from Clerk York. What concerns her is the requirement stating "the majority of the Commission's members must have demonstrable expertise in areas of neighborhood preservation, architecture, planning, and history, or other areas directly related to these." She asked whether prospective members should be questioned about their expertise. Clerk York suggested this clause could be removed from the resolution, then the Board could appoint anyone they wished. Alderman Tichy observed there is not that large of a pool of people living in the area, to find those with expertise. Mayor Bundren asked Mr. Reich about serving on the Commission. He commented that, as an engineer, he didn't know that he qualified for the Commisson. Mayor Bundren asked if Mr. Reich could serve as a consultant to the Commission. Attorney Bateman responded that Mr. Reich could serve. Mr. Bateman also said . Mayor Bundren asked Attorney Bateman about changing the resolution. Mr. Bateman stated that the Board needs to adopt a resolution deleting paragraph #5 and amend the resolution to reduce the membership to three, two of which live within the district, and one outside the district. Members do not have to be residents of the Village and a member of the Board may serve on the Commission. Clerk York pointed out that the Historic Guidelines state there must be 5 members on the Commission. He asked if the Historic Guidelines could also be amended. Mr. Bateman replied affirmatively. Alderman Tichy suggested the amendment could be a minimum of 3 members and a maximum of 5, if they wanted to keep this open. Clerk York said he just wanted to make sure they have the ability to amend the Historic Guidelines. Mayor Bundren asked about having a Board member to serve on the Board as well. Mr. Bateman stated the amendment could allow a Board member to serve. Alderman Tichy made the motion to adopt the amendments as spoken. Alderman Crouse seconded the motion. The motion passed unanimously.

ORC Report

Arnold Allred reported that there were some problems this past week. All three pump stations were out of power. The Birch Station generator ran without any problems. When the power came back on at the NC 62 Pump Station, one of the pumps kept running. One of the floats had gotten stuck, with a 6-inch build up of grease. Jerry Warren looked at it, and talked with the City of Burlington. The City of Burlington will probably not charge for the work needed. Jet line cleaning, about 4000 ft., must be done every year. They will begin work on this pretty soon. They will be working in the Heritage Glen area this time, at the end of Liberty. The Birch Outfall was done last year, and NC 62 was done the year prior to that. Mr. Allred asked if there were any questions relating to the collection system. The Board had no questions. Mr. Allred then addressed the distribution system. Ten more valves have been exercised, along with seven more hydrants. They are taking photos of these and will get them to Clerk York eventually. There is an automatic flusher in the Town Hall building, and there is one at NC 62. Mr. Allred would like to add an automatic flusher at Ashe Drive. The cost would be less than $500.00. Mayor Bundren asked how much water is used each time it is flushed. Mr. Allred answered the one at the Town

Hall is 200 gallons per day, the one at NC 62 is 350 gallons. It is probably 200 or 300 gallons per day for Ashe Drive. They will meter that, it will not be like a loss. They will be able to account for the water. Now, they just open the line and let it flush, without knowing how much water is flushing. Mayor Bundren asked Clerk York if funds were available in the current year's budget. Clerk York indicated that there are funds available in Miscellaneous and Miscellaneous Supplies. There will be more lead and copper sampling in May, along with THM and HAA5 sampling. Alderman Tichy asked if this was the one that the City of Burlington failed last time. Mr. Allred said the Village had to switch their sampling because Burlington decided to do theirs on a different month.

There was no additional Old Business.

NEW BUSINESS

Cleaning of Curbing on Hwy 62

Mayor Bundren noted that the cleaning of the curbing on NC 62 was done last year for $150.00. The same person is willing to do the work again this year for $250.00. Mayor Bundren said she would let him know that this will be okay.

Budget Amendment

Clerk York presented the Budget Amendment items. One included the travel reimbursement for the Town Clerk or the Assistant. Also, under the Water Fund, to add $300.00 to Postage for one more purchase for envelopes, before the end of the year. The $200.00 for travel reimbursement is taken from Bank Charges. The $300.00 is taken from Accounting, under the Water & Sewer Fund. This is just to shore both of the line items up before the end of the year. Alderman Tichy made the motion to amend the budget. Mayor Pro Tem Sharpe seconded. The motion passed unanimously.

Finance Report

Clerk York presented the Finance Report, observing there was not a written report in the packet. He will go to the bank tomorrow. The new rate for the CD will be .5%. Clerk York also introduced discussion about an assessment, providing documentation. There is a sewer assessment at 2821 Cardinal Lane, the house once owned by Ginger Bright. Ms. Bright passed away about 1 ½ years ago. The house has been empty since that time. There is no sewer service; there is a line that goes through there. Ms. Bright never hooked on to sewer service. This house has never had a sewer account before. HUD has purchased the property. A company called PK Management Group is handling the property for HUD. There is a buyer who wishes to purchase the property. They are wanting to close on the property. Clerk York received a telephone call last week. He informed them that there was an assessment on the property. He is now in correspondence with them. Clerk York received a telephone call from a law firm in Charlotte, NC doing the title search. Next, he was contacted by PK Management Group. They wanted documentation to show the assessment balance. Clerk York sent in a tax certification, which shows the balance and the amount of interest accrued year-to-date. The original principal was $18,063.00. The interest that has accrued is $4, 035.31. The original assessment was done in 1994. It was designed to be paid out, once a year, until 2000, with six installments. No payments were ever received. The interest has accrued to the point where it is now. PK Management Group contacted Clerk York, saying they wanted to make arrangements to pay the assessment. Clerk York spoke with Becky Loy and obtained a statement that shows the amount accrued up to

June 30, 2012. It does not show the amount that has accrued since June 30, 2012. It was returned to Clerk York saying there is no reference date, and asking about the late fees, the interest and miscellaneous charges, lien fees, and administrative fees. Clerk York spoke with PK Management Group by telephone today, explaining there were never any payments received. This is the total amount of interest that has accrued. Clerk York will try to obtain documentation that shows the interest accrual, year by year. It accrued up to a point, then when it reached around $3100.00, the Board decided, at that time, to have a fixed amount of interest applied to it. Each year, $255.91 was going on it, each year there was not a payment. Clerk York summarized that this was the background on the assessment, up to this point. Today, Clerk York was asked if it was lienable. Attorney Bateman added . Clerk York stated that the assessment was first done in 1994. In 1998, there was an attempt to collect again and another amortization schedule was printed. This was done again in 2001. Reprinting an amortization schedule does not start it over. The title search individual had asked if the Village would be willing to settle for an amount. Clerk York answered that this matter would have to be discussed with the Board. PK Management has not asked about settlement. Clerk York's question relates to how to address this question, if asked by PK Management. He can't make them pay the assessment. Because there is no sewer, at some point, if someone wishes to connect on to sewer, they will have to pay some kind of a fee. There is not even a tap out there. The total of $1813.00 is a combination of the original assessment of $1413.00, and the tap fee of $450.00. At what point does Clerk York allow them to go forward and close, as PK Management Group has not been satisfied with what documentation they have received thus far? Attorney Bateman said the Village has no lien. Mayor Bundren stated that if the Village cannot collect from them now, it can collect when it is assessed again. Attorney Bateman stated . Clerk York asked if they could look at the current footage rates. Attorney Bateman said . Clerk York noted the tap fee would be added to that, if a tap was required. Alderman Tichy asked what the amount of the bill would be now. Clerk York answered he didn't know, not knowing the linear footage. He will look that up and find out. Attorney Bateman added . Alderman Tichy said they should settle for whatever the current fee is, for the line and the tap. This will have to be paid, sooner or later. Clerk York said he could tell them the balance, and state that they could either pay that amount or at the time of the hook on, pay the prevailing rates for the tap and the footage rate, if they decide to connect on to the sewer service. Mr. Reich suggested that the calculations be done in advance. Alderman Tichy recommended giving them the option to pay it now, so they don't have to deal with the homeowner. He would rather the closing company pay, rather than the homeowner who would likely complain about the cost. The closing company would understand the cost. Mayor Bundren asked about the cost of front foot assessment. Clerk York said the water is $15.00 and the sewer assessment is $25.00. Alderman Tichy surmised the cost would likely be $2500.00, plus the tap fee. Clerk York stated the 4-inch sewer tap fee is $550.00, so the total could be $3050.00 if there were 100 feet. He will make them aware of the cost. Alderman Tichy observed the assessment would be about half of the cost. Clerk York summarized that he couldn't stand in the way of the closing, if PK Management Group decided not to pay the assessment. Alderman Tichy concluded that they would be informed of the cost, if ever they wanted to connect to sewer service.

OTHER BUSINESS

There was no other business.

PUBLIC COMMENT

There was no public comment.

Alderman Crouse moved to adjourn and Alderman Tichy seconded. The motion passed unanimously and the meeting was adjourned.

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_____Cathera R. Bundren, Mayor

_____Ben York, Village Clerk