

THE THREE HUNDRED-NINETY SECOND SESSION OF THE BOARD OF ALDERMAN  
VILLAGE OF ALAMANCE  
JANUARY 24, 2011 – 7:00 PM

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

Absent: Alderman Jones.

Alderman Clemmons gave the invocation.

Mayor Pro Tem Sharpe moved to approve the December 13, 2010 meeting minutes. Alderman Tichy seconded and the motion passed unanimously.

**OLD BUSINESS**

**CDBG PROJECT**

Mark Reich reported that not much has been done since the last meeting. The recent snow and rain have impacted the project. The contractor did start back today and some pipe was laid. He has run into some rock. A hammer hoe will be brought in tomorrow to get that portion of rock out. A week or two of dry weather will allow the contractor to make good headway on the project. There is still plenty of time in the contract to get the work done. Mark Reich noted that working in inclement weather would create more of a mess and would likely generate complaints.

**Report on Cabin Pump Station Project**

Mark Reich commented that he had nothing new to report but would be glad to answer any questions. The Mayor stated that there had been discussion at the last meeting about going ahead with the PER and the Environmental Report. Alderman Tichy asked if the \$10,000 was still a valid cost for the project. He said that he preferred to proceed with the environmental review and the engineering report. He noted that this has been on hold and a decision needed to be made whether to put in an access road to the pump station or eliminate it. Right now, the Village is looking at the lowest construction and interest costs in the foreseeable future. To put a generator into the pump station would cost between \$24,000 and \$40,000. Ongoing costs are a concern. It will become a bigger problem as time goes on, with the CDBG Project feeding into that pump station, and the new homes in Heritage Glen being added to that pump station. If the final phase of Heritage Glen is built, there will be another 40 homes on that pump station. Alderman Tichy reiterated that a decision needs to be made, stating he felt the station should probably be eliminated, but that an engineering report was needed prior to the decision-making, along with information on fund availability from the government. He stated that the Village should proceed with the environmental review and the engineering report at this time. Mayor Bundren asked if anyone else had questions.

Alderman Crouse said his only concern all along has been the rock. He would like to see that area drilled and see how deep the rock actually is. Mark Reich said this could be done as part of the engineering report. He could utilize ECS to determine the amount of rock. Alderman Crouse stated he thought that would be best. Alderman Tichy said he supported that idea. Mark Reich responded that ECS could do three or four selected points, without doing a lot of clearing, to do

some test drilling. Mr. Reich said that some test drilling could be done as part of the PER. He could then utilize a full study from ECS to get a more accurate estimate of the rock.

Mayor Bundren asked how much was budgeted for rock. Mark Reich responded that the budget for this had been raised to about \$40,000. Mark Reich stated that \$80,000 had been paid for the bore underneath the creek. He based his estimate on this, because the bids for the Second Connection had just been received. The next lowest bid was \$120,000 or \$130,000. He raised the budget, basing the average on the two or three lowest bidders, raising the amount by \$40,000 or \$50,000. He did increase the estimate based on a more reasonable cost figure. Alderman Tichy asked a question regarding the cost the rock would add, from an engineering standpoint. Mark Reich replied this depended on how much would need to be cleared, that would be the biggest cost, perhaps \$1500-\$2000. He said he could obtain a price and let the Board know; it would be best to get a drill rig for this project.

Mayor Bundren asked the Board if they wanted to move forward on this. Alderman Crouse said that based on generator numbers, the Board needed to either move on this or throw it to the side. Attorney Bateman said that we could always move forward on the access road. The cost for litigation was expected to be between \$20,000 and \$25,000. The expected damages would likely be \$15,000.

Clerk York stated there were three original options for the access road. One option would come off of Pond Road. Another option was to construct the road over the existing sewer easement. The third option would utilize Mr. Kimbro's existing driveway. The cost for the latter option was estimated at \$30,000. When added to the cost of litigation, the total comes to \$70,000. Whereas, the cost of eliminating the cabin pump station alone was estimated at \$316,000. Alderman Tichy reminded the group of the ongoing costs of maintaining the cabin pump station including paying Mr. Allred. Arnold Allred said he had spoken with Winston-Salem. They have three siphon systems. They informed him that they have never seen a pump station eliminated and a siphon system put in its place. It is more common to take out a siphon system and replace it with a pump station. Siphon systems do carry their own costs. They have to be checked and cleaned regularly. Mark Reich noted a situation in Graham, where Highway 87 crosses the Alamance Creek, and techniques used there. Mr. Reich also said that the Village's project would involve a dosing tank as opposed to a straight siphon system. Mark Reich said he would get more information from other local municipalities that have siphon systems.

Alderman Clemmons said he agreed that the Board needed to move forward with the environmental review, and that if rock wasn't a big impediment, they needed to move forward with the plan. He stated that the Village would be out of the business of borrowing money for a while. Alderman Crouse noted that, regarding the generators, diesel fuel can "gel" or go bad and would need constant checking. Mayor Bundren noted that it seemed the Board was in agreement and asked for a motion. Alderman Tichy made the motion to move forward with the engineering study and the environmental study. Mayor Bundren asked if the motion would include a study of the amount of rock in the project area. Alderman Tichy preferred that they wait on the cost figures in the engineering report before they ask for a study of the rock. The PER will include some additional drilling to estimate the amount of rock. The engineer will then come back to the board with cost estimates for a full study of the rock in the area. Alderman Crouse seconded the motion made by Alderman Tichy. The motion passed unanimously.

## Sewer Assessments

Clerk York said that he had met with the accountant and spoken with Attorney Bateman. He provided spreadsheets that listed the open assessments on the books. Clerk York said it was determined that some of the assessments are better to write off and some the Village will need to collect. He pointed out that Edwards and Bowman are paid in full according to the amortization schedule. Clerk York said it was up to the Board as to whether to pursue collecting or to write off the interest or all of the balance. After meeting with the accountant and the attorney, Clerk York stated that he suggested both of these be written off. Alderman Crouse noted it would be hard to go back and ask for the assessment given that it is written as paid in full. Mayor Bundren asked for a motion to write off those two assessments. Alderman Crouse moved to write off both Bowman and Edwards. Mayor Pro Tem Sharpe seconded. The motion passed unanimously.

Clerk York then addressed assessments for Mr. Crawley and Mr. Patterson. The Village cannot collect anything from them right now. This will change when they to connect on to the sewer system. Mayor Bundren asked Attorney Bateman to explain why these two assessments do not have to be paid right now. Attorney Bateman addressed the methods of paying for sewer lines. One method is the one used on Birch, Ashe, and a couple of other roads where there is a public hearing and a resolution is adopted to assess the customer for the sewer line; this constitutes a lien on the land, the legislative method for collecting it, paying for it and so on. It's the only way the Village can get a lien and enforce payment on installing the sewer line, other than requiring people to pay when they hook on. For some of the old lines put in, there were some contracts made with people for payment. Attorney Bateman stated he doesn't think the Village ever used assessment procedure practices. Mayor Bundren said that the Village did use the assessment procedure. She stated that she did not understand this at all, because in 1986, when the sewer went up Highway 62, everybody had to pay their front assessment. Then, there was an option of paying it at 5 years with a payment process. Mayor Bundren questioned why there were only two people with this assessment issue now. All of the other people were required to pay their assessment or face a lien against their property.

Clerk York said that Mr. Patterson hasn't made any payments, but the letter said he could pay it monthly, annually, or in full at the time in which he connected. Mr. Patterson does have interest accruing. Mr. Crawley has no interest accruing; he has a letter sent to him saying he doesn't have to pay any interest. This is for the Cabin station; tax map 29. Mr. Crawley is pre-tapped for sewer if ever he connected on. Mayor Bundren asked if Mr. Crawley would pay the \$1500 if he decided to connect on. Clerk York affirmed that was correct. Mayor Bundren clarified that only two, Patterson and Crawley, had letters saying they did not have to pay, that there was no action to be taken for these at the present time.

Clerk York said that Hall and May Sr., being on corner lots, were given two options. They could pay for both the front and side assessment and receive credit for 180 feet of line on the side. The other option was to pay for the front line assessment and then only pay for the side assessment if they connected onto sewer at the side. If they chose to connect at the side, they would have to pay the assessment rate at the time of connection. Clerk York said that the question was whether to continue to accrue interest on an assessment the Village will never collect on.

Attorney Bateman commented on the old letters in the file, saying these individuals are exempt for the first 180 feet on the side. The Board at that time gave these individuals the options that have been pointed out. Mayor Bundren said she did not remember this. Clerk York said that the front line assessment has been paid for both Hall and May Sr. Clerk York asked if the Board wanted to continue to accrue interest on the remaining balance for these two accounts. Mayor

Bundren said that she thought the 180 feet exemption was in case the person wanted to subdivide. Alderman Tichy pointed out that they would not owe the Village anything unless they should subdivide, or tap on. He questioned accruing interest. Mayor Bundren questioned why interest was accrued up to this point. Clerk York clarified that the interest would not continue to accrue, but the balance would still be on the books. Mayor Bundren confirmed this was correct. She asked if this required a motion. Attorney Bateman replied that a motion was not required. She clarified that this just applied to Hall and May Sr.

Clerk York then addressed the four remaining assessments: Walters, Saunders, Bright, and Welch. There is still a debt that has not been paid off. Mr. Walters was set up on a payment plan to last five years. He has paid more than he was originally assessed. However, with interest, he still has a balance. He has two amortization schedules. The first one is the original which shows he paid more than the yearly amount required for the first two years. The second amortization schedule reflects the two payments made in years three and four of the amount required. He still had a balance as of May 2001. The others have balances as well. Ms. Bright has a note written by her stating that she would not be paying the assessment. The Mayor asked if it was the pleasure of the Board to move forward to collect on these four. This was affirmative, and Clerk York clarified that this would include the full amount of interest.

### **ORC Report**

Arnold Allred provided the ORC Report. On the Collection System, under Birch, the pump is out of the shop and scheduled to be put in service. Mr. Allred suggested putting the rebuilt pump back in the building since there are already two working pumps in service at this time. Mayor Bundren asked what it would cost to put the pump in service. Clerk York said that it would cost \$800. Alderman Crouse agreed with Mr. Allred that the pump should be placed in the building. Mayor Bundren asked how a rag got stuck in the impellor of the Birch pump. Mr. Allred said that this is the kind the thing that flows through the sewer lines.

Arnold reported that everything was okay with the Cabin Station. The NC 62 station there was a starter control repaired early in December. The state required inspection of all sewer or creek crossings or manholes was completed right after Christmas; the system looks good. Jerry will work on a few areas once the weather is warmer.

Regarding the distribution system, two leaks were found on the Cabin Road station. Those leaks were fixed last week. Mayor Bundren asked how much difference was being observed in water usage. Clerk York said that there was 800,000 gallons difference from November last year to November this year. December last year, there were 3.6 million gallons purchased compared to 1.45 million this December. Mayor Bundren asked Clerk York if he had talked to Burlington. Clerk York said that he had but that he will need to see what the water usage is like in May or June before he can accurately estimate water lost and ask Burlington for an adjustment. Alderman Crouse pointed out that a year of number differences would be good to have.

Arnold reported that every water valve in the system has been identified and numbered. This information has been entered on a spreadsheet. Mark will be putting this information on a map. Eventually the creek crossings will also be addressed.

Mr. Allred presented updated generator prices for the pump stations. The recent Thursday power outage resulted in a high level alarm for Birch Station. The sewer could have run over in another hour. He has added this to the list as an update. The plan of action was to call a septic tank

hauler to keep ahead of it. Other power outages have been on weekends and holidays. There are no explanations as to why the power continues to go out. The NC 62 Station alarm did not sound for this latest power outage. Mayor Bundren asked about the pricing for a generator for Birch Station. Mr. Allred reported he had found some used generators that should be as good as a new one. He did not get a price on a used generator for the Birch Station, but could do that. Mr. Allred explained a large generator was needed in case both pumps came on at the same time; there would be sufficient power in the worst case scenario. Everything would need to be rewired, transfer switches put in, and pads poured. That is why it is as expensive as it is. Alderman Crouse raised the question of whether grant money could be obtained for purchasing generators. Mr. Reich said that it was possible.

### **Other Old Business**

Mayor Bundren asked if there was any other old business. Mayor Pro Tem Sharpe asked about the fire hydrants. Alderman Crouse reported that all the fire hydrants checked out, the one at Senecal would need to be raised. The fire hydrant at Brookstone and St. George was looked at today. Clerk York said the Village could either raise each of these hydrants or have the homeowner trim around the hydrants. The amount for parts would be \$300 -\$500 for a riser. Clerk York said he would send letters telling homeowners they would need to trim shrubbery around the hydrants. He asked the Board for the okay to tell homeowners they had 48 hours to take action. Mayor Bundren said that the homeowners had been informed of this earlier. She asked if these were newly identified hydrants. Alderman Crouse said that they were identified before but they needed to check whether the hydrants needed to be trimmed or just raised up. Mayor Bundren asked if considering the weather, the home owner be given more than 48 hours.

Alderman Crouse said that the homeowners should be put on notice, informed that the hydrants have been looked at again, and are problems, then give them the options. Clerk York stated that the other fire hydrants in question have been taken care of, though there is one that hasn't been looked at recently. He will talk to this individual.

### **NEW BUSINESS**

#### **Approval of Extermination Warranty**

Clerk York explained that this was an annual warranty, for the termite check. This has been renewed each year since the building was first constructed. The cost is \$165.00 for the year. Alderman Clemmons moved to approve the extension of the extermination warranty. Alderman Tichy seconded and the motion passed unanimously. Clerk York noted that Sawyer Exterminating would complete this work.

#### **Approval of Mowing Contract for 2011**

Clerk York provided base prices for the mowing contracts. Byrd, the current contractor, had the lowest of the three bids. Byrd is keeping the cost the same. The only thing not listed on the Byrd price is \$50 per mowing at the pump station, which brings the \$1500 cost last year to \$2400. Mayor Bundren asked about comparing prices. Clerk York stated that two of the bidders had their quotes broken down, while Triple E described what he would do. Alderman Clemmons asked Clerk York if he was satisfied with Byrd's work. Clerk York replied he does not have any issues with Byrd's. The only question would be if gas costs increase, Byrd might add an

additional \$5.00 charge, but only in advance, with Board approval. Alderman Clemmons moved to approve Byrd's for the 2011 mowing contract. Alderman Crouse seconded and the motion passed unanimously.

### **Approval of Street Maintenance Contract**

Clerk York provided Board members a copy of the bid tabulation and the contract. There were four bids. Mark Reich has labeled specific streets, and prioritized them for the project, which provides for sealing cracks. The Mayor asked about long-term experience of the different contractors. Alderman Crouse made the motion to approve the low bidder, Tom Thumb Asphalt. Alderman Tichy seconded. The motion passed unanimously.

### **Other Business**

Clerk York had two reminders for the Board. He had sent out an earlier email about the MPO. The Village would send a list of which street projects the Board would like to see completed. The bypass is on the main list for the MPO. It is still the top priority for the Village; the study has been done. All that is needed now is the funding, but this project still has the same priority on the list. The list is sent to the State, the State then prioritizes all the other MPOs. Mayor Bundren asked where the bypass is on the State list. Clerk York replied that it is 6<sup>th</sup> or 7<sup>th</sup> on the list. Clerk York asked Board members to submit ideas for projects for the MPO list.

Clerk York also mentioned the City/County dinner which will be held in March. The Village of Alamance will be hosting the meeting this time. Clerk York said the Civitan Hut could be reserved for a fee of \$100.00. Clerk York noted that Dianne Enoch is the Clerk for the Town of Elon and Clerk for the City/County Association. Invitations will actually come from the City/County Association, not the hosting city. Clerk York said the meal would need to be planned, along with the program. Mayor Bundren asked if the Civitan Building was large enough for the meeting, saying that the last time it was crowded. She suggested perhaps round tables could be rented; it was not comfortable space last time. She asked how many usually attended. Mayor Pro Tem Sharpe observed that usually the attendance was 100. Clerk York responded that attendance for the March meeting is usually not as large, not like the attendance at the October meeting. He asked if there were other sites to consider. Mayor Bundren said she had two options for the meal that she might be able to get a good price: Mykanos, the Greek restaurant, or Michelle's Kitchen. Clerk York said he would check about Michelle's Kitchen. Since the next meeting would be late February, Clerk York said he would begin working on the catering and meeting arrangements.

Alderman Clemmons reminded the group that the budget would be coming up. Mayor Bundren agreed that it was time to start working on the budget. Alderman Clemmons and Clerk Ben York, along with the Mayor, will begin looking at the budget.

Mayor Bundren asked if there was any other business. Alderman Crouse remarked that during snow removal, there are some streets in Heritage Glen that have valves still up. If a valve is clipped during snow removal, this would cause problems. Mayor Bundren asked Clerk York to meet with Alderman Crouse to determine where special consideration should be given during snow removal, so that valves are not clipped. After some further discussion, the Mayor asked Clerk York to make sure that streets for snow removal are identified for the contractor.

Clerk York asked whether the Board wanted to proceed with the Proclamation for Triad Sisters Against Domestic Violence, for Teen Dating and Violence Awareness and Prevention Week. February is Domestic Violence Awareness Month. This group, from Winston-Salem, wanted the Village to declare the third week of February “Teen Dating Violence Awareness and Prevention Week.” Mayor Bundren asked if anyone would be coming to speak, or if this was just a Proclamation. She said the Board wanted to be mindful of safe dating practices for teens. There was no motion made to proceed with this Proclamation.

**Public Comment**

There was no public comment.

Alderman Crouse made the motion to adjourn. Alderman Tichy seconded and the motion passed unanimously. The meeting adjourned at 8:11pm.

\_\_\_\_\_Cathera R. Bundren, Mayor

\_\_\_\_\_Ben York, Village Clerk