THE FOUR HUNDRED AND THIRTY FOURTH SESSION
OF THE BOARD OF ALDERMAN
VILLAGE OF ALAMANCE
JULY 28, 2014 – 7:00 PM

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

Absent: Alderman Slaughter

Alderman Clemmons gave the invocation.

Alderman Sharpe moved to approve the June 23, 2014 meeting minutes. Mayor Pro Tem Tichy seconded the motion. The motion passed unanimously.

OLD BUSINESS

Report on Cabin Pump Station Project

Mark Reich provided an update on the Cabin Pump Station Project. They are still trying to obtain easements. He has spoken with Mr. Connett, who is agreeable to the abandonment process described in the last meeting. Mr. Reich has provided a map for Attorney Bateman who will prepare the abandonment document. Mr. Connett is ready and agreeable to sign the easements, provided all the information is in place. Once Mr. Bateman has the document ready, the Board of Aldermen will need to vote on approving it. Mr. Reich has been unable to contact Tim by telephone. He also asked about contacting Ms. Bowman. Alderman Crouse stated he would make some telephone calls to obtain contact information for Mr. Reich. Mr. Reich has also been unable to contact Mr. Kirkpatrick. They have all of the permits and Mr. Reich is ready to go out for bids once the easements are in place. He feels comfortable now that Mr. Connett is "on board" with the project. If they can work with Mr. Tim Crouse, for the station with the dosing tank, and Ms. Bowman, then they can move forward. These are the three key contacts. Mr. Reich had met with Tim earlier and felt that he was agreeable. Clerk York noted that Attorney Bateman was en route to the meeting. Mayor Bundren stated they would address this item further when Mr. Bateman arrived.

ORC Report

Mr. Allred reported on the Collection system. Most of the stations are doing well. The 6 months inspection has been completed. All the manholes, etc. have been checked. Regarding the distribution system, the lead and copper sampling has been completed. In August, they will be doing the THM sampling. Mr. Allred reported that one pump had been "out" for a while at the Cabin Pump Station. The pump was installed on July 2, 2014. Then, there was a high level the following day. There were a couple of problems. When the first pump was put in, the control cable was knocked off, and the other pump pulled the cable up into it. So that pump had to be pulled up, to get to the control cable. When the cable was pulled out, it pulled all the floats down, so then nothing would run. Mr. Allred called Clerk York, and they both responded to the station. An electrician was contacted, and arrived on the scene. There was no overflow and everything was taken care of at that time.

Jerry came in the next week and pulled the pump out. They are now waiting for this work to be completed; the pump needs some work. Mayor Bundren asked if the cable being pulled in had anything to do with the repair. Mr. Allred answered that this shut the station down, but the pump still needed to be repaired anyway. The pump should be back in as soon as Clayton Electric finishes the repairs. Mayor Bundren thanked Mr. Allred for his report.

There was no further Old Business.

NEW BUSINESS

Approve New Speed Limit for NC 62

Clerk York referred to information in the packet. A few months ago the question was raised about the speed limit on NC 62. In 2008, a letter was prepared and sent to NC DOT, asking about reducing the section of NC 62 that has a 45 mph speed limit to 35mph. This would create a more consistent speed limit throughout the Village. The 30mph limit that is posted when you first enter the Village of Alamance would remain the same. Clerk York followed up on the letter, learning that DOT did not have a record of it. Clerk York re-sent the letter. The response now is that, if the Board wishes to have the speed limit reduced from 45mph to 35mph, the Board will need to rescind the ordinance that DOT has, that makes the current speed limit 45mph. The standard speed limit for a town is 35mph. To make the speed limit different requires an ordinance, which Clerk York referred to in the document. By rescinding the ordinance, the speed limit for that section of the Village would automatically revert to 35mph. Once the Board rescinds the ordinance, Clerk York will send the document back to NC DOT. They will then remove the 45mph speed limit signs and replace them with 35mph signs. Mayor Bundren asked if they would place "Reduced Speed Ahead" signs for a time. Clerk York replied that he could inquire about that. Mr. Reich added that typically they put in flags, on a temporary basis, denoting the change. By law, they are required to have "Reduced Speed Ahead" signs whenever the speed limit is changed. Mayor Bundren noted that the ordinance, increasing the speed limit to 45mph, was done in 1993, when there was not as much traffic. Clerk York has also spoken with the Sheriff's Department. They will step up their monitoring of the highway. They will use an alternating schedule, every other day or so, to provide more of a presence in the Village. Alderman Sharpe made the motion to repeal the 45mph speed limit on NC 62 from the southern limit, .027 mile northward to .25 mile. Alderman Clemmons seconded the motion. The motion passed 3-2 with Alderman Crouse and Alderman Gregory voting in the negative.

Finance Report

Clerk York referred to the Finance Report in the packet. There are two CDs which have matured since the last meeting. The total interest earned in FY 2014 was $6,965.00. The CDs which matured will remain at the .55% interest rate.

Clerk York addressed the question of the quotes for a generator. Three different companies have responded. Two of the quotes are approximately $20,000.00 for a 45kw generator or 30kw generator. One other quote suggested using a 60kw diesel generator (the other two quotes are for natural gas). The quote for the 60kw diesel generator is $45,000.00. Clerk York has asked for a quote for a 30-45kw generator from this company. There is a natural gas line that runs through the area. Piedmont Natural Gas has indicated it will cost $1200.00 to $2000.00 to run the line. So the Village could be looking at a cost of $22,000.00 to install a generator at the Town Hall. Clerk York will bring three more comparable quotes to the Board at a later time, but wanted to provide the Board with an update now.

Cabin Pump Station Project (Continued)

Mayor Bundren returned to this item on the agenda, with Attorney Bateman now present at the meeting. Attorney Bateman reported that Mr. Reich has had conversations with Mr. Connett. Mr. Bateman plans to include a release of the old easement in the document creating the new easement. He will then bring it back to the Board for acceptance. It will be easier for Mr. Bateman to do it this way, rather than try to put two documents on record. It makes this more of an exchange, as it doesn't take a process for the release of the easement. Mr. Bateman will get this to Mr. Reich tomorrow.

Mayor Bundren also asked Attorney Bateman on any progress regarding the land the Village acquired. Mr. Bateman replied negatively. Mayor Bundren asked Mr. Bateman if he had any idea about when he might do this. Attorney Bateman indicated he told Clerk York this would need to be contracted out. Mr. Bateman just can't get it done. Mayor Bundren thanked Attorney Bateman for his update.

OTHER BUSINESS

There was no other business.

PUBLIC COMMENT

Mark Kosmos introduced himself to the Board. He and his wife bought a horse farm that is close to the Fire Department. They purchased the property with the intention of opening a wedding venue. It was a working horse ranch. They contacted the county, the state, and set this up as an LLC. Nothing changed, as far as the looks and appearance of the property. It was a foreclosure and there was a lot of work to do, cleaning it up. In the process, they have started booking weddings in advance. They have an event scheduled with the Alamance County Mayors' Committee for Persons with Disabilities in October. Mr. Kosmos contacted Alamance County one more time to make sure they don't have to have a privilege license. He contacted the state again, and they said the same thing. However, the county told him he was just on the border of the Village of Alamance. Attorney Bateman stated that he and Clerk York have talked about Mr. Kosmos' situation. It would be relatively easy for Mr. Kosmos to apply for a change in his zoning. It would not be something that the Board would have a problem with. It would be an easy process that could be done by September or so. Mayor Bundren asked if this required a public hearing. Attorney Bateman responded that this would require a public hearing. Mr. Kosmos informed the Board that they have scheduled weddings in September, and October. He has received the application from Clerk York, to have the property rezoned. The people who own the property behind him are his wife's family. He has a business right-of-way. The other side of the right-of-way is outside the jurisdiction. They talked with neighbors before purchasing the property to see if there were any issues. Mayor Bundren asked how many acres Mr. Kosmos was referring to. He replied that it is 10 acres. Mr. Kosmos passed out photos, showing that they haven't changed the integrity of what the Village is trying to keep for that part of the district. Mayor Bundren asked about the zoning. Clerk York answered that the zoning is RA right now, but it would be rezoned to MU, Mixed Use. Mr. Kosmos stated that everyone loves what they have done, and what they have added. Alderman Gregory asked if the property

was across the street from the Fire Department. Mr. Kosmos informed that, from the Town Hall, you turn left on Rock Hill. Take the first left onto Woody. The right-of-way goes all the way down to Mr. Kosmos' driveway. The venue is named The Farm at Rock Hill. Mayor Bundren asked if all the festivities would take place in the barn. Mr. Kosmos answered that there is also a pole barn, and 10 acres of field that can be used. The old riding range is perfect for parking. He also provided an aerial photo. Some people are using the pole barn for a wedding; some are using it for the reception. The big barn had four horse stables in it, a bathroom, a kitchen. They removed the kitchen, and hung some chandeliers. They went "live" two weeks ago. Mr. Kosmos spoke of higher costs for other wedding venues, adding that their cost will be around $1500.00. Mr. Kosmos summarized that he wanted to introduce himself and work through the process. Clerk York informed that Mr. Kosmos will apply to have the property rezoned from RA to MU. That will go to the Planning Board, which will vote on it. After it goes to the Planning Board, it will go to the Board of Aldermen. The Board will set a Public Hearing date. In between the Board Meeting and the Public Hearing date, the clerk will be required to notify neighbors. An ad has to be placed in the newspaper for the public hearing. Alderman Clemmons asked when the Planning Board would meet. Clerk York stated that the Planning Board meets as called, and could meet in August. The Public Hearing could be held in September. Mayor Bundren asked Attorney Bateman if the Board was opening this up for any other mixed use. Attorney Bateman responded this was pretty good acreage for rezoning. Mayor Bundren asked if the Board did this for one, could others point to this as precedent. Attorney Bateman said each case has its own set of facts, whether good or bad, and whether it's good for the community. If it was one or two acres, it could be considered spot zoning. Ten acres is large enough not to be considered spot zoning. Mr. Kosmos reported that one neighbor's concern was whether he also had to be rezoned. Attorney Bateman stated that the neighbor would be fine. Mr. Kosmos summarized that they wanted to add to the community, not take away from it. Mayor Bundren thanked Mr. Kosmos for sharing his information with the Board and encouraged him to get his paperwork in. She assured him that the Board would follow through on their end, and make a decision in September. Mr. Kosmos thanked the Mayor and the Board.

Attorney Bateman observed that this was his last meeting with the Board of Aldermen. He has retired and will be moving to the coast. He stated that he has enjoyed being with the Village. He commented that this has been a great group to work with. He thanked the Board for the opportunity. Board members expressed their appreciation to Attorney Bateman at this time. Mayor Bateman promised Attorney Bateman he would be receiving a Certificate of Appreciation from the Board of Aldermen. Mayor Bundren thanked Mr. Bateman for all of his help.

Alderman Clemmons introduced Paul Koontz, who has an interest in being the Town Attorney. Mr. Koontz stated that he had practiced with Mr. Bateman for 12 years, where he started to learn some of what he knows, on the municipal side. Now, Mr. Koontz represents Swepsonville and Sedalia. He is very involved in Swepsonville, attending every meeting. He goes to Sedalia three or four times a year. Their budget has been dramatically cut back. Mr. Koontz has submitted a letter to the Board of Aldermen and

stated he was happy to answer any questions. He enjoys working with the communities and enjoys the work. He is familiar with many of the folks that the Village of Alamance works with—Becky Loy and Alley, William, Carmen & King. He is also familiar with many of the same concerns discussed in tonight's meeting. They are doing water line easements in Swepsonville. There is always something going on, when you have a water and sewer system-no doubt about it. He is used to dealing with zoning and related issues. One of the roles of being Municipal Attorney is to get to know the Board and what their direction is; you can't give advice in a vacuum. Advice given really matters as to where that town ends up. On the front end, he would put a lot of time into learning about the Village of Alamance. He would just charge a flat rate per month. Municipal clients should be able to pick up the phone and call anytime there is an issue, without being worried about the meter running. These clients have a public duty to the community. If you don't have that arrangement, they wait. Small towns wait until there's a real problem, when it's something that could have been avoided. Mr. Koontz summarized that he wants to steer around problems, as much as he can. Mayor Bundren asked if Swepsonville had a Clerk. Mr. Koontz informed that Swepsonville does have a Clerk. Mayor Bundren commented that several people had told her the Board should contact Mr. Koontz. His name had come up several times. Mr. Koontz expressed that he thought this position as Village Attorney would be a good fit. He is willing to do the work and take on one more evening meeting. Mayor Bundren said the Board needed to consider the matter. She thanked Mr. Koontz for coming to introduce himself. Alderman Clemmons stated that he has worked with Paul Koontz in numerous capacities. He has represented the bank and customers. In addition, they have worked together on various civic things in the past. Mayor Bundren commented on the wonderful knowledge of real estate that the firm has. She asked if the Board wanted to move forward in interviewing for the Village Attorney's position. It does not have to be put out for bid. She asked Attorney Bateman if he would be available in August. Mr. Bateman replied that he is having surgery sometime in August; if it's early enough he could attend the August meeting. He will be confined for about two weeks. Alderman Clemmons said the Board needed to move forward, as a full group, or a partial group, to start the process. Perhaps there should be some called meetings to formally interview candidates. Mayor Bundren has a short list from Attorney Bateman. She will pursue asking these candidates if they are interested. Mr. Bateman stated there are several well qualified candidates, including Paul Koontz.

There was no other public comment.

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

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_____Cathera R. Bundren, Mayor

_____Ben York, Village Clerk