THE THREE HUNDRED-EIGHTY EIGHTH SESSION OF THE BOARD OF ALDERMAN
VILLAGE OF ALAMANCE
October 1st 2010 – 7:00 PM

Present: Mayor Bundren, Alderman Jones, Alderman Crouse, Alderman Slaughter, Alderman Clemmons, Clerk York.

The Board of Alderman met for its regularly scheduled meeting on Monday, September 27th, 2010 at 7pm. At that time a quorum was not present and so the Board adjourned to Tuesday, September 28th at 7pm. At that time a quorum was not present and so the Board adjourned to Friday, October 1st 2010 at 7pm at the Town Hall in the Village of Alamance. Alderman Jones moved to reconvene the meeting and Alderman Crouse seconded. The motion carried unanimously.

Change Order

Mayor Bundren said that there was a change order for the second connection project. The Board was presented a change order for a riser for the water meter at a cost of $4,000. Alderman Clemmons moved to approve the change order and Alderman Jones seconded. The Motion carried unanimously.

Hwy 62 Bypass Part

Clerk York presented a quote from Charles Underwood to install a bypass connection to NC 62 pump station. The price is $850. Clerk York said that this will allow for bypass pumping in the future if the pumps go out. This would prevent a sewer overflow. Alderman Crouse said that he believes it is money well spent. Alderman Jones asked if the cost included installation. Clerk York said that installation would occur at the same time as the bypass pumping. Alderman Crouse asked Clerk York if in his conversations with the contractor, they had discussed installation. Clerk York said that he believed that this price did include installation. Mayor Bundren asked Clerk York to check with the ORC to see if this price included installation. Mayor Bundren said that the Board could entertain motion to approve the proposal if it means that the connection will include installation. Alderman Clemmons moved to accept the proposal from Charles Underwood for a bypass connection with the provision that it included installation and Alderman Crouse seconded. The motion carried unanimously.

Code of Ethics

A Code of Ethics prepared by Attorney Bateman was presented to the Board by Clerk York. The State has required all municipalities to pass a code of Ethics by the end of the year. The Board will review the Code of Ethics and address it at the October 25th meeting.

Assessments

The next item the Board considered was a list of assessments that are currently on the books. These assessments were brought to the Board's attention by Becky Loy. The assessments are for sewer lines. There are eleven assessments in total. Mayor Bundren said that Mrs. Loy wanted to know if she should continue to accrue interest on the assessments for the preceding fiscal year ending in 2010. Mayor Bundren said that those

that owed assessments were given a five year window to pay the total amount. The interest rate was 8%. Those located inside the city would have to pay their assessments immediately and those outside of the city limits. Alderman Crouse said that these assessments should not be treated any differently than others who had paid. Alderman Clemmons asked why this was coming up now. Mayor Bundren said that Becky Loy had brought this issue to the Board's attention. Mayor Bundren said that she was surprised to hear that these assessments were still unpaid. The assessments should have been paid by now. Alderman Clemmons asked if it was certain that the assessments had not been paid. Mayor Bundren said that Mrs. Loy had records of the balances. Alderman Clemmons asked if there had been others that owed money at one time. Mayor Bundren said there had been others who owed an assessment, but that those others had paid their assessments. Originally, property owners outside the Village limits did not have to pay until they connected on, unless they were annexed into the Village at which time they would have been required to pay their assessment and all accrued interest. Charles Crawley and David Patterson were given letters stating that they would not have to pay unless they hooked on. Mayor Bundren asked Clerk York to check the location of the property for David Patterson's assessment. Some of the assessments have only a small amount due. Mr. Edwards has only $35.37 due at this time. Mayor Bundren suggested writing off the amounts that were small. Alderman Jones said that might cause others to ask that their balances be reduced by the same amount. Alderman Clemmons said that we should treat everyone the same. The Board should require that the balances be paid in full for all accounts.

Mayor Bundren said that the question before the Board tonight is whether the accountant should continue to accrue interest on assessments for the previous fiscal year. Alderman Clemmons said that 8% is not unreasonable for an unsecured loan. However, in a way the loan is secure because the Village could place a lien on the property if the assessment is not paid. Alderman Jones said that if the assessments were not recorded, and the properties have been sold, then the Village may not be able to collect. We need to make sure that these assessments have been recorded. Mayor Bundren said that those that owe assessments should be notified and told that the Village will place a lien on the property if the assessment is not paid. He said that he could not go after the property if it had transferred hands. Mayor Bundren said that she believed that the Board should attempt to collect this money. Alderman Clemmons asked if any documents had been signed establishing the assessments. Mayor Bundren said that she believed that there were documents. Clerk York said that he had the information contained in the files. He would go through them and provide that information to the Board. Mayor Bundren asked that Clerk York provide copies of all the assessments to the Board. Clerk York said that the accountant needs to know if she should continue to accrue interest on the assessments. Alderman Clemmons believed that the accountant should continue to accrue interest until the Board decides what it wants to do with regard to the assessments. Alderman Jones said that if the property owner stopped making payments after the date it was supposed to be paid and the Village did not actively attempt to make them pay, he does not agree with charging them interest beyond that point. Mayor Bundren said that she would ask the accountant what the property owner's would have owed at the five year mark. Alderman Jones asked who bears responsibility if a note is not paid for several years after the due

date. He said that we need to find out if the easements were recorded and if the original property owners still own the property that was assessed. Mayor Bundren asked Clerk York to check with the institute of government to see of they have had similar situations to ours. It was the consensus of the Board that the accountant continues to charge 8% interest at the present time. Mayor Bundren asked if there was any other business.

Clerk York said that Mr. Breeden has asked that the interest on his promissory note be waived. Alderman Clemmons said that we have to treat Mr. Breeden the same as any other debtor. Since he signed the note, he is responsible for his debt.

Minutes

Alderman Jones asked if the minutes had been approved. Seeing that they had not been approved, Mayor Bundren entertained a motion to approve the minutes. Alderman Clemmons moved to approve the minutes of the August 23rd meeting and Alderman Jones seconded. The Motion carried unanimously.

Other Business

Mayor Bundren mentioned that Allen Hart will be our new contact at the USDA. He will be the person the Village deals with concerning the project at the Cabin Pump Station. Mark Reich had informed the Board earlier that Mr. Hart would be a good person to work with.

Mayor Bundren went over some notes from an earlier meeting. The first issue was snow removal. Clerk York said that Carl Norris Construction gave him a quote for snow removal. This quote was for the use of a wheel loader. Mr. Norris is selling his motor grader. Clerk York is in the process of obtaining other estimates.

Mayor Bundren said that the control panel at the NC 62 pump station will be rewired to match the original schematic. Clerk York said that the electrician was at the pump station earlier in the day and that a float had been ordered and the original schematic had been obtained.

Mayor Bundren noted that today marked the 5 year anniversary of the ribbon cutting for the Town Hall.

Alderman Crouse asked how we did financially on Plaid Day. Clerk York said that we sold 1205 tickets. Expenses were about $5,000 and revenue was $2,800. Alderman Jones asked if we could obtain a percentage of the revenue from the food vendors. Mayor Bundren said that they may not turn a profit if we did that. Alderman Crouse said that he thought that there had been a good crowd at Plaid Day.

Mayor Bundren mentioned that the sign advertising the Mayflower restaurant had been taken down. She thanked Alderman Crouse. She also said that she would have like to have the storage building moved. Alderman Crouse asked why it was not moved before. Clerk York said that the county had told him that it needed a foundation. Mayor Bundren

said that we had had someone who could move it but the county's rules made it unreasonable. Alderman Jones asked if a foundation was required or if footings could be used. Clerk York said that he was told that it had to be a foundation. Clerk York also said that the building was considered commercial and therefore had to go through plan review and have a foundation. Clerk York will check with the county to see what their exact requirements are.

Alderman Clemmons moved to adjourn and Alderman Slaughter seconded. The Motion carried unanimously.

Respectfully submitted,

_____Cathera R. Bundren, Mayor

_____Ben York, Village Clerk