Town of Mount Olive
November 9, 2021
Regular Board Meeting
Minutes

Mayor Kenneth Talton called the meeting to order at 7:00 P.M. Those in attendance per roll call of Mayor Kenneth Talton were Mayor Pro-Tempore Steve Wiggins, Commissioner Vicky Darden, Commissioner Harlie Carmichael, Commissioner Barbara Kornegay, Commissioner Dennis Draper, Town Attorney Carroll Turner, Town Manager Jammie Royall and Town Clerk/Administrative Assistant Sherry Davis.

Mayor Kenneth Talton welcomed everyone to the meeting.

Commissioner Dennis Draper delivered our invocation and Mayor Pro-Tempore Steve Wiggins led us in the Pledge of Allegiance.

Mayor Kenneth Talton did roll call and everyone was present.

Mayor Kenneth Talton read the Conflict of Interest Statement; there were no conflicts.

Mayor Kenneth Talton requested a motion to approve the published agenda. Town Attorney Carroll Turner requested adding Action Memo Item 11-84 for the Town Board and Mayor to Adopt Election Filing Fees. Commissioner Dennis Draper made the motion to add Action Memo 11-84. Mayor Pro-Tempore Steve Wiggins seconded and the motion passed 5-0.

Mayor Kenneth Talton requested a motion to approve the published agenda as amended. Commissioner Barbara Kornegay made the motion. Mayor Pro-Tempore Steve Wiggins seconded and the motion passed 5-0.

Mayor Kenneth Talton requested a motion to approve the October 12, 2021 meeting minutes. Commissioner Harlie Carmichael made a motion to approve the October 12, 2021 meeting minutes, Commissioner Barbara Kornegay seconded the motion and it passed 5-0.

Mayor Kenneth Talton then moved to the Public Forum. No one signed up. Mayor Kenneth Talton asked if anyone wished to speak. No one did and the public forum was closed.

Mayor Kenneth Talton then discussed Non-Action Memo – 11-75 - Attorney Carroll Turner will give a status report to the board concerning the following condemnations: 1) Old Theater Building at 201 NW Center Street, 2) Old Kraft Building at 104 West James Street and 3) Dove House at 107 North Chestnut Street. Town Attorney Carroll Turner advised he obtained an administrative search warrant for the Old Theater and the Kraft Building. Mr. Mark Roy out of Greenville executed the warrant without any interference from the owner. He is now waiting a written report but it will not be ready until Monday or Tuesday of next week.

Attorney Carroll Turner advised he would let Code Enforcement Officer Justin Hill discuss the Dove House because he has been in contact with the Mr. Dove. Code Enforcement Officer Justin Hill stated he has terminated the electricity. Mr. Dove would like to save the house but the roof and some electrical repairs need to be made. The front porch also needs to be cleaned off before the electricity can be turned back on.

Commissioner Barbara Kornegay asked if Mr. Dove was given a deadline. Code Enforcement Officer Justin Hill advised no because he seemed willing to start the repairs very quickly. However, he was advised that the proceedings with the Board of Commissioners would move forward. Mayor Kenneth Talton asked Town Attorney Carroll Turner is he was going to require Mr. Dove to appear. Town Attorney Carroll Turner said he has been unable to reach Mr. Dove. If he will clean off the front porch we may consider turning the electricity back on. The Historical Society has shown interest because there is no question it has significant historical value to Mount Olive. He has spoken with Karen Moore but no one is willing to put forth the monies. Mayor Kenneth Talton stated historical properties have a specific order to repair but the cost is usually too much for one or two owners. Town Attorney Carroll Turner advised if he gave the house away, there is still a tremendous amount of money needed. Commissioner Dennis Draper asked if there was a possibility of squatters in the Dove House. Town Attorney Carroll Turner advised vagrancy is the case with some of the other properties that were mentioned. Mayor Kenneth Talton commented it is shame when the Board of Commissioners has to make a decision to demolish something of historic value. He said hopefully something good would come.

Town Attorney Carroll Turner talked about the new procedure 160A – 119 – the owners have thirty days to appeal Code Enforcement Officer Justin Hill's decision to the Board of Commissioners. If they do not appeal then Code Enforcement Officer Justin Hill's decision is final. The owner can be arrested and charged with a Class I Misdemeanor or we can demolish the property.

Commissioner Barbara Kornegay remembered Fire Chief Greg Wiggins visited and stated it was a fire hazard. Fire Chief Greg Wiggins advised there is now a slim chance of a fire since the electricity has been turned off. Commissioner Dennis Draper asked if there was a possibility of squatters in the Dove House. Town Attorney Carroll Turner advised vagrancy is the case with some of the other properties that were mentioned.

Attorney Carroll Turner then discussed a list of the worse properties under the new procedure. The properties are as follows:

1) 603 Connor Street
2) 211 Williamson Street
3) 110 Williamson Street (this property has a renter living there and a hole in the roof is as big as a car).
4) 322 Oliver Street

Letters were mailed out today to the owners by both regular and certified mail. The hearings will be held on Friday, November 19, 2021 at 9:00 A.M. in the Board Meeting Room. Code Enforcement Officer Justin Hill will preside over the proceedings.

Mayor Kenneth Talton stated we have leverage with the electricity being off. If it is a hazard then notice can be given and the electricity can be turned off. It may displace some people but no one should be living in these conditions. Town Attorney Carroll Turner advised the four properties they started with are worse than the Dove House but not as visible.

Mayor Kenneth Talton then discussed Non-Action Memo 11-76 – Status report on Wayne Water District Reimbursement to the Town for Water Loss. Town Manager Jammie Royall advised he spoke with Town Attorney Carroll Turner today. In August of 2020, we noticed we were losing a lot of water. We found out we have a connection with Wayne County and one of the Wayne Water District engineers had turned it on and it was left on for four to five months before they turned it off. When will billed them for it but they refused to pay. Commissioner Barbara Kornegay asked what the amount was. Town Manager Jammie Royall replied at the lowest billed rate it is over $200,000.00. That does not include the $40,000.00 pump we had to replace. At the highest billed rate, it is close to $400,000.00. Mayor Pro-Tempore Steve Wiggins commented so they were selling our water and making money. Town Manager Jammie Royall stated yes. Commissioner Dennis Draper asked if we were going to have to file a lawsuit. Town Attorney Carroll Turner advised their pumps were not working at all and they should have realized that. They had to know something peculiar was going on. We did not have the information they had. The Town was looking everywhere to determine where this water loss was coming from. The water system always loses some water but it never crossed our mind they had turned on a valve for four months. We are not being unreasonable. Wayne Water Districts said the water was billed at the lowest possible rate. Town Attorney Carroll Turner said they could work with us on repayment. We are not asking for the full amount at one time. Town Manager Jammie Royall advised we lost 82 million gallons of water. Wayne Water Districts is admitting they got water from us but half that amount. Mayor Kenneth Talton asked if there is a lock on the valve. Town Manager Jammie Royall stated there is now. He said he did not know about the valve until then. Our tanks are on a higher reservation than they are.

Mayor Kenneth Talton asked if Wayne Water Districts has their own board and who is in charge. Mayor Kenneth Talton asked if there were any questions from the staff or Board of Commissioners. He said let us get a status update at the December 14, 2021 meeting. Town Attorney Carroll Turner asked if we wanted him to send a demand letter. Mayor Kenneth Talton answered whatever is appropriate.

Mayor Kenneth Talton then moved on to Non-Action Memo 11-77 – Update on Side Walk Project. Town Manager Jammie Royall advised they are still working on three concrete companies for bids. The engineer wanted to charge us too much for them to perform the work. We are still waiting on signed easements. We have all the information we need for the Church Street Area. Commissioner Barbara Kornegay asked what is the problem, why is it taking so long. Commissioner Harlie Carmichael advised that he spoke with the last hold out on the easement. They have agreed to sign but Town Manager Jammie Royall and Town Attorney Carroll Turner need to send the paperwork. Town Attorney Carroll Turner asked Commissioner Harlie Carmichael advised that he would give him the name after the meeting. Town Manager Jammie Royall stated Town Clerk Sherry Davis had emailed the information to Town Attorney Carroll Turner. He said some people do not understand the easement. Commissioner Harlie Carmichael replied they have not received the paperwork. Town Manager Jammie Royall advised he spoke with the niece on one easement and told her what would do but she still has not signed it. He will discuss with Town Attorney Carroll Turner after the meeting. Town Attorney Carroll advised Commissioner Harlie Carmichael that he would be glad to give him the niece's contact information. Town Attorney Carroll Turner stated this whole process was started under the previous administration. All the documents were in GPS lingo from the engineers and is hard to understand. In addition, he just received the information a few months ago. People want to know and understand what they are signing. The engineers just sent a verbal description. He said Town Clerk Sherry Davis could attest to that.

Town Attorney Carroll Turner advised the engineers finally sent the drawing but it was so small you can barely make it out. The late Mr. Hankerson's niece did not respond to the first letter but she finally did after the second letter. He mailed her the map she requested one week ago. Town Manager Jammie Royall mentioned to her the town had been mowing the grass and they will forgive the debt if she will sign the easement. Town Attorney Carroll Turner stated she was very upset and advised that she had been paying someone to cut the grass. She refused to sign the easement until she comes to Mount Olive in a couple of weeks. He wanted to know what you do with someone like that.

Mayor Kenneth Talton asked if this was the final two. Town Attorney Carroll Turner replied no, he was sent five by Town Clerk Sherry Davis and Town Manager Jammie Royall a few days ago. He stated this easement is two hundred feet long so this is a big piece of the puzzle. Commissioner Barbara Kornegay thanked Town Attorney Carroll Turner for explaining. Town Manager Jammie Royall commented it is not as easy as you think.

Mayor Kenneth Talton then moved on to Action Memo- 11-78 Consider Approval of Resolution for CDBG-I Sewer Infrastructure Grants 15-I-3161 and 20-I-3610 Compliance Documents.

Mayor Kenneth Talton turned it over to our Grants Administrator Mr. David Harris with Harris and Associates. David Harris stated the Town received two million dollars in Sewer Infrastructure Grants. He advised the Resolution if approved puts in place all the compliance documents in one motion. The common theme is different areas to ensure non-discrimination and that all people are treated fairly. Town Attorney Carroll Turner asked David Harris to explain the section restricting use of force. David Harris replied decades ago a member of congress felt people protested too much at an abortion facility. The other side felt it was excessive. Now any federal monies given states there will be no excessive force against people exercising their constitutional rights. This has been in place about thirty years and we have adopted the same policy in every grant over the past twenty years.

Mayor Kenneth Talton asked if there were any other questions. He requested a motion to approve the Resolution for CDBG-I Sewer Infrastructure Grants 15-I-3161 and 20-I-3610 Compliance Documents. Mayor Pro-Tempore Steve Wiggins made the motion to approve. Commissioner Dennis Draper seconded the motion and it passed 5-0.

Mayor Kenneth Talton then moved on to Action Memo -11-79 Consider Approval of CDBG-I Sewer Infrastructure Grants 15-I-3161 & 20-I-3610 Budget Ordinances. He turned this over to Mr. David Harris. David Harris advised in prior funding years the grants were pooled together but this time they have been separated into two grants. This is set up so we know which grant funds go to which grant before the state loses them. Sewer Improvements and Administration are the only two things funded.

Mayor Kenneth Talton asked if there were any other questions. He requested a motion to approve CDBG-I Sewer Infrastructure Grants 15-I-3161 & 20-I-3610 Budget Ordinances. Commissioner Barbara Kornegay made the motion to approve. Mayor Pro-Tempore Steve Wiggins seconded and the motion and it passed 5-0.

Mayor Kenneth Talton requested a five- minute break to sign the CDBG-I documents.

Mayor Kenneth Talton reconvened the meeting and moved on to Action Memo 11-80 Consider Approval of Backflow Cross Connect Ordinance. Town Manager Jammie Royall stated this ordinance is required by the state. It stops backflow of contaminants into our water system that can come from reduced pressure. It also prevents air gaps into our water system.

Town Manager Jammie Royall advised our certified Backflow Cross Connect ORC is Jeremy King. There is no grandfather clause. Businesses twenty years or less are already in compliance but this has to be done every year. Backflow Cross Connect ORC Jeremy King stated that we go all the way out to Sampson County. Mayor Kenneth Talton asked if this just applies to commercial properties or anyone with a lawn irrigation system. Backflow Cross Connect ORC Jeremy King said it also applies to setters for lawn irrigation. He asked if anyone had any questions. Mayor Kenneth Talton wanted to know if the board understands the concept. Backflow Cross Connect ORC Jeremy King advised there could be a main break as well so it is very important we address this and get it into place. Commissioner Barbara Kornegay asked if we would be doing inspections. Backflow Cross Connect ORC Jeremy King stated in time we will have a computerized program. Commissioner Dennis Draper asked who installs the equipment. Backflow Cross Connect ORC Jeremy King answered plumbers.

Mayor Kenneth Talton requested a motion to approve the Backflow Cross Connect Ordinance. Commissioner Barbara Kornegay made the motion. Commissioner Vicky Darden seconded and the motion passed 5-0.

Mayor Kenneth Talton then discussed Action Memo 11-81 Consider Approval of Veteran's Day Resolution – Commissioner Barbara Kornegay read the Resolution. Mayor Kenneth Talton requested a motion to approve the Veteran's Day Resolution. Commissioner Barbara Kornegay made the motion. Commissioner Harlie Carmichael seconded and the motion passed 5-0. There will be a Veteran's Day Program held at the Veteran's Memorial on Sunday, November 14, 2021 at 2:00 P.M.

Mayor Kenneth Talton then discussed Action Memo 11-82 – Consider Appointment of Planning Board Members as follows:
Kendall Lee (Wayne ETJ)
Bruce Walls Jr. (Town Alt)
Jim Lambert (Duplin County ETJ)
Julie Beck (Town)
Gerald Bell (Town)
Linda Boykin (Town)
Sondra Russell (Town)
Steve Martin (Town)
Nydia Lopez (Wayne Alt)

Murray McClenny (Duplin ETJ Alt)
Mayor Kenneth Talton requested a motion to approve the Planning Board recommendations. Commissioner Harlie Carmichael made the motion and Mayor Pro-Tempore Steve Wiggins seconded and the motion passed 5-0.

Mayor Kenneth Talton then discussed Action Memo-11-83 – Budget Ordinance Amendments #10 & #11. Finance Director Geoffrey Merritt advised on both budget amendments the insurance reimbursement line has the address as 612 West Breazeale Avenue. The correct address should be 114 East James Street.

Finance Director Geoffrey Merritt discussed Budget Ordinance Amendment # 10 - The town received $165,030.84 in insurance proceeds for fire and smoke damage to the municipal building at 114 East James Street. Capital outlays for the municipal building is equal to insurance proceeds received are included with this amendment.

Finance Director Geoffrey Merritt then discussed Budget Ordinance Amendment # 11 - The town received $7,330.77 in insurance proceeds for fire and smoke damage to the municipal documents at 114 E James Street along with other office property destroyed. Expenditures for the municipal documents and other office property are equal to insurance proceeds received and are included with this amendment.

Mayor Kenneth Talton asked if there were any questions. He then requested a motion to approve Amendments #10 & #11. Mayor Pro-Tempore Steve Wiggins made the motion. Commissioner Dennis Draper seconded and the motion passed 5-0.

Mayor Kenneth Talton then discussed Action Memo 11-84 - Consider Setting Filing Fees for the upcoming election. Mayor Kenneth Talton suggested keeping the same fees as last election as follows:

$25.00 for Mayor
$ 5.00 for Board of Commissioners

Mayor Kenneth Talton then requested a motion to approve said filing fees. Mayor Pro-Tempore Steve Wiggins made the motion to approve the filing fee amounts above. Commissioner Barbara Kornegay seconded the motion and it passed 5-0.

Town Manager Jammie Royall presented his report as follows:

- He advised the paving crew would be on Ridgecrest Drive & South West Center Street tomorrow.
- He stated the yard waste truck is back in service and they are catching up.
- He said we are making slow progress on our offices but the duct- work replacement and framing have been completed.
- Commissioner Barbara Kornegay wanted to know the status of the welcome signs. Town Manager Jammie Royall advised he spoke with the company and was told there would be someone here this week.
- Mayor Kenneth Talton thanked Town Manager Jammie Royall and his entire staff for transitioning so well after the office fire.

The Commissioner's Reports were presented as follows:

Commissioner Vicky Darden

- She talked about her ride around and how bad some of the road are. We have started paving some of them
- She discussed the railroad grass; Public Works is weed eating but has hit several car windows.
- She stated one of our officers was injured on a call when she tripped and hurt her knee. She would like everyone to sign a get-well card.
- She said there is a situation she would like to discuss with the board after the meeting.

Commissioner Dennis Draper

- He reminded everyone last month he talked about the problem with corner bushes at intersections. Code Enforcement Officer Justin Hill sent letters and the recipients have responded. They plan to remove the bushes soon. If there are other problem areas in town, please notify Code Enforcement Officer Justin Hill.
- He stated he heard what was being said about the easements. There comes a point in time where we have to do something to protect our citizens from walking in the street.
- He hopes with the passage of the infrastructure bill we can get funds to help us get off the moratorium. This will allow us to grow again so people can come to town.

- He advised Town Attorney Carroll Turner not to forget about the Wayne Water Districts controversy, 82,000 gallons of water is quite a bill. We need a fair reimbursement. Town Attorney Carroll Turner said he would not forget.

Mayor Pro-Tempore Steve Wiggins

- He discussed the Myrtle Grove & Carver Cemetery clean up two years ago.
- There is $10,000.00 in the budget to trim trees at Myrtle Grove and Carver Cemetery. Town Manager Jammie Royall has quotes, we hope to proceed.
- He advised the Mount Olive Exchange Club won $1,500.00 in the Mount Olive Area Chamber of Commerce's Reverse Drawing.
- Veterans can ride Gateway free this year as part of their veterans program.

Commissioner Harlie Carmichael -

- He stated the ditches are still opening up.
- The Fire Department and Police Department were on an open fire this morning.
- A young woman's life was actually saved by the hand wave signal.

Commissioner Barbara Kornegay –

- She discussed the Airport; they are planning to install a new fuel system, the Airport Layout Plan is on schedule and the UMO Flight School has three planes now.
- She attended the State of Community Luncheon today in Goldsboro.
- She participated in the Beautification Committee's Walking Tour on Friday, October 26, 2021 at 6:00 P.M.
- She advised the Pickles, Pigs & Swigs portion of funds would be used to help with our Downtown Master Plan. We need to figure out how to get additional funds ourselves.
- The Town will have a booth at the Pickles, Pigs & Swigs on Saturday, November 20, 2021.
- The Housing Authority is doing a great job at filling vacancies.
- She stated there is a fundraiser for Nelson Street Park by Michael Olliver.
- She attended an Eastern Carolina Transportation meeting and bikeways are not on the North Carolina Department of Transportation's list for funding. They do not plan to fund bikeways or rail transportation.

The Mayor's Report was presented as follows:

Mayor Kenneth Talton

- He advised we need volunteers to help with the Town's booth at the Pickles, Pigs & Swigs event on Saturday, November 20, 2021.

There being no further business Mayor Pro-Tempore Steve Wiggins made a motion to adjourn. Commissioner Dennis Draper seconded and the motion passed 5-0.

Our next regular meeting is scheduled for Tuesday, December 14, 2021 at 7:00 P.M. in the board meeting room.

Respectfully Submitted,

Kenneth K. Talton	Sherry Davis
Mayor	Administrative Assistant/Town Clerk