

**TOWN OF JAMESVILLE**  
**MONTHLY BOARD MEETING 10/12/2020**  
**MINUTES**

---

The following is an account of the minutes taken at the Regular Monthly Board Meeting held between 7:00 p.m. & 9:33 p.m. on 10/12/2020 at the Jamesville Town Hall, 1211 Water Street, Jamesville, NC 27846. Due to the COVID-19 Pandemic social distancing measures were made available to all. Virtual meeting attendance was provided for public access through Zoom meeting.

**Attendees**

- Dennis Anton - Mayor
- Willis Williams - Mayor Protem
- Rachel Craddock - Commissioner
- Larris Tolson - Commissioner
- Carolyn Martin - Commissioner

**Not in Attendance**

- Mary Allen - Commissioner

Minutes Recorder – Kimberly Cockrell, Town Clerk/Finance Officer

**I.** Mayor Dennis Anton brought the meeting to order and Commissioner Larris Tolson offered the prayer.

**II. Public Hearing – NCDEQ Community Development Block – Infrastructure Grant (CDBG-I)**

Around 7:01 p.m., Mayor Dennis Anton entered the public hearing for the NCDEQ Community Development Block – Infrastructure Grant (CDBG-I), with the Board’s consensual agreement. Mayor Dennis Anton turned the Public Hearing over to Mr. Michael McAllister, Principal Project Manager with Municipal Engineering Services Company, PA., who read and discussed the purpose of the public hearing via “video chat” as follows:

“This public hearing on October 12, 2020, will provide an explanation and description of the FY 20-21 North Carolina Department of Environmental Quality (DEQ) Community Development Block – Infrastructure Grant (CDBG-I).

We are present to discuss the purpose of the public hearing for the Town of Jamesville’s CDBG-I funding application. The purpose of the public hearing is to obtain citizen’s views and to allow a response from the public to funding proposals and answer any questions posed by citizens.

This public hearing will cover the Town of Jamesville’s community development needs, development of the proposed activities, and a review of program compliance before the submission of the Town of Jamesville’s CDBG-I funding application to the state of the North Carolina.

The Town of Jamesville proposes to request funding from NCDEQ’S CDBG-I program for the Town of Jamesville Wastewater Treatment Plant Improvements. The proposed project will meet the following community and housing needs of the Town of Jamesville by improvements to the Town’s wastewater treatment plant.

The purpose of the CDBG-I grant program is to improve the quality of life for low to moderate-income people by providing a safe, clean environment and sewer infrastructure improvements.

- To benefit a residential area where at least 51% of the beneficiaries are low to moderate-income as defined by the United States Department of Housing and Urban Development.
- To perform eligible activities.
- To minimize displacement, and
- Provide displacement assistance as necessary.

For the fiscal year of 20-21, the CDBG-I funding available is expected to be \$2,000,000. The maximum available grant is \$2.0 million over a 3-year period. Applications for funding will be received November 23, 2020.

The CDBG program is able to fund a wide variety of community development activities. The State of North Carolina has chosen to fund several activities: water and sewer infrastructure, neighborhood revitalization, COVID-19 related projects, and economic development projects that lead to job creation or retention.

The infrastructure program or CDBG-I program can fund a range of water and sewer infrastructure activities, including, but not limited to the, following:

Wastewater:

- Projects that rehabilitate a wastewater treatment plant to allow for greater efficiency/compliance with regulations.

The Town of Jamesville is seeking an amount in CDBG-I funds not to exceed \$2,000,000 for the Town of Jamesville Wastewater Treatment Plant Improvements. The purpose of the Town of Jamesville's request is to Replace the existing treatment units located at the Town's wastewater treatment facility, due to their extremely poor condition and eventual failure.

The project proposed by the Town was identified in FY 20-21 Capital Improvement Plan/Asset Management Plan 2020. Informal community meetings were held in the project area to inform citizens of the potential project and get feedback from the residents.

A total of 100% of the CDBG- I funding will be used to benefit Low to Moderate Income (LMI) people. The project area in the Town has been determined to have a town-wide LMI of 64.2%. The project area includes the entire Town of Jamesville served by sanitary sewer service.

The range of activities covered by the CDBG-I funds for the Town of Jamesville Wastewater Treatment Plant Improvements.

- Construction.
- Environmental Review
- Engineering Design
- Construction Administration and observation.
- Legal activities.
- Surveying.
- Grant Administration.

If the Town is awarded a CDBG-I grant, the Town is required to adhere to federal procurement requirements and other federal regulations which include:

- American with Disabilities Act/Section 504 Survey
- Davis-Bacon & Related Labor Acts
- Adoption/Submittal of a Citizen's Participation Plan
- Adoption/Submittal of an Equal Opportunity Plan
- Adoption/Submittal of a Fair Housing Plan
- Adoption/Submittal of a Language Access Plan
- Adoption/Submittal of a Relocation Assistance Plan
- Adoption/Submittal of a Section 3 Plan
- Excess Force Provision

The State of North Carolina requires that if the Town receives CDBG grant funding that the Town will certify that they will comply with the requirements of the general displacement and relocation policy for CDBG grant funding. This policy assists low to moderate-income people with costs associated with relocation or displacement, should such relocation become necessary due to the project activities. CDBG funds can be used for those costs, if necessary. If no displacement and relocation will occur as a result of the proposed CDBG grant activity, then the Town Confirms that during this public hearing.

In the past, the Town has applied for and received for the following completed CDBG project:

- List Name of Projects and Outcomes/outputs of the projects: None (Last noted project 1999)

The Town will submit its CDBG-I application for the Town of Jamesville Wastewater Treatment Plant Improvements on November 23, 2020 (*Application deadline*). The CDBG-I application will be available for review during normal business hours at 1211 Water Street, Jamesville, NC 27846. Additional information is available from Kimberly Cockrell. Should you have any complaints or grievances regarding the subject public hearing, they should be addressed to the addressee mentioned above within ten business days or by October 22, 2020, and a written response to the written complaints and/or grievances will be sent by the Town/City/County within ten business days, where practicable”.

Mr. Michael McAllister opened the floor for comments and questions about the CDBG program and about the proposed project.

#### Public Hearing Comments

Mrs. Kim Cox Summerlin questioned the amount of the grant and whether the grant would replace aging pipes and pipes running down dead-end roads. Mr. Michael McAllister responded the maximum grant was \$2,000,000. Because this grant was for wastewater, it did not include replacing the pipes. However, a separate grant had been applied for the pump station and rehabilitation of some pipework. The Town should have a response to the second grant by the 1<sup>st</sup> of the year 2021.

Around 7:09 p.m., with no further comments or questions, Mayor Dennis Anton ended the public hearing for the NCDEQ Community Development Block – Infrastructure Grant (CDBG-I), with the Board consensually agreeing.

### III. Adoption of Agenda

- Commissioner Willis Williams moved to approve the agenda as presented. Commissioner Carolyn Martin seconded. Motion unanimously passed. 4 Ayes - 0 Nays.

### IV. Approval of Minutes

Commissioner Larris Tolson moved to approve the following minutes as presented. Commissioner Willis Williams seconded. Motion unanimously passed. 4 Ayes - 0 Nays.

- Special Board & Closed Session Meeting – September 10, 2020
- Regular Board & Closed Session Meeting – September 14, 2020

### V. Public Comments

1. *Kim Cox Summerlin* commended the Board and Staff on work being done in the Town. As an interested citizen, Mrs. Kim Cox Summerlin expressed concerns about discolored water and drinking water and questioned where and what locations were being tested; how samples are done; rusted water and pipes; flushing pipes; and assistance with flushing pipelines to gain community service hours.

Suggested – Providing an educational cheat sheet to keep the citizens informed; contacting the schools and Sheriff Department for a list of those seeking community service credits; contacting the Fire Department about assisting with flushing; soliciting community involvement; and surveying the community for grant writers to assist with grants.

Suggested addressing – abandoned houses to seize for resell; removal of debris from streets/drains for safety; renting or applying for a grant to purchase a street sweeper, if the Town did not have one; spraying for fire ants and weeding in the cemetery; replacing dim lights on back streets; and recommending deputies patrol the streets at night.

Fund Raisers suggested – “Go Fund Me” page for pipe replacement donations; block dance (\$10.00/person); turkey shoot; computer class (3 session/\$100.00); and a fun day event.

2. *Mrs. Rachel Craddock* asked the Board to consider allowing an adjustment to her unusually, high water bill caused by a hairline cracked, leaking commode. Commissioner Willis Williams made the motion to give the same adjustment afforded to all utility customers in accordance with the Water/Sewer Ordinance #81. Commissioner Larris Tolson seconded. Motion unanimously passed. 4 Ayes - 0 Nays.

### VI. Reports

#### A. Mayor

1. No Report

#### B. Water/Wastewater Report - Samuel Lilley

1. Mr. Samuel Lilley reported there would be a state sewer inspection October 13, 2020, around 10 a.m.

#### C. Public Works Report - Charles Winstead

1. No Report

#### D. Administrative Report - Kimberly Cockrell

1. Finance Officer Kimberly Cockrell read the Financial Report for September 2020.
2. Budget Amendment(s)

Commissioner Willis Williams moved to accept and approve Budget Amendment #1 General Fund, as presented. Commissioner Larris Tolson seconded. Motion unanimously passed. 4 Ayes – 0 Nays.

<b>Budget Amendments FY 2020-2021</b>			
<b>GF BUDGET AMENDMENT #1 - 10/12/20</b>			
		<u>CREDIT</u>	<u>DEBIT</u>
1035100	Cares Act Funding	10,514.00	
1039300	Appropriated Fund Balance	1,150.00	
1048300	COVID-19 Pandemic		10,514.00
1040129	Miscellaneous		650.00
1040148	Repairs		500.00
		11,664.00	11,664.00
** Cares Act Funding Income and Expenses, Removal of Fallen Tree on Washington Street, Wrecked Utility Trailer Repair.			

3. FY 19-20 Audit Update

Finance Officer Kimberly Cockrell reported Mrs. Karen Shook of Carr, Riggs & Ingram had in her possession updates, all QuickBooks backups and files needed to start FY 19-20 audit. Hopefully, a date would be set in the next couple of weeks to conduct the in-house portion of the audit.

4. Assistant Clerk Hours

Town Clerk/Finance Officer Kimberly Cockrell recalled the Board approved 12 hours per week for the Assistant Town Clerk position. Town Clerk/Finance Officer Kimberly Cockrell explained due to COVID-19, working remotely, and the workload, the hours for Assistant Town Clerk Marion Thompson varied for week to week. At the time of the meeting, approximately 36 hours were outstanding since July 1, 2020 until that time. Town Clerk/Finance Officer Kimberly Cockrell asked the Board to allow a variance in hours (less than or more than 12 hours in one week), not to exceed the total amount allocated for the fiscal year.

Commissioner Willis Williams made the motion to approve the request to allow a variance in the weekly Assistant Town Clerk work hours contingent upon the expense not exceeding the allocated hours budgeted for the fiscal year. Commissioner Carolyn Martin seconded. Motion unanimously passed. 4 Ayes – 0 Nays.

**E. Mid-East**

1. No Report

**F. Planning Board**

1. No Report

**G. Herring Festival**

1. Commissioner Rachel Craddock, Chairman of the NC Herring Festival, reported the next meeting was scheduled for November 17, 2020 at 7 p.m. Volunteers were being solicited and welcomed.

**VII. Old Business**

**A. Water/Sewer Ordinance Enforcement**

1. Town Clerk/Finance Officer Kimberly Cockrell presented the monthly water disconnect list to the Board, as per Water/Sewer Ordinance #81 for approval. Commissioner Carolyn Martin moved to approve following the normal disconnect procedures. Commissioner Larris Tolson seconded. Motion unanimously passed. 4 Ayes – 0 Nays.

#### **B. Veteran Memorial**

1. Commissioner Rachel Craddock commented the Woodmen of America were anxious to move forward with the proposed Veteran Memorial project. The Ruritans expressed interest in participating as well. Mr. Bill Lucas, design/composer, had returned to work and should be able to provide an updated cost estimate once a final design has been chosen. Various options were discussed, such as a design with a flagpole, as well as providing families an option to purchase engraved bricks to be placed around the Veteran Memorial. Commissioner Carolyn Martin would be contacting Mr. Bill Lucas for the cost estimate for the final design.

#### **C. Proposed Gold Cart Ordinance (Revised) For Adoption**

1. Mayor Dennis Anton commented the original Town of Jamesville Golf Cart Ordinance was adopted several years ago. According to Town Clerk/Finance Officer Kimberly Cockrell, legislative changes mandated the ordinance to be updated or revised. Mayor Dennis Anton reiterated the Golf Cart Ordinance pertain to golf carts only. Adding, it did not include three or four wheelers, nor gators. Town Attorney Daniel Manning had already reviewed and recommended this final version. Commissioner Willis Williams motioned to adopt the revised Gold Cart Ordinance as presented below. Commissioner Larris Tolson seconded. Motion unanimously passed. 4 Ayes - 0 Nays.

### **Town of Jamesville Golf Cart Ordinance**

BE IT ORDAINED by the Board of Commissioners of the Town of Jamesville, North Carolina as follows:

- (A) **PURPOSE:** The purpose of this Ordinance shall be to establish a Golf Cart Ordinance to promote the health, safety and welfare of persons owning and operating carts within the Town and to protect the safety of their passengers and other users of streets and roads.
- (B) **DEFINITIONS:** For the purpose of this section, the following words and phrases shall have the following meanings.
  1. **Golf Cart:** A vehicle designed and manufactured for operation on a golf course for sporting or recreational purposes and that is not capable of exceeding the speed of 20 MPH, as also defined in N.C.G.S. 20-4.01(12b).
  2. **Driver's License:** A valid license issued to operate a motor vehicle issued by North Carolina or any other state.
  3. **Financial Responsibility:** Liability insurance coverage on a golf cart in an amount not less than required by North Carolina law for motor vehicles operated on public highways in the State of North Carolina.
  4. **Operator:** Only persons over 16 years of age and holding a valid driver's license may operate a golf cart on Town Streets and roads.

#### **Section 1: Rules and Regulations:**

1. Golf carts shall not be operated on or alongside a public road or street with a posted speed limit greater than 35 miles per hour.
2. Golf carts may cross a road with a posted speed limit greater than 35 mph. However, once this segment of road has been transversed, the golf cart is still required to travel only on or along a roadway with a speed limit of 35 mph or less. Golf carts must cross in a manner that is the most direct route in order to decrease crossing distance, i.e. no riding along a road or crossing at an angle.
3. Any person who operates a golf cart must be responsible for all liability associated with operation of the golf cart and must have liability insurance coverage in an amount not less than required by North Carolina law for motor vehicles operated on public highways in the State of North Carolina.
4. Any person who operates a golf cart must be at least sixteen (16) years of age or older. No person may operate a golf cart unless that person is licensed to drive upon the public streets, roads and highways of North Carolina and then, only in accordance with such valid driver's license. Golf cart operators must carry their driver's license on their person at all times while operating a golf cart on public roads.
5. Any person who operates a golf cart on public streets and roads must adhere to all applicable State and local laws, regulations and ordinances, including but not limited to those banning the possession and use of alcoholic beverages, and all other illegal drugs. In addition, no golf cart containing any open container of alcohol shall be operated on public roads.
6. The operator of the golf cart shall comply with all traffic rules and regulations adopted by the State of North Carolina and the Town of Jamesville which govern the operation of motor vehicles.
7. An operator must not allow the number of people in the golf cart at any one time to exceed the maximum capacity specified by the manufacturer. The operator shall not allow passengers to ride on any part of a golf cart not designed to carry passengers, such as the part of the golf cart designed to carry golf bags.
  - a. In no instance shall a golf cart be operated at a speed greater than 20 miles per hour, and also no golf cart may be operated at a speed greater than reasonable and prudent for the existing conditions.
8. Golf carts must be operated at the right edge of the roadway and must yield to all vehicular and pedestrian traffic.
9. Golf carts must park in designated spaces in such a manner that multiple golf carts can utilize the space. All parking rules and limits apply. No parking on sidewalks is allowed.
10. Golf carts must have basic equipment supplied by the manufacturer, including a vehicle identification or serial number. Such equipment must include all safety devices as installed by said manufacturer, including rear view mirror and a rear triangle reflector of the same type required by North Carolina law.
11. Golf carts without lights may be operated only during daylight hours. Golf carts meeting the requirements set forth below may operate at any time:
  - a. Golf carts having two (2) operating headlights, one on each side of the front of the golf cart and two (2) operating tail lights, one on each side of the rear of the cart, all four (4) lights being visible from a distance of 500 feet; and
  - b. If a mechanical turn a signal indicator is not installed, then hand signals are required for turns.

## **Section 2: Registration, Inspection and Fees Prior to Usage:**

The inspection by the Town Clerk, or his/her designee, will cover the following safety requirements and every cart operating on the Town of Jamesville streets must have the following safety equipment.

1. No golf cart shall be operated on the streets or roads of Jamesville prior to issuance of a registration and permit/sticker by the Town. Application shall be provided by the Town and made to the Town Clerk or other Town designee who shall inspect the cart and issue this registration and permit/sticker after assurance that the cart and the applicant meet the minimum standards set out in Section 1. Written appeal from a negative finding may be made to the Town Board within ten days of a negative ruling by the Clerk. Permits/stickers shall be affixed to the driver's side of the cart.
2. In addition, each cart owner shall present proof of ownership and sign a disclaimer of liability and indemnity, releasing the Town, its employees and representatives from all liability arising from the operation of the cart in the Town and indemnifying same for any and all damages and injuries resulting from the operation of the cart in the Town.
3. Registration and permits/stickers shall be valid for one year. The fee for same shall be as determined from time to time by the Town Board and, until changed, shall be \$10.00. Unexpired lost or missing permit/stickers shall be reported to the Town Clerk and replaced for no additional fee.
4. In addition to the provisions of Section 4 of this Ordinance, violation of any of the provisions of this Ordinance shall be cause for revocation by the Town of the registration and permit/sticker and the privilege to operate a golf cart in the Town.

**Section 3: Severability:**

If any provision of this Ordinance or any application thereof to any person or circumstance is adjudged to be unconstitutional or invalid, such adjudication shall not affect the validity of any remaining portion of the Ordinance or its application to any other person or circumstance.

**Section 4: Enforcement:**

It shall be the policy of the Town of Jamesville to request that the Martin County Sheriff Department issue a written warning or a citation against any person the Sheriff's Department official has probable cause to believe has violated this Ordinance, whether the offending person is a juvenile or any other person. Violation of the provisions of this Ordinance shall constitute an infraction in accordance with N.C.G.S. 14-4 punishable by a penalty not to exceed Fifty Dollars (\$50.00).

This Ordinance shall be effective on October 13, 2020.

Adopted this 12<sup>th</sup> day of October, 2020 by the Jamesville Board of Commissioners at the regular monthly board meeting. Commissioner Willis Williams motioned to adopt the revised Gold Cart Ordinance as presented. Commissioner Larris Tolson seconded. Motion unanimously passed. 4 Ayes - 0 Nays.

MAYOR

\_\_\_\_\_   
 Dennis Anton

Attested to:

TOWN CLERK

\_\_\_\_\_   
 Kimberly Cockrell

**D. Water/Sewer Lines For Valentine Project**

1. During public comments at the July 13, 2020 Regular Board meeting, Mr. Melton E. Valentine, Indiantown Farms, LLC addressed the Board concerning zoning regulations as it related to the proposed Valentine project and water/sewer hook-up in Jamesville, NC.



Mr. Melton E. Valentine commented the project cannot proceed until building inspections expectations are met regarding the zoning ordinance requirement.

Commissioner Willis Williams commented that the zoning ordinance stated that all developers must pay for improvements. The developer must be “Town ready” to connect to its water and sewer system. In turn, the Town may have existing service or bring the service within the range of the developer, when possible. Commissioner Willis Williams suggested it would be unfair to burden the Town taxpayers with the cost of the improvements to extend the water/sewer service. Commissioner Willis Williams continued by stating an application for economic development CDBG funds could be submitted for the water and sewer lines extension because jobs would be created. Although, it would require a commitment from the Town of Jamesville. Commissioner Willis Williams added the project would be a boom for the Town of Jamesville. To start the grant process, a professional grant writer would be needed. The Mid-East Commission had assisted the Town with grant writing in the past, as well as Municipal Engineering Services. Commissioner Carolyn Martin made the motion for Commissioner Rachel Craddock and Commissioner Willis Williams to proceed with the plan of securing a grant writer for the CDBG funds application. Commissioner Larris Tolson seconded. Motion unanimously passed. 4 Ayes - 0 Nays.

#### **E. High Grass**

1. A survey was mailed to the citizens of the Town of Jamesville soliciting input on a solution to the unusually high grass areas in the Town, which were unsightly and potential safety hazards. Mayor Dennis Anton stated seventeen (17) surveys for and twenty-six (26) surveys against were received regarding the Town cutting grass in high grass areas and billing the taxpayers/owners, knowing that the cost may not be recuperated. Most voiced concern over using extra tax dollars for the clean-up. Commissioner Rachel Craddock commented some were concerned only certain areas would benefit, while the cost would be absorbed by all through raised taxes. Commissioner Rachel Craddock added the Town has limited funds. Adding, it would take the willingness (of the citizens) to do want needs to be done to allow that to happen. By a majority, the citizens voiced their objections to the proposed solution for the high grass areas.

### **VIII. New Business**

#### **A. US Cellular Contract Renewal – Plan & New Phone Pricing**

1. Town Clerk/Finance Officer Kimberly Cockrell reported that the state contract for cellphones through US Cellular was up for renewal, effective immediately. The Board received plans and new cellphone prices for review. After discussion on the different options, Commissioner Larris Tolson made the motion to keep the current services plan of unlimited voice and data and to spend up to a total of \$500.00 (\$250.00 each) for the two (2) cellphones. Commissioner Carolyn Martin seconded. Motion unanimously passed. 4 Ayes - 0 Nays.

#### **B. NERSBA**

##### **1. Yearbook Sponsorship Ads**

In the past, the Town had purchased an ad for the Town of Jamesville as well as for the NC Herring Festival. Commissioner Rachel Craddock suggested purchasing a sponsorship for the Town only, due to the uncertainty of the Coronavirus and its inherent dangers and effect on whether the Herring Festival would even take place in 2021. Commissioner Willis Williams made the motion to support the Northeast Regional School of Biotechnology and Agriscience (NERSBA) yearbook campaign as a \$50.00

sponsor. Commissioner Larris Tolson seconded. Motion unanimously passed. 4 Ayes - 0 Nays.

## **2. FFA Community Project – Trees For Cemetery**

Three members of the NERSBA FFA chapter, accompanied by Ms. Julia Coltrain, Teacher, attended the meeting to request permission to install trees in the Town of Jamesville cemetery.

On behalf of the local chapter officers, Mr. Robert Augburn, FFA Chapter Chaplain requested the Board allow them to plant two (2) trees at the entrance of the Town cemetery. Mr. Robert Augburn asked the Town to pay for the trees.

Mr. Javian McMillan stated the purpose was to add to the cemetery's attractiveness and beauty. It was his belief that the trees would be appreciated by the whole community and would make a big difference in the cemetery.

Miss Heidi Bailey commented the purchased would include two (2), fifteen (15) gallon pink crape myrtles and mulch/weed control for an approximate total cost of \$190.00. Commissioner Carolyn Martin questioned the cost being significantly lower when the project was first discussed.

Ms. Julia Coltrain responded the proposed trees would be big 5-foot trees. Adding, comparison shopping was done. This appeared to be the better option for the project. Ms. Julia Coltrain commented the NERSBA FFA would handle the complete project from start to finish. The ceremony was tentatively planned for November.

Commissioner Larris Tolson moved to appropriate \$190.00 for the tree project in the Town cemetery. Commissioner Willis Williams seconded. Motion unanimously passed. 4 Ayes - 0 Nays.

Mayor Dennis Anton commended the group on getting their proposal passed and on their speaking abilities.

## **C. Town Resident Flyers – Face Masks, Hand Sanitizers, 2020 Census Response**

1. Town Clerk/Finance Officer Kimberly Cockrell explained that the September 30, 2020 Census deadline had been extended to October 31, 2020. Town Clerk/Finance Officer Kimberly Cockrell presented potential flyers for hand distribution by Staff, which would inform Town residents that face masks and hand sanitizers were at the Town Hall in a limited amount. While handing out the flyers, the intent was to inform and encourage citizens who had not done so already, to complete the 2020 Census. Also, to make them aware of resources available at the Town Hall to assist them in completing the 2020 Census by the October 31, 2020 deadline. Reportedly, forty-nine percent (49%) had completed the 2020 Census in the Town of Jamesville. Commissioner Willis Williams moved to approve the flyers for hand distribution. Commissioner Rachel Craddock seconded. Motion unanimously passed. 4 Ayes - 0 Nays.

## **D. COVID-19 S.L. 2020-89**

1. Mayor Dennis Anton and Town Clerk/Finance Officer Kimberly Cockrell commented on receiving a letter and notice for Town Attorney Daniel Manning on COVID-19 Session Law 2020-89 (House Bill 118). In the written communication, Town Attorney Daniel Manning explained that this past summer, the General Assembly enacted Session Law 2020-89, which would give limited immunity from COVID-19 claims against local government. Adding, this new (temporary) law would disallow claims which do not rise to the “gross negligence or wanton conduct or intentional wrongdoing” standard. To activate the statute, the Town needed to provide the notice set out in paragraph (b) of the statute. The notice should be posted at the main entrance to all Town Facilities (as well as the website).

Commissioner Larris Tolson made a motion to adhere to the recommendation of Town Attorney Daniel Manning and post the COVID-19 S. L. 2020-89 notice. Commissioner Carolyn Martin seconded. Motion unanimously passed. 4 Ayes - 0 Nays.

#### **E. Water Quality – State Letter**

1. Mayor Dennis Anton acknowledged a letter received from the N. C. Department of Environmental Quality (DEQ), Regional Office in Washington, N. C., regarding consumers' complaint, deficiency in iron and manganese concentration levels, and a plan of action to render corrective measures. A written response was required within thirty (30) days (letter dated October 7, 2020). Commissioner Larris Tolson commented on the need to accept the information in the report for what it was, to remind all the Town was in the process of securing a new water treatment plant, and offered encouragement that things will get better after that. Commissioner Willis Williams motioned to use the letter for informational purposes in providing a response. Commissioner Carolyn Martin seconded. Motion unanimously passed. 4 Ayes - 0 Nays.

#### **IX. CLOSED SESSION - N C G. S. §143-318.11(a) (6) Personnel**

Around 8:27 p.m., Commissioner Larris Tolson made a motion to enter Closed Session in pursuant of NC G.S. §143-318.11(a) (6) Personnel. Commissioner Rachel Craddock seconded. Motion unanimously passed. 4 Ayes – 0 Nays.

Around 9:24 p.m., Commissioner Larris Tolson made the motion to end Closed Session in pursuant of NC G. S. §143-318.11(a) (6) Personnel. Commissioner Rachel Craddock seconded. Motion unanimously passed. 4 Ayes – 0 Nays.

#### **Open Session**

Commissioner Willis Williams and Commissioner Rachel Craddock planned to meet on Thursday, October 15, 2020 at 2 p. m. to discuss and collect information for a potential response and plan of action for the letter received from the N. C. DEQ.

The Board consensually agreed to meet on Thursday, October 29, 2020 at 7 p. m. for a Special Meeting to discuss a plan and response to the letter from the N. C. DEQ. The State must receive a response by November 6, 2020 (30 days from date of letter.)

#### **X. Board Comments**

1. Commissioner Rachel Craddock inquired about a response to WNCT-9 over concerns on discolored water noted by Mrs. Kimberly Biggs. Commissioner Willis Williams suggested the response already given acknowledging Mrs. Kimberly Biggs and the concerns of all the citizens should suffice at this time. Commissioner Larris Tolson noted the proposed new Water Treatment Plant was a large part of the corrective plan of action.
2. Commissioner Rachel Craddock commented on reports stating the Local Government Commission (LGC) had taken over the financial operations of the Town of Robersonville because of audit issues.

#### **XI. Adjourn**

Commissioner Carolyn Martin moved to adjourn at 9:33 p.m. Commissioner Larris Tolson seconded. Motion unanimously passed. 4 Ayes – 0 Nays.

Respectfully submitted by:  
Kimberly Cockrell – Town Clerk/Finance Officer