

**TOWN OF JAMESVILLE**  
**MONTHLY BOARD MEETING 8/10/2020**  
**MINUTES**

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The following is an account of the minutes taken at the Regular Monthly Board Meeting held between 7:00 p.m. & 8:41 p.m. on 8/10/2020 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
- Mary Allen - Commissioner
- Carolyn Martin - Commissioner

Minutes Recorder – Kimberly Cockrell, Town Clerk/Finance Officer

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

**II. Adoption of Agenda**

- Commissioner Carolyn Martin requested an addition to agenda item VI. Old Business C. No Parking Sign Status and D. Concealed Weapons Carry Class; VII. New Business D. High Grass. Commissioner Larris Tolson moved to accept the agenda as modified. Commissioner Willis Williams seconded. Motion unanimously passed. 5 Ayes - 0 Nays.

**III. Approval of Minutes**

Commissioner Willis Williams moved to approve the following minutes as presented. Commissioner Carolyn Martin seconded. Motion unanimously passed. 5 Ayes - 0 Nays.

- Cemetery Workshop – July 7, 2020
- Regular Board Meeting – July 13, 2020

**IV. Public Comments – None**

**V. Reports**

**A. Mayor – None**

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

1. Mr. Samuel Lilley reported there was a power outage during the recent hurricane, Isaias. The transition to the generator went smoothly and the task was successfully completed.
2. One (1) water tap was installed to a doublewide at 1484 Main Street. Sewer service would be provided by septic tank because the Town does not have development in that area.

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

1. Mr. Charles Winstead commented that Staff was working to clean up after Hurricane Isaias, in addition to regular duties. Mr. Charles Winstead predicted that debris cleanup would take approximately two (2) weeks to complete. Commissioner Carolyn Martin questioned whether Staff could handle the workload or would extra help be needed. Mr. Charles Winstead answered there was not enough manpower or equipment to do the cleanup in a hurry. An additional truck or open trailer would be helpful. Assistance with the cleanup from volunteers was welcomed.

**D. Administrative Report - Kimberly Cockrell**

1. Finance Officer Kimberly Cockrell read the Financial Report for July 2020.
2. Budget Amendment(s)  
Commissioner Willis Williams made the motion to accept the following W/S Budget Amendment #1, as presented. Commissioner Carolyn Martin seconded. Motion unanimously passed. 5 Ayes – 0 Nays.

**Budget Amendments FY 2020-2021**

**W/S BUDGET AMENDMENT #1 – 8/10/2020**

	<u>CREDIT</u>	<u>DEBIT</u>
3071745 Insurance (S)		\$3,000.00
3071345 Insurance (W)		\$3,000.00
3071796 Transfer to Reserve (S)	\$1,096.00	
3071396 Transfer to Reserve (W)	\$1,096.00	
3071448 Repairs & Maintenance (W)	\$3,808.00	
	\$6,000.00	\$6,000.00

\*\*\*Adding Insurance Expense to W/S Budget. There was a clerical error in the budget worksheet. Insurance expense was included in the approved budget but not included in the total numbers.

**E. Mid-East**

1. No Report

**F. Planning Board**

1. Resignation Letter – Ms. Vicky Chapman  
Commissioner Carolyn Martin motioned to accept the resignation of Ms. Vicky Chapman on the Planning/Zoning Board. Commissioner Willis Williams seconded. Motion unanimously passed. 5 Ayes – 0 Nays.
2. Appointment – Vacant Seat on Board and Alternate  
Mayor Dennis Anton stated Mrs. Marian Davis and Mrs. Pam Evans were appointed as alternates on the Planning/Zoning Board. Mrs. Marian Davis verbally expressed her desire to decline the appointment as an alternate on the Planning/Zoning Board or to serve on any board. Commissioner Mary Allen made the motion to appoint Mrs. Pam Evans to replace the position vacated by Ms. Vicky Chapman. Commissioner Willis Williams made an addendum to the motion to add that the Board would be looking for alternates for appointment to the Planning/Zoning Board. Commissioner Willis Williams seconded, as amended. Motion unanimously passed. 5 Ayes – 0 Nays.

**G. Herring Festival**

1. Commissioner Rachel Craddock reiterated that the 2020 Herring Festival had been cancelled, due to COVID-19 safety issues. The Herring Festival Committee planned to meet on November 17, 2020 to begin discussions for the 2021 Herring Festival. Adding, volunteers are welcomed and would be solicited.

## **VI. Old Business**

### **A. Water/Sewer Ordinance Enforcement**

1. The Board was presented the monthly water disconnect list, as per Water/Sewer Ordinance #81. Town Clerk/Finance Officer Kimberly Cockrell commented Governor Roy Cooper's Executive Order prohibiting disconnections due to COVID-19, ended July 29, 2020. As per the Executive Order, water customers with balances in arrear during the temporary stay on disconnections were to be offered an option to pay up to six-months. Letters containing contracts giving them the option to enter a six-month repayment plan for past due amounts had been drafted for the Board's approval. Commissioner Willis Williams moved to adopt the payment plan, as presented. Commissioner Mary Allen seconded. Motion unanimously passed. 5 Ayes – 0 Nays.

### **B. Proposed Ordinances**

- Cemetery Ordinance (Revised)

Town Clerk/Finance Officer Kimberly Cockrell stated the revised Cemetery Ordinance #80 had been examined by Town Attorney Dan Manning and had met with his approval. Commissioner Larris Tolson motioned to approve the Cemetery Ordinance #80 as revised. Commissioner Mary Allen seconded. Motion unanimously passed. 5 Ayes – 0 Nays.

## **AN ORDINANCE REGULATING THE CEMETERY OF THE TOWN OF JAMESVILLE PROPERTY**

This Ordinance shall be known as the Town of Jamesville, North Carolina Cemetery Ordinance. Be it ordained that:

### **ARTICLE 1 – AUTHORITY**

#### **Section 1.1-Authority:**

No person may bury or cause to be buried the body of any deceased person within the town limits in any place other than a church cemetery or a cemetery operated by a governmental entity or a private cemetery licensed or specifically exempted from licensing according to the North Carolina Cemetery Act (N.C.G.S. Chapter 65, Article 9 and N.C.G.S. §160A-341:7).

### **ARTICLE 2 – SUPERVISION**

#### **Section 2.1-Supervision:**

All supervision of the Town of Jamesville cemetery shall be by or under direction of the Public Works Department or its Designee. No grave shall be opened, or interment conducted without prior notice to the Public Works Department or its Designee of at least twenty-four (24) hours and without prior permission from the Town.

#### **Section 2.2-General Duties:**

The Public Works Department or its Designee shall have the powers and duties as shall be conferred by this ordinance, resolution, or order of the Board of Commissioners. The Public Works Department or its Designee shall have charge of the upkeep, protection, and preservation of the

cemetery, shall supervise the digging of all graves, the interment and disinterment of bodies and the erection of monuments and markers, shall supervise the planting of any and all shrubbery, trees and flowers and shall make provision for the entrance and exit of persons and vehicles to and from the cemetery. The Town Board of Commissioners reserves the right to enhance the surrounding cemetery grounds.

### **ARTICLE 3 – GENERAL PROVISIONS**

#### **Section 3.1-Purchase of Burial Rights:**

Upon payment of the appropriate fees to the Town of Jamesville, evidence of burial rights shall be transferred from the Town.

#### **Section 3.2-Schedule of Charges:**

The Town shall establish and revise from time to time rates or costs for burial rights in its cemetery plots. This rate or cost may vary according to purchasers living outside the corporate limits of the Town and outside Martin County. Gravesites shall be paid for in full at the time of purchase. Gravesite dimensions and layout shall be as designed by the Town.

### **ARTICLE 4 – TRANSFER OF LOTS**

#### **Section 4.1-Lots Transfer Provision:**

Unused burial rights shall not be sold, resold, assigned or otherwise transferred to any other person or entity except by and to the Town of Jamesville. The Town will repurchase unused burial rights from an owner who desires to sell these rights. The price shall be the same price originally paid for the burial rights to the Town.

### **ARTICLE 5 – DEFINITION**

#### **Section 5.1-Immediate Family:**

Burial rights to any given gravesite shall be limited to the purchaser and the immediate family of the purchaser. The term “immediate family” shall mean the spouse, parents, grandparents, children, grandchildren, brothers, sisters, mother-in-law, father-in-law, brother-in-law, sister-in-law, daughter-in-law and son-in-law. Adopted and step members are also included in immediate family.

### **ARTICLE 6 – GRAVES**

#### **Section 6.1-Watertight Vault:**

No person may bury or cause to be buried the body of a deceased person unless a watertight casket is properly placed within a watertight vault.

#### **Section 6.2-Depth:**

Graves in the cemetery shall be at least four (4) feet in depth.

#### **Section 6.3-Setback:**

No graves in the cemetery shall be dug nearer than twelve (12) inches to any property or gravesite line.

#### **Section 6.4-Coping, Curves and Mounds: Prohibited:**

No coping, curb, fencing, grave mound or border of any kind shall be allowed on any burial lot in the cemetery.

## **ARTICLE 7 – INTERMENT PLACEMENT**

### **Section 7.1-Interment Placement:**

There shall be no more than one interment in a graveside, except as provided in Section 7.2 below.

### **Section 7.2-Dispensation For Infants and Cremation Urns:**

Infants and cremation urns may be interred in family plots. The number of infants and cremation urns which may be placed in one grave site shall be as determined from time to time by the Town.

## **ARTICLE 8 – MONUMENTS**

### **Section 8.1-One Per Family Lot:**

Only one central or family monument shall be allowed on a family lot in the cemetery. When a monument is not desired by the family, one head marker per grave may be authorized.

### **Section 8.2-Head Marker:**

When a head marker is used in place of a monument, it shall be laid flush with the ground and shall not exceed two feet (24 inches) in length and eighteen (18) inches in width and shall be placed at the head of the grave.

### **Section 8.3-Marker:**

When a monument is used, a marker may also be placed at the end of each grave farthest from the monument. The marker shall be laid flush with the ground and shall not exceed two (2) feet in length and one (1) feet in width.

### **Section 8.4-Foundation:**

Section 8.4.1-No memorial shall be erected in the cemetery unless there shall be a foundation to consist of a concrete mixtures follows: One (1) part cement of standard brand, two (2) parts clean sharp sand and three (3) parts rock, size not to exceed one and one-half (1 ½) inches.

Section 8.4.2-The foundation for monuments shall be twelve (12) inches longer than the length of the base of the monument, and twelve (12) inches wider than the width of the base of the monument, thus making an extension of six (6) inches on each side of the monument base. The foundation will be twelve (12) inches thick for monuments weighing over four hundred (400) pounds and eight (8) inches thick for monuments less than four hundred (400) pounds. The finished grade of the foundation shall be flush with the ground. The foundation will not extend over the property line. No portion of any monument or marker (excluding foundations) will be closer than six (6) inches from any property line.

Section 8.4.3-The foundation for markers shall extend two (2) inches beyond the marker on all sides. The thickness of the foundation shall be equal to the thickness of the marker or a minimum of four (4) inches, whichever is greater. The finished grade of the foundation shall be at a depth also equal to the thickness of the marker. Thus, upon completion of construction, the top surface of the marker will be flush with the ground.

Section 8.4.4-Any variance from the provisions of this Ordinance shall be based on special circumstances unique to that particular case and approved in advance by the Town Board.

## **ARTICLE 9 – REMOVAL AND DESTRUCTION**

### **Section 9.1-Removal of Unused Building Materials:**

Any tools, material or debris remaining after the erection of monuments, markers, or other lawful structures authorized herein shall be promptly removed from the cemetery by the owner of the lot upon which the monument, marker or structure is located.

### **Section 9.2-Grading, Landscaping and Improvements:**

All grading, landscaping and improvements of every kind in the cemetery shall be made or done by the Town only.

### **Section 9.3-Removal or Injury To Structures:**

It shall be unlawful for any person to remove any marker, gravestone or other monument erected at any grave or to deface, injure or destroy any marker, gravestone, or monument in any manner.

### **Section 9.4-Destroying or Injuring Plants:**

It shall be unlawful for any person to destroy or injure in any manner any flower, shrub, tree, or plant in the cemetery. All pruning or cutting of trees and shrubbery is prohibited except as done under the supervision of the Public Works Department or its Designee.

## **ARTICLE 10 –VIOLATIONS**

### **Section 10.1-Trespassing:**

Section 10-1-1-It shall be unlawful for any person, other than officers of the law engaged in the prosecution of their duties as such, to enter the cemetery in the nighttime between 11 p.m. and 5 a.m., without prior authority to do so from the Public Works Department or its designee.

Section 10.1.2-No person shall enter the cemetery at other times except for the purpose of attending funerals, visiting graves, or pursuing some other lawful mission.

### **Section 10.2-Disturbing The Peace:**

No person shall disturb the quiet, repose and good order of the cemetery.

### **Section 10.3-Vehicle Speed:**

It shall be unlawful for any reason to drive any vehicle within the cemetery roadway at a speed in excess of 10 mph.

### **Section 10.4-Violation:**

A violation of this Ordinance shall be a class 3 Misdemeanor punishable by a fine not to exceed Five Hundred Dollars (\$500.00).

This Ordinance shall be effective upon adoption.

Adopted this 10<sup>th</sup> day of August, 2020.

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MAYOR

ATTEST:  
  
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TOWN CLERK

- Firearms Ordinance (New)

Commissioner Willis Williams made the motion to approve the Firearms Ordinance, with the necessary language suggested by Town Attorney Dan Manning in section (g). Commissioner Larris Tolson seconded. Motion unanimously passed. 5 Ayes – 0 Nays.

**AN ORDINANCE PROHIBITING FIREARMS  
AND OTHER WEAPONS ON TOWN OF JAMESVILLE PROPERTY**

Section 1 Firearms and other weapons prohibited on Town Property.

- (a) This Ordinance is adopted pursuant to N.C.G.S. §14-409.40, N.C.G.S. §14-415.23, N.C.G.S. §14-269 and N.C.G.S. §14-415.11.
- (b) Except as provided in subsection (h) below, all persons are prohibited from possessing any firearm on town-owned buildings and their appurtenant premises, as defined herein.
- (c) Except as provided in subsection (h) below, all persons are prohibited from possessing any firearm at the town athletic facilities, (facilities used for athletic events, including but not limited to a gymnasium) and athletic fields(any athletic fields, including any appurtenant facilities such as restrooms, during an organized athletic event) in accordance with N.C.G.S. §14-415.23.
- (d) Except as provided in subsection (h) below, all persons are prohibited from carrying concealed weapons as defined in N.C.G.S. §14-269 in town-owned buildings, their appurtenant premises and in Town parks and recreational facilities. These weapons are defined as guns, bowie knives, dirks, daggers, slingshots, loaded canes, metallic knuckles, razors, shurikens, stun guns or other weapons of like kind.
- (e) Except as provided in subsection (h) below, all persons are prohibited from displaying or carrying openly any firearm or weapon described in subsection (d) above in the streets, sidewalks, alleys, or other public property in the Town of Jamesville in the areas set aside for and during the periods of operation of festivals, concerts, amusement and entertainment events, and other public assemblies.
- (f) Nothing herein is intended to prohibit a person from storing a firearm within a motor vehicle while the vehicle is on the aforementioned properties in the Town.
- (g) For the purpose of this section, Town-owned buildings include the Town Hall property, the Town Sewer Plant property, the Town Water Tank property, and the Town athletic field, known as the J.W. Willis Park.
- (h) This prohibition shall not apply to the following persons:
  - (1) Those persons identified in N.C.G.S. §14-269(b).
  - (2) Animal Control Officers acting in the scope of their employment.
  - (3) Persons firing firearms without projectiles in organized educational, entertainment, instructional or ceremonial events sponsored by the Town.
  - (4) Any Town Mayor or Commissioner with a valid North Carolina Concealed Carry Permit after prior approval granted by the Town Board.
  - (5) A Town employee with a valid North Carolina Concealed Carry Permit after prior approval granted by the Town Board.
- (i) A conspicuous notice shall be posted at each entrance to any property or facility set forth in subsection (b), (c), (d), (e), and (g) above, outlining the restrictions prescribed in this section.
- (j) Firearms and other weapons possessed in violation of this article are hereby declared to be contraband. The Sheriff of Martin County or his Designee shall dispose of such weapons pursuant to applicable State law. A violation of this Ordinance shall also be a Class 3 Misdemeanor punishable by a fine of not more than Five Hundred Dollars (\$500.00).

Adopted this 10<sup>th</sup> day of August, 2020.

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DENNIS ANTON, MAYOR

ATTEST:

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KIMBERLY COCKRELL, TOWN CLERK

- **Golf Cart Ordinance (Revised)**  
Town Clerk/Finance Officer Kimberly Cockrell reported Town Attorney Dan Manning needed additional time to review the revised ordinance. Stating, more rules and regulations may be added to govern golf carts usage. The agenda item was tabled.

**C. No Parking Sign Status**

Town Clerk/Finance Officer Kimberly Cockrell reported she had talked to Town Attorney Dan Manning concerning the placement of no parking signs. Attorney Dan Manning needed to check into the legality of the Town placing no parking signs in the specified location, due to two parts having curve gutter in place and one part with none. In the meantime, Commissioner Mary Allen motioned to send a friendly letter to residents regarding the parking status. Commissioner Larris Tolson seconded. Motion unanimously passed. 5 Ayes – 0 Nays.

**D. Concealed Weapons Carry Class**

During the June 8, 2020 Regular Town Board, the Board voted to allow conceal weapons carry by Employees and Commissioners on Town property; if the concealed weapons class had not been taken, the Town would pay for the initial test and license; thereafter, the cost would be the responsibility of the Employees and Commissioners. A Firearms Ordinance was approved as an item listed on this agenda. Town Clerk/Finance Officer Kimberly Cockrell stated classes were being offered by Martin County Firearms through the Martin County TeleCenter at a cost of \$80.00. Several other potential locations for concealed weapons class were mentioned as well. It was suggested the policy should include a retro reimbursement clause for those who had already taken the class. No action was taken on this suggestion. Rather it was tabled.

**VII. New Business**

**A. Rid-A-Pest Contract**

Commissioner Willis Williams made the motion to approve the annual Rid-A-Pest contract (*Entered into these minutes by reference*) for \$450.00, effective August 11, 2020. Commissioner Larris Tolson seconded. Motion unanimously passed. 5 Ayes – 0 Nays.

**B. Southern Corrosion Contract – Proposed**

Town Clerk/Finance Officer Kimberly Cockrell explained Town Attorney Dan Manning had problems with the agreement as proposed because several items on the RFP (request for proposal) had not been included in the agreement. Commissioner Willis Williams moved to table until the final draft had received approval from Town Attorney Dan Manning. Commissioner Carolyn Martin seconded. Motion unanimously passed. 5 Ayes – 0 Nays.

**C. Coronavirus Relief Fund Allocation – Plan Due by September 1, 2020**

Town Clerk/Finance Officer Kimberly Cockrell reported Martin County Government received \$1,050,620.00 (one (1) million-fifty thousand, six-hundred-twenty dollars) from the state, as a result of the Coronavirus Aid, Relief, and Economic Security (CARES) Act passed by the federal government. Of that amount, twenty-five percent (25%) must be allocated to the towns. On behalf of all, Martin County had purchased laptops and distributed them throughout the county. The Town of Jamesville received two (2) laptops plus accessories at a cost of \$3,800.00. A net disbursement of \$10,514.00 remained that may be used for COVID-19 related expenses by the Town. A plan must be submitted to the county and state, on or before September 1, 2020, if the Town intended to use those funds. The Board agreed to

schedule a Special Meeting for August 18, 2020 at 7 p.m. to discuss potential use of the Coronavirus Relief funds.

**D. High Grass**

After discussion, the Board agreed to table this item until the Special Meeting on August 18, 2020 at 7 p.m.

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

Around 8:03 p.m., Commissioner Willis Williams made a motion to enter Closed Session in pursuant of NC G.S. §143-318.11(a) (6) Personnel. Commissioner Carolyn Martin seconded. Motion unanimously passed. 5 Ayes – 0 Nays.

Around 8:29 p.m., Commissioner Willis Williams made the motion to end Closed Session in pursuant of NC G. S. §143-318.11(a) (6) Personnel. Commissioner Carolyn Martin seconded. Motion unanimously passed. 5 Ayes – 0 Nays.

**Open Session**

The Board agreed to hold a called meeting on September 10, 2020 from 6 p.m. to 8 p.m. for a personnel policy workshop.

**IX. Board Comments**

Commissioner Carolyn Martin extended to the Board an invitation she had received to attend an Eagle pinning ceremony for Mr. Robert Augburn being held at NERSBA in Jamesville, NC on August 22, 2020 at 3 p.m. For his project, Mr. Robert Augburn chose a meditation space at the school.

Additionally, the NERSBA FFA was interested in taking on a tree planting project at the Town of Jamesville cemetery and sought permission from the Board. A tentative date was set for October 24, 2020. The Board decided two (2) pink crepe myrtle trees at the cemetery main entrance would beautify the area. Commissioner Carolyn Martin and Commissioner Larris Tolson planned to be on hand during the tree planting.

**X. Adjourn**

Commissioner Mary Allen moved to adjourn at 8:41 p.m. Motion unanimously passed. 5 Ayes – 0 Nays.

Respectfully submitted by:

Kimberly Cockrell – Town Clerk/Finance Officer