

TOWN OF BAILEY MEETING MINUTES  
REGULAR MEETING – 7/17/2023

The Regular Meeting of the Bailey Town Board was held in the Bailey Town Hall on July 17, 2023, at 6:30 PM.

The following members of the Bailey Town Board were present: Mayor Thomas Richards and Commissioners Walter Wells, Richard Wilson, Dillon Bissette, and Ervin Powell.

Also in attendance was Town Administrator Joel Killion.

**Called the meeting to order and welcomed guests:**

Mayor Richards called the meeting to order and welcomed the guests.

Commissioner Powell delivered the invocation.

**Public Hearing(s):**

**#1: Rezoning of Property Parcel Number 341382, 341381 and 341380** – Zoning Administrator Shawn Lucas welcomed everyone. He went on to explain that the owner of these three properties (Mr. David Truelove) made a formal request to have them rezoned from R-20 to Industrial District to allow them to apply for a Special Use Permit from the Board of Adjustment to build a self-storage facility on the property. The owner wants to combine all three properties into one property at some point after this request is possibly granted.

These three properties are located between Commissioner Ervin Powell's church at 5694 Deans Street and a residential lot at 5600 Deans Street, across from a meat packing facility at 5645 Deans Street.

Zoning Administrator Lucas provided time for the owner to speak and shared that public comments would follow.

The owner reiterated that he and his business partner's intentions are to rezone these three lots for the purpose of building a self-storage facility. He shared that these storage units will allow people to have a place to store items so as to prevent clutter around town.

Commissioner Wells asked the owner if the intended use is for self-storage alone to ensure that it will not be used for anything else.

The owner assured Commissioner Wells that it would only be for self-storage.

Commissioner Wells also mentioned that special conditions were placed on the self-storage facility on HWY 581 that boats and trailers and the like be stored/parked in the back portion of

the property to provide a more aesthetic look from the street. And he said that it would be good to look at these same conditions for this facility as well.

Mayor Richards opened the hearing up to public comments.

Mrs. Morton (town citizen) asked if there would be any kind of water drainage that would flow down Deans Street to other properties in town.

The owner and Zoning Administrator Lucas explained that a consultant, as well as the Board of Adjustments, the Board of Commissioners, Envirolink, NCDOT, etc., would check the plans and make sure the drainage would go where its supposed to.

Mr. Owen Strickland III (town citizen) asked if we had anything on the books with requirements for appearances and buffer styles.

Zoning Administrator Lucas said he would check the ordinances to make sure all the requirements are met, including meeting the requirements for special use permits.

The public comments portion of the Public Hearing was then closed.

Zoning Administrator Lucas provided the following recommendations: Send proposed rezone request to the Bailey Planning Board for their Statement of Consistency that is then to be reported to the Board of Commissioners in no more than 60 days. Then, during the next Board of Commissioners meeting, the Board can decide how it wishes to proceed.

Commissioner Powell made a motion to send the rezone request to the Planning Board. Commissioner Bisette seconded the motion. Motion carried.

Vote: Mayor Richards: N/A, Commissioners Powell: Aye, Bisette: Aye, Richards: Aye, Wells: Aye.

**#2: Conversion of Hanover Street to a One-Way** – Zoning Administrator Lucas opened by stating that several Town citizens have complained about the traffic pattern on Hanover Street during peak business hours. Several members of the Planning Board have had discussions on this matter in the past and agreed that this street needs to be converted to one-way.

Zoning Administrator Lucas asked that the Public Hearing be opened to public comments.

Several Town citizens spoke-up in opposition to converting Hanover Street to one-way – Mr. Cecil Hawley, Mr. Dennis Bisette, Mrs. Nancy Bisette, and Mr. Jerry Bisette – claiming that it is simply is not necessary. It was also mentioned that if the angled parking was removed, there would be plenty of room for two-way driving without any issues. They also stated that additional parking could be provided in the empty lot across from the businesses on Hanover Street, as well as in the space between the business and Mr. Dennis Bisette's property. It was

then suggested that the Police Department could focus on enforcing parking rules on that street.

Commissioner Wells stated that in a conversation he had earlier with soon-to-be-Chief Adam Gelo, it was stated that the angled parking is an issue that needs to be addressed.

Zoning Administrator Lucas made a recommendation to table this issue until a plan is devised.

Commissioner Wells said he is hesitant to table this issue.

Mayor Richards said that he asked Administrator Killion to get with Commissioner Wells and Mr. Adam Gelo about how the parking lines should be laid out so that we can get quotes for painting the lines where they need to be to resolve this issue.

Mayor Richards did not close the Public Hearing for this matter since it is not resolved yet.

**Approval of meeting minutes and financials:**

Commissioner Bissette made a motion to approve the meeting minutes and financials and Commissioner Wells seconded the motion. Motion carried.

Vote: Mayor Richards: N/A, Commissioners Bissette: Aye, Wells: Aye, Richards: Aye, Powell: Aye.

**Agenda:**

**Planning Board:** Zoning Administrator Shawn Lucas stated that there was nothing to share.

**EnviroLink:** Mr. Andrew White (the new Area Manager who replaced Mr. Josh Powers) was not present due to being on vacation.

**Top Notch Lawn Care:** Mr. John Thompson was not present.

**Old Business:**

**CloudWyze Easement** – Administrator Killion reminded the Board of the CloudWyze Easement Agreement document presented to the Board for a vote and referred the Board to a copy of the agreement that was included in their packets. He also said that the Board asked him to ask the Town Attorney and Middlesex about this agreement to ensure it includes no red flags for the Town or its partnership with Middlesex. He said that both the attorney and Middlesex said they saw no issue with proceeding with the agreement.

Commissioner Wells mentioned that the rate increases not only cover operating expenses but also cover depreciation on the system itself; it is depreciating and we're going to have

maintenance issues and replacement and repair issues that will be needed to keep it functioning properly. This is why we have to have the Capital Reserve Fund, to be able to afford these things upfront, rather than pulling money from the General Fund or getting loans at interest.

Commissioner Wells made a motion to approve the easement request from CloudWyze at the Middlesex/Bailey Senior Center and Commissioner Powell seconded the motion. Motion carried.

Vote: Mayor Richards: N/A, Commissioners Wells: Aye, Powell: Aye, Wilson: Aye, Bissette: Aye.

Mayor Richards asked the Board what it wished to do regarding the vacant Commissioner seat.

Mr. Cecil Hawley suggested that it would probably be best to wait until the election because if the Board were to appoint someone who has filed to run in the up-coming election that person would have an advantage.

Mrs. Kaye Folsom commented that her nephew, Mr. Owen Strickland III, has already filed to run in the upcoming election for the Mayoral seat. She said that she believes it would be to the Town's advantage for Owen to be appointed to the vacant Commissioner seat so that he will become aware of all that is going on and will be better prepared as Mayor if he wins.

The Mayor and Board decided to discuss this further in closed session.

### New Business:

**2019/2020 Audit** – Mayor Richards informed everyone that the 2019/2020 audit has been completed and Town Administrator Killion welcomed the audit, Mr. Lee Grissom, of S. Preston Douglas & Associates, LLP, who joined the meeting on speakerphone.

Mr. Grissom introduced himself and then informed everyone that a clean audit for the 2019/2020 FY has been completed. He mentioned that it was an unusual audit since it was over two years late. He then stated that Administrator Killion did a tremendous job with having to go back and gather documents from all the way back in 2019. He then said that they did have some issues with Bailey's outsourced accounting firm (Anthony & Tabb, CPA) as they were delayed in getting the financial statements to him for the final review. With that said, he stated that the books were in good shape overall.

Then, he said that the internal controls arrangements that the Town of Bailey has made with Overman & Parks CPA (in Rocky Mount) – getting financial expertise from an outsourced accounting firm – is a great idea. He said it was a good move to hire Overman & Parks so as to be able to gather information in a timely manner, as well as to provide a separation of duties.

Mr. Grissom proceeded to lay out the six internal control findings they came across during the audit for the 2019/2020 FY: (1) The lack of segregation of duties, (2) the lateness of the audit, (3) the failure of the Town to adopt a Capital Project Ordinance for the Capital Project Fund, (4) the excess of expenditures over appropriations in the General Fund's annual budget ordinance, (5) the improper recording of transactions related to State awards, and (6) the failure to submit Annual Project Certification Form to DEQ. After sharing these findings, he asked the Board if they had any questions, to which the Board said they had none.

Mr. Grissom then went over the seven graphs he provided the Board that give an overview of the Town's financials for the 2019/2020 FY.

Then, Mr. Grissom commented that Administrator Killion maintained a good attitude through the audit process and mentioned that the Town is on the right track having him on board.

Also, regarding the remaining audits for 2020/2021, 2021/2022 and 2022/2023, Mr. Grissom said that he believes it is realistic to anticipate completing them in September 2023, January 2024 and April/May 2024, which would get the Town caught-up. And he said these will all go well depending on how everything goes with Overman & Parks since they maintain the books and will be completing the reviews of each audit.

Finally, he said that between his work and Administrator Killion's work, he feels everything went very well on this audit and he believes the remaining audits should go well and be pretty straight-forward.

Commissioner Wells affirmed the need to get these remaining audits done in a timely manner so as to prevent the State from having to enforce Senate Bill 299.

With that all said, the phone call with Mr. Grissom ended.

Administrator Killion shared that since the 2019/2020 FY audit is complete, the Board is now able to vote on the contract with S. Preston Douglas & Associates to proceed with the 2020/2021 FY audit.

Mayor Richards stated that this contract for the 2020/2021 FY audit is for \$18,000.

Commissioner Wells said that the Town is not in the position to take its time to shop around because the Town is three audit behinds and needs to get these done as soon as possible.

Commissioner Wells made the motion that the Town contract with S. Preston Douglas & Associates to audit our accounts for FY 2020/2021 for \$18,000 for the audit fee and an additional \$3,000 if applicable. Commissioner Wilson seconded the motion. Motion carried.

Vote: Mayor Richards: N/A, Commissioners Wells: Aye, Wilson: Aye, Powell: Aye, Bisette: Aye.

Mayor Richards then directed the Board's attention to the Local Water Supply Plan Resolution that Administrator Killion provided in the Board's packets and read it to the Board and Public.

Mayor Richards asked for a motion.

Commissioner Bisette made the motion to approve the Local Water Supply Plan Resolution. Commissioner Wells seconded the motion. Motion carried.

Vote: Mayor Richards: N/A, Commissioners Bisette: Aye, Wells: Aye, Powell: Aye, Wilson: Aye.

Commissioner Wells commented on the Bailey Police Department's need for training and service ammunition for the law enforcement staff who will soon be on-boarded with the department.

Commissioner Wells made the motion to approve up to \$2,000 for the purchase of ammunition for the police department. Commissioner Bisette seconded the motion. Motion carried.

Vote: Mayor Richards: N/A, Commissioners Wells: Aye, Bisette: Aye, Powell: Aye, Wilson: Aye.

#### **Public Comments:**

Mayor Richards opened the meeting to public comments.

Mr. Matt Harris, a new resident of Bailey, shared that he and his wife just moved next to the Country Doctor's Museum back in February from Holly Springs. He said he wished they had moved here 30 years ago. He said everyone has been wonderful. With that said, he asked the Board to please install speed bumps and speed limit signs on Vance Street (the portion beside the Museum).

Mr. Cecil Hawley asked about a privacy letter being issued to town citizens who have their social security numbers on file at Town Hall for utility billing or anything. He also said that he volunteered to shadow Administrator Killion (something Administrator Killion offered at a recent meeting) and wondered if he could.

Administrator Killion said he had spoke with the Town Attorney and that he (Administrator Killion) and Cecil can talk about it later.

Then, Mr. Hawley asked about the water quality and who can look into it. He said that Steve Bailey (6572 Pine Street) told him that his water is cloudy and dark.

Commissioner Bisette (Water & Sewer Commissioner) said he can look into it for Mr. Hawley.

Finally, Mr. Hawley said that something needs to be done about the 6303 Main Street. He said he would like to have a meeting with Zoning Administrator Shawn Lucas, Administrator Joel Killion, Town Attorney Ryan King, and Commissioner Powell.

**Department Head Comments:**

**Zoning Administrator/Code Enforcer, Shawn Lucas:** Zoning Administrator Shawn Lucas said that Mr. Patino's property (the old sewing plant) that was rezoned last year needs the Town's approval to serve beer, wine and controlled substances there. He completed all the paperwork and needs the Town to decide as it did for The Leaning Tree and El Paso and everyone else.

Commissioner Wells asked if the permit would be for indoor or outdoor use.

Zoning Administrator Lucas said it would be for indoor.

Commissioner Wells made the motion to approve the alcohol permit for Mr. Patino's business. Commissioner Bissette seconded the motion. Motion carried.

Vote: Mayor Richards: N/A, Commissioners Powell: Aye, Bissette: Aye, Wells: Aye, Wilson: Aye.

Finally, Zoning Administrator Lucas said he has been working with the DOT regarding signage for the railroad bridge. He said that the DOT would not be able to add signage in front of the Piggly Wiggly or in front of the bridge as they would assign it as clutter. But they said the Town can add whatever signage it deems necessary. Zoning Administrator Lucas suggested a sign could be added near the Town limit for traffic coming from Rock Ridge. The DOT also provided permission to add a sign back on the bridge itself.

**Bailey Police Department:** Police Commissioner Wells shared that the State is processing all the documentation for on-boarding the new law enforcement staff. In the meantime, the Town is still continuing to be covered by Nash County Sheriff's Deputies who are being paid by the Town.

**Town Administrator, Joel Killion:** No comment

**Commissioner Comments:**

**Walter Wells:** No comment

**Richard Wilson:** Commissioner Wilson told the Board that it needs to come up with some way to standardize the Cemetery with regards to decorations, trinkets, monuments, fencing, rocks, bricks, plants, solar lights, etc.

**Dillon Bissette:** No comment

**Ervin Powell:** Commissioner Powell mentioned his concern about the uneven/broken pavement on O'Neal Street and said that Administrator Killion told him that the contractor said that that part of the road would be repatched either this week or next.

**Mayor's Remarks:**

The Mayor mentioned that the filing period for the upcoming election ends on July 21<sup>st</sup> for those who want to get on the Board and get more involved.

He then said that while some have complained about the Town paying officers \$30 per hour to cover the Town, the days of underpaying for police coverage are over. Everything has gone up in value, including compensation. A lot has changed and we wish it hadn't but it has.

He finished by saying that he is glad the 2019/2020 audit is complete. He said this is one of the things he worried the most about. He thanked Administrator Killion for getting this done, acknowledging that he stepped into a hornet's nest when he took this job.

**Closed Session:**

Commissioner Wells made a motion to go into closed session for Personnel Matters [G.S. 143-318.11(a)(6)]. Commissioner Wilson seconded. Motion carried.

Vote: Mayor Richards: N/A, Commissioners Wells: Aye, Wilson: Aye, Powell: Aye, Bissette: Aye.

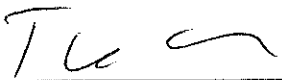
Commissioner Bissette made a motion to go into open session. Commissioner Wells seconded. Motion carried.

Vote: Mayor Richards: N/A, Commissioners Bissette: Aye, Wells: Aye, Powell: Aye, Wilson: Aye.

Commissioner Bissette made a motion to adjourn the meeting. Commissioner Wells seconded. Motion carried.

Vote: Mayor Richards: N/A, Commissioners Bissette: Aye, Wells: Aye, Powell: Aye, Wilson: Aye.

Meeting adjourned.

  
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Thomas Richards, Mayor

  
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Joel Killion, Town Administrator