

**TOWN OF BISCOE  
BOARD OF COMMISSIONERS MEETING  
December 14, 2015**

The Town of Biscoe Board of Commissioners met in a regular session on December 14, 2015 at 7:00 pm in the Municipal Building.

Present were: Mayor Jimmy Blake, Mayor Pro-Tem Jerry Smith, Commissioners, Gene Anderson, Eddie Reynolds and John Beard. Jimmy Cagle was absent due to sickness/hospitalization of his mother. Interim Town Manager Allen Oliver and Town Clerk Laura Morton were also present.

**Call to Order**

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Interim Town Manager Allen Oliver called the meeting to order at 7:00 pm.

**Swearing In of Newly Elected Officials\***

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The Oath of office was conducted by duly sworn Town Clerk, Laura B. Morton swearing in our newly elected Mayor James E. (Jimmy) Blake and returning incumbents Commissioners John Stephen Beard and Claude Jerry Smith as required in the NC General Statutes which states: "Every person elected by the people or appointed to any city office shall, before entering upon the duties of the office, take and subscribe the oath of office prescribed in Article VI, § 7 of the Constitution. Oaths of office shall be administered by some person authorized by law to administer oaths, and shall be filed with the city clerk."

*"I, James E. Blake, do solemnly swear (or affirm) that I will support and maintain the Constitution and laws of the United States, and the Constitution and laws of North Carolina not inconsistent therewith, and that I will faithfully discharge the duties of my office as Mayor, so help me God."*

*"I, John Stephen Beard, do solemnly swear (or affirm) that I will support and maintain the Constitution and laws of the United States, and the Constitution and laws of North Carolina not inconsistent therewith, and that I will faithfully discharge the duties of my office as Town Commissioner, so help me God."*

*"I, Claude Jerry Smith, do solemnly swear (or affirm) that I will support and maintain the Constitution and laws of the United States, and the Constitution and laws of North Carolina not inconsistent therewith, and that I will faithfully discharge the duties of my office as Town Commissioner, so help me God."*

The gavel was handed to duly elected Mayor Jimmy Blake. *Due to recent law changes (2010-2011), all persons elected and/or appointed to this board must undergo ethics training EVERY election or appointment. The certification of this training is to be kept on file in the Town Clerk's office. All elected officials attending the Essentials of Municipal Government Training will receive credit for their Ethics training and will likely be given something to file with the Town Clerk.*

**Selection of Mayor Pro-tem\***

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A motion was made by Commissioner Anderson, seconded by Commissioner Beard, and so the motion carried unanimously to appoint Jerry Smith to the vacated position held.

*"I, Jerry Smith, do solemnly swear (or affirm) that I will support and maintain the Constitution and laws of the United States, and the Constitution and laws of North Carolina not inconsistent therewith, and that I will faithfully discharge the duties of my office as Mayor Pro-tem, so help me God."*

## **Presentation of Pictures of US & NC Representatives\***

Mayor Blake said the Town of Biscoe is honored to have had two men who served in the US House of Representatives (one of which also served in the N.C. State House of Representatives. Town Clerk Laura Morton had pictures of these Representatives framed for Town Hall. The first Representative was Robert Newton Page. He moved to Biscoe in 1897. He served in the N.C. State House of Representatives from 1901 – 1902 and the US House of Representatives from 1903-1917. Lawrence “Larry” Webb Kissell is a graduate of East Montgomery High School and served in the U.S. House of Representatives from 2009-2013. Members of Representative Page’s family were in attendance.

## **Consent Agenda**

A motion was made by Mayor Pro-Tem Smith, seconded by Commissioner Beard, and so the motion carried unanimously to approve the following consent agenda items:

1. Approval of Minutes 11-9-15
2. November Monthly Financial Report
3. Approval of Project Budget for the Industrial Park Pump Station

## **Approval of 2016 Commissioner Board Meetings Dates/Time and Town Holiday Schedule**

A motion was made by Commissioner Anderson, seconded by Commissioner Reynolds, and so the motion carried unanimously to approve the following Schedule for Commissioner Board Meetings and Holiday Schedule for 2016.

### **Commissioner Board Meetings 2016**

- Monday, January 11, 2016
- Monday, February 8, 2016
- Monday, March 14, 2016
- Monday, April 11, 2016
- Monday, May 9, 2016
- Monday, June 13, 2016
- Monday, July 11, 2016
- Monday, August 8, 2016
- Monday, September 12, 2016
- Monday, October 10, 2016
- Monday, November 14, 2016
- Monday, December 12, 2016

### **Holiday Schedule 2016**

- January 1, 2016 New Year’s Day
- January 18, 2016 Martin Luther King, Jr. Day
- March 25, 2016 Good Friday
- May 30, 2016 Memorial Day
- July 4, 2016 Independence Day
- September 5, 2016 Labor Day
- November 11, 2016 Veterans’ Day
- November 24, 2016 Thanksgiving
- November 25, 2016 Thanksgiving
- December 23, 2016 Christmas
- December 26, 2016 Christmas

## **One-Stop Voting**

Interim Manager Allen Oliver said Town Clerk Laura Morton met with Board of Elections Director Donna Johnson. The Board of Elections is very interested in having a One Stop Voting location on this side of the County, specifically in Biscoe. It would be ideal to have the One Stop Voting location here at Town Hall because we are already a precinct and folks, especially in Biscoe, are accustomed to their precinct being here at Town Hall.

They are proposing to hold a One Stop Voting site at Town Hall March 3-12 & October 27 – November 5. These dates do not conflict with meeting dates in 2016. They wish to have one stop voting in even numbered years only. The locks on the meeting room doors would be temporarily changed for obvious reasons during this time.

They are also trying to get another site set-up in Mt. Gilead. The Board of Elections deadline to the State is January 15<sup>th</sup>. Hours are not set, but I suggested that they open at 8:30 which is the time we open Monday – Friday. Early voting would also include Saturday voting. Ms. Johnson said it has been proved that it will take a little while to get the word out that we are a One-Stop site (if the Town Board approves this request). The Board of Elections will advertise the One-Stop site and we will help our citizens by posting flyers in the lobby and on Facebook, Instagram, Twitter, etc.

*This was pulled the following from the North Carolina State Board of Elections website to define One-Stop Voting:*

**One-stop Absentee Voting (Early Voting)**

One-stop absentee voting (commonly known as "early voting") allows any registered voter to cast an absentee ballot in person on select days prior to Election Day. One-stop voting begins on the second Thursday prior to Election Day and ends on the last Saturday before the election at 1:00 p.m. The location for one-stop Voting is either in the County Board of Elections office, or an alternative site, if the County Board office is not equipped to handle in-person voting. County Boards of Elections may also designate additional one-stop sites in various other parts of the county.

Voters may change their name or address at a one-stop voting site. Persons who are not registered in a county may register to vote during early voting. This process is called "Same-Day Registration" and is currently permitted due to a preliminary injunction granted under a decision by the U.S. Court of Appeals for the Fourth Circuit, but this option remains the subject of ongoing litigation in federal court.

A motion was made by Commissioner Beard, seconded by Commissioner Anderson, and so the motion carried unanimously to approve the use of the Commissioners' Board Room for One Stop Voting in even numbered years.

**Project Updates**

**Update Provided by Bob Froneburger with WK Dickson.** The Town of Biscoe WWTP Upgrade Project was officially declared complete on November 20, 2015 in agreement with the contract completion date. On that date, there were several minor construction punch list items still pending but these have now been completed. WK Dickson is now proceeding with the final project documentation, invoices, CWSRF and CWMTF payment requests and related reports to complete the CWSRF and CWMTF requirements. The payment requests for November will reflect all remaining payments including release of the final retainage. A complete project record including record drawings of the project, shop drawings, O&M manuals, construction testing, construction observation reports and photographs, etc. is expected to be provided to the Town on a CD for the Town's records in December to complete the project.

**Clarification Rehabilitation.** The final inspection of the Biscoe WWTP Improvements by the Division of Water Infrastructure (formerly NC Department of Environmental Quality) was conducted on November 30, 2015. In the final inspection report DWI Inspector Gerald Horton, PE made several recommendations and requirements for the close out of the project. One of these recommendations is related to the condition of the existing clarifier. Mr. Horton and DWI strongly recommends that the Town of Biscoe submit a proposal for rehabilitation of the existing clarifier as there may be funds remaining to accomplish the work. An Engineer should prepare a budget analysis of the project and if there are DWI funds (or CWMTF) remaining, then DWI may fund this work. If DWI does not receive a lump sum proposal and a request for approval by January 15, 2016 and committed and remaining funds, if any, the loan will be diverted to other projects.

Our staff has drained the existing clarifier and inspected the working operations of the equipment. It is apparent that the original 1973 installed clarifier has well passed its operational usefulness and needs to be replaced. Staff is currently working to with the help of LKC Engineering to determine the cost of the replacement. Staff will make a recommendation at the January Commission meeting as the cost and availability of funding to complete the project. Pictures were provided at the Board meeting.

**Update Provided by Bill Lester with LKC - Industrial Park Drive Lift Station Upgrade (Carolina Dairy):**

The project was awarded to Terry's Plumbing and Utilities and a Pre-Construction Conference was held November 16, 2015. A Notice to Proceed was issued for December 1, 2015. The contract time for the

project is 120 days; therefore the contract completion time will be March 30, 2016. Submittals have been reviewed and the contractor is coordinating material orders. For this type of equipment delivery will take approximately 6-8 weeks at a minimum for the pumps and larger items. We anticipate actual construction to begin late January 2016.

### **Manager Search**

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Interim Manager Allen Oliver said the deadline for applications is December 17<sup>th</sup>. So far the Council of Government has received 4 applications/resumes. We hope to have interviews scheduled for the week of January 11, 2016. The Council of Government is coming up with questions for the interview.

### **Black Vulture (Buzzards) Update**

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Interim Manager Allen Oliver received the following email from Jordan Lumber regarding the buzzards:

*"Good Morning Allen,*

*Thank you for your continued interest on resolving the Vulture problem "THE TOWN OF BISCOE" is and has been dealing with for years. We (Jordan Lumber/Laserwood-Biscoe plant) are still firing a propane gas cannon (timer controlled) from 7:30 AM to 5:00 PM 7 days a week. This has been the only action we've taken and works (temporarily) until we get a more permanent plan in place. The BIG problem with that is we are getting constant complaints from neighbors over the noise...and I completely understand their frustration. Needless to say we are not a welcome site. I have been in contact with Jennifer Avent, Centurylink Real Estate Facility Operations Manager who is fairly new to the job so she is having to go back and look at what has been done by Centurylink in the past (another situation that takes time). When we spoke on (12/8/15) she mentioned a system (PURE-TOWER) info attached that might work. I told her we are willing to work with Centurylink **however** needed to STOP the roosting on their tower. Our problem can't be fixed until the VULTURES LEAVE the phone tower for good. I have been told by several Centurylink employees they've tried a number of things and spent thousands too but so far they keep returning. At one time they installed an Audio System, not sure what noise it put out but it worked short term then the Vultures came back with a vengeance and ate the cables, another system destroyed. They've hung dead birds and that too worked short term. We all are looking for the permanent solution. The roof damage in Biscoe will continue until the tower roosting stops and I think everyone is in agreement with that. I hope the "Town of Biscoe" will work with us and support all involved to rid the town of Vultures permanently. Jennifer and I will talk again mid-January and hopefully by then we'll have a plan to go forward with. I'll keep you posted but if you have information or ideas that can move this along, please contact me."*

### **Mayor's Minutes, Commissioner Reports, Staff Reports**

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- Attended a meeting with Bob Froneberger and Interim Town Manager, Allen Oliver, regarding completion of construction at the Sewer Plant.
- Went to Troy and met with the Board of Elections regarding use of Town Hall.
- Met with Bobby Myrick regarding the Mega Park.
- Picked up paper around Town with the inmates.
- Looked at completed work by Riley Paving with Commissioner Gene Anderson and Superintendent of Utilities, Sam Stewart.
- Met with residents of Brooks Street regarding noise and buzzards.
- Went to a meeting in Troy for the EDC. Was reelected as Chairman and one of two representatives to combine The Chamber of Commerce and Tourism. Will look for new full time director as Terry Parsons will stay on as part-time.
- Attended Town Hall Christmas Party.
- Went with Interim Town Manager, Allen Oliver to the Sewer Plant to see completion of project.
- Rode in the Star Christmas Parade

**Public Comment**

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Ms. Lucille McLeod of 114 Pine Street appeared before the Board concerned about junk in yards. She asked if there was an ordinance to make property owners to clean up. Ms. McLeod said she would be willing to help clean up. Mayor Blake said we have been working with people and working on the eye sores that are around town. He thanked Ms. McLeod for attending the meeting and for her valid concerns.

**Staff/Commissioners Comments**

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Commissioner Reynolds said the buzzard situation is a shame. He said the Town wouldn't do anything when citizens were complaining, but Jordan Lumber complains and we start working on it. He said citizens would not be able to sound off an air gun like they have been doing, especially that early (6:30 – 7:00 a.m. on Sunday). He said the tower company should be fined. Mr. Reynolds said the Town should have some recourse.

Interim Manager Allen Oliver said unfortunately, the Town has no authority over the tower. There is some low voltage technology that the tower owners could use.

**Adjournment**

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There being no further business to bring before the Board, Commissioner Beard made the motion to adjourn, and Commissioner Smith made the second. All voted in favor. Meeting adjourned at 8:00 p.m.

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**Mayor**

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**Town Clerk**