

**TOWN OF BISCOE**  
**BOARD OF COMMISSIONERS MEETING**  
**April 12, 2021**

The Biscoe Town Board of Commissioners met in a regular session on Monday, April 12, 2021 at 7:00 pm in the Municipal Building.

*Board Members Present:*

*Mayor Eddie Reynolds, Mayor Pro-tem Gene Anderson, Commissioner Kay Kinch, Commissioner Dutch Anliker, Commissioner Lashaunda Ryan, and Commissioner Barry Jackson.*

*Members of Management Present:*

*Town Manager Brandon Holland, Town Clerk Laura Morton, Public Works Director Sam Stewart and Police Chief Shane Armstrong.*

**Call to Order/Moment of Silence/Pledge of Allegiance**

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Mayor Reynolds called the meeting to order at 7:00 pm. The Pledge of Allegiance to the American Flag was recited and a moment of silence was observed.

Mayor Reynolds announced that all Town Board meetings are recorded.

**Conflict of Interest Statement**

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Town of Biscoe Code of Ethics provides that public officials and employees be independent, impartial and responsible to the public; that governmental decisions and policy be made in proper channels of the governmental structure; that public office not be used for personal gain; and that the public have confidence in the integrity of its government. In recognition of these goals and in keeping with the ethical standards of conduct for town public officials and its employees, disclosure of interest in legislative action must be stated for the public record. The mayor or any member of the town council who has an interest in any official act or action before the council shall publicly disclose on the record of the council the nature and extent of such interest and shall withdraw from any consideration of the matter if excused by the council pursuant to G.S. 160A-75.

**Adoption of the Agenda**

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*A motion was made by Commissioner Jackson, seconded by Commissioner Kinch, and so the motion carried unanimously to adopt the agenda.*

**Public Comment**

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The following spoke during the Public Comment Period:

Mr. Bill Hudson appeared before the Board during the Public Comment Period. He asked the Board if they had any questions regarding his request for sewer to the Martin Road property that had been discussed at the prior meeting. He wanted to see if anyone was confused or had questions. He said I know it is scheduled to be voted on at tonight's meeting. I want the right thing to happen, if it isn't right now, then maybe in the future. He asked if anyone has questions.

Commissioner Anliker asked if all homes would be stick built? No mobile homes or modular? Mr. Hudson said I don't see a problem with a true off frame modular. That equals and exceeds stick built. That will be a covenant in the deed that it has to be stick built. He said, Brandon help me out with this. He said I don't know of a home building crew that we have that we can pick up the phone and get. Brandon (Town Manager) said no sir not in town. Hudson said not in surrounding towns either. You can get a house built at the lake. Hudson said this endeavor is to bring back house building. I think we

need. There will be several houses built. We are going to use local people. We are going to get them into practice and get them into groove, and then somebody else on another lot can get a house built. That is why we have so many doublewides being brought in because we don't have anybody to build houses...that's part of the reason. The housing duplexes I am talking about are for middle class income. There is no maintenance, no property taxes, there is no insurance to those folks in the duplexes. If you are in your own home, the seniors especially, that can be a problem, but when it is passed on through the rent it takes care of things for them. It is worry-free living. Hudson said he heard today that Commissioner Barry Jackson's sister Lynn that his mother is interested in it and wanted to ask questions about it. Hudson said it doesn't mean she would ever do it, but it appealed to her. This is the best location in the county to do this. The pond would have a walking path around it and the seniors would like that. The covenant is on the deed and would speak to animals, junk cars and I would have the first right to buy it if they wanted to sell it. (first right of refusal). All stick-built houses...I guess that is it. Are there any questions?

Commissioner Kinch asked about annexation and if the people in the area would have to go along with the annexation. Do you have any idea how they feel about it? Hudson said I only came to annex my property. If it is only my property, then I am the only owner and I would be for it. How far out do I have to see? Hudson said that will be akin to asking someone if they want to put a house on their own property. He said the zoning is for housing. Manager Holland said to clarify, if we do go through the annexation process, the neighboring property owners would just have to be notified. That is something we will do on our part as a legal process.

Hudson said if you were annex it and if you were to put in the sewer line, as the sewer line was being laid, I would want to buy the taps right then for each lot. That will save Sam so much time and trouble. If we buy the taps...actually you would install them that will save everybody from a lot of digging and going back and finding it.

Commissioner Jackson said I have a question. I know there was something brought up about the annexation. Are we able to annex this property? Have the numbers come back? Manager Holland said yes. If this property is annexed, we will be allowed to annex 21 more acres. Jackson asked if this runs through December 31<sup>st</sup> and starts over or how does that work? Manager Holland said no. It is total based on the amount of property in the ETJ vs. the property annexed. Mayor Reynolds asked how long before the number could go back up. Holland said it depends on growth. That number is based on the amount of property not connected to the city limits right now. It would depend on city limit growth.

Commissioner Jackson asked how much property is there. Hudson said 13 acres. Mayor Reynolds asked how many potential houses are there? Hudson said 5-6 duplexes and 8-10 houses on the road frontage (Martin Road). We already have the Smith House. There is another lot on the Biscoe side of that. There is really 3 parcels of land. If we do the 2 parcels of land, we can pump to the other one.

### **Consent Agenda**

*A motion was made by Mayor Pro-tem Anderson, seconded by Commissioner Anliker, and so the motion carried unanimously approved the following consent agenda items:*

- a) Approval of March 2021 Monthly Financial Report
- b) Approval of April 2021 Monthly Financial Report
- c) Approval of February 8, 2021 minutes
- d) Approval of March 8, 2021 work session minutes
- e) Approval of March 8, 2021 minutes
- f) Approval of March 10, 2021 minutes
- g) Approval of Annual Audit Contract Fiscal Year 2021-2022

- h) Public Hearing – Fee Schedule Amendment – RESCHEDULE
- i) Public Hearing – Code Enforcement Ordinance Update - RESCHEDULE

### **Budget Amendment**

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Assistant Parks & Recreation Director TJ Latham said two businesses donated money for ball teams in Biscoe. (K&M \$500 and Allred Fire \$500). This money was donated prior to knowing how COVID-19 would affect our community. The sponsorships were never used. The \$1,000 revenue posted in last year's budget. That year closed on June 30, 2020 and the audit has been completed.

In order for the \$1,000 to be given to Montgomery County Dixie Softball and Baseball a budget amendment will need to be approved because revenues do not roll over, they must be budgeted for. In addition, there will need to be an expenditure line-item set-up for it to be paid out.

*A motion was made by Commissioner Ryan, seconded by Commissioner Jackson, and so the motion carried unanimously approved the Year-end Budget Amendments and Request #6 – Parks & Recreation.*

### **Opening Biscoe Pool for Summer 2021**

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Pool Director Gene Stevens said the NC Governor made more changes and not the pool can open at 100% capacity. He said we will check temperatures and require masks and there will not be swim lessons this year. He said we are going to open earlier. He said the pool will only be open the weekends until school is out.

### **Hudson Sewer Service Request**

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Manager Holland said we tabled this request from the last meeting. He said bottom line the request, though the engineers can beat this price, the request is for \$184,000 for the sewer for the Hudson Property. We have discussed this in length and the engineers think once we receive quotes that price may come down. This is however more than 15% of our fund balance. I am required to let the Board know that. It is up to the Board to decide at this time.

Hudson said on the price list there is one item was to bore under the road. The bore feet is length is 150 feet. The road is not 150 feet. Two-thirds of it can be dug with a backhoe. The most expensive thing on the list is the bore. Manager Holland said I may be wrong, and Sam can correct me if I am wrong, but that number is there because it would need to be encased because of DOT right-of-way. Sam Stewart said you have to encase any line that goes under the highway. Hudson asked if the right-of-way is 150 feet. Manager Holland said he thought it was from where it began to where it would take over. Sam said when he had them quote it, he asked them to quote the manhole up to the west side of Martin Road. They have not quoted anything up Martin Road, only to the corner.

Hudson asked if it has to be bored. Sam said the State is not going to let you open cut anything on 24/27. Mayor Reynolds said so that would stay at 150 feet. Manager Holland said yes sir. Sam said he would not assume they would not allow it because it would back traffic up. You would have to sent permits to the State.

Commissioner Anliker said speaking aloud...common sense, I guess. We have a sewer line that has been out there for 10 – 15 years. We have a pump station and a sewer line that has been out there for year with no return on investment. Guys, I am thinking if we can get some return on investment going, at least anything, to help pay back what we have in this deal. It would probably accommodate even more than what Bill Hudson has in his project. We are getting nothing now except the gun range deal which is going to be minimal. With his property we are talking about tax dollars and water and sewer

money. Many different financings coming in to help with the project that was put in that is not being used.

Commissioner Jackson said the Town should do something with this, I do not know the Town should absorb the entire cost. I think we need to have a discussion on the cost. I do think we should work with Bill. He is trying to help this Town. I think we need to open the door and see how we need to help. We need to discuss the cost. I do not think I vote tonight on the full amount. We are just voting tonight whether to put the sewer in. I do not think we have talked about it enough...bottom line. He said I do not think we as a Board have come together to know exactly what direction we are supposed to be going in.

Mayor Reynolds asked if the Board could discuss it again until the meeting on Wednesday.

Mayor Pro-tem Anderson said I think we need to discuss it further. I know we are putting it off again, but Wednesday is only 2 more days, and it will give us time to get more numbers together and maybe look to see if we can provide all or part of it. Commissioner Jackson said he felt like the Board could make a decision on Wednesday.

Commissioner Kinch asked Hudson if they were willing to put any money toward the project or if his expectation is for the Town to pay the full amount of the sewer lines. Hudson said he definitely doesn't want to put his tenants on a septic tank. If I were to do that, it would cost x number of dollars. I have always been willing to and have been waiting for you to ask the question. I am an entrepreneur. He said I would use the money toward the septic tanks towards this.

The question I have is Barry, are you going to run a line down Martin Road or are you going to stop in the corner. Commissioner Jackson said the estimate is to stop in the corner. Hudson then said Brandon, then the sewer line has to be ran on my property and I will have to put an easement in on my property because I can't put it in the State right of way. Commissioner Anliker said the map says it stops at the corner. Anliker said my question is what happens to the rest of the road? Mayor said I don't know. Hudson said we have always been willing to participate, we just haven't gotten to this point. He also said there would be opportunity for others to connect if the line was ran down Martin Road. (on the other side of the road).

Mayor Reynolds said we will discuss it on Wednesday.

Public Works Director Sam Stewart said he was going to play devil's advocate and take his town hat off. I own approximately 10 acres of land out there, and if we are going to spend taxpayers' money to go to Martin Road and give Mr. Hudson to develop his land, he said my neighbors need the same opportunity. Hudson said he totally agreed. Stewart said when one passes there will be another. He said I have a failing septic tank now and I pump it twice a year. He said it would be great to get sewer. Stewart continued to say that he is talking with the Jordan's to see if they will allow him to come across their property with a sewer line. He said there is potential there. When you are spending taxpayers' money you have to think the decision through thoroughly. Hudson said he would be willing to wait on his project until the Town could run the sewer line the whole way where it goes out until the cow pasture...all the way out 24/27. The town can grow there (service and retail). It would be good for everybody.

Stewart said Bobby Myrick's sister Brenda has approximately 160 behind Mary Sparks that runs all the way to Post Office Road. I haven't talk to her, but sewer down 24/27 if she could get it to her property, it would open up a big revenue for her. None of her land will perk.

Mayor Reynolds asked how many farther are we talking past Martin Road? Stewart said if you are going to come towards Town, the sewer will have to come from right there where the gun store is and go that way because everything flows down here there. Martin Road is kind of on a hill. Water goes 2 different directions on Martin Road.

Hudson asked if he was needed at the meeting. Manager Holland said it is up to the Board. Mayor Reynolds said I will call you. He also asked Hudson if the Town had to wait another year would he be willing to do that? Hudson said absolutely. Biscoe needs that sewer line on 24/27.

Commissioner Anliker asked who owns the property on the Martin Road? Hudson said he couldn't name all of them. Anliker said so there are various owners? Hudson said yes. Anliker asked how many properties over there could benefit from this? Hudson said they all could benefit because it doesn't perk well.

*A motion was made by Commissioner Anliker, seconded by Mayor Pro-tem Anderson and so the motion carried unanimously to table the Hudson Sewer Service Request until the Wednesday, April 14, 2021 meeting.*

### **Request for Sewer Service – Maness – Bruton Street**

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Manager Holland said this is somewhat of a similar request, but there is one difference here. The Maness property at 604 Bruton Street is requesting sewer service. They are currently on town water service. The difference with this one is they border the city limits, so it is a contiguous request. They are requesting service, and like any other utility expansion, it comes to the Board first. If then excepted by the Board, then ask that they come into the city limits as well. However, with this one, if a new line is ran, it would have to go across an additional piece of property that is owned by the Maness family as well; with it being so close, we would ask they bring those two properties onto the city limits as well. Our line would be going across there and they would have access to the service too. This request is in front of the Board to see if this is what the Board wants to do. Mayor Reynolds asked if the Town needs to talk to the other two landowners to see if they want it. Manager Holland said they are the landowners. Mayor Reynolds said so one person owns the entire property. Holland said yes sir.

Mayor Pro-tem Anderson asked how many feet are we talking? Holland deferred to Sam Stewart Public Works Director. Stewart said we would only be responsible to the right of way and the homeowner absorbs all of the cost. Stewart said ft of 4" pipe. Outside or inside the city limits the homeowner is responsible for the tap and to get the road repaved and fixed. You are looking at around \$4,000 out of pocket (according to the last tap that was ran). Holland said that is on the homeowner correct. Stewart said yes.

Mayor Reynolds asked what is the next step? Holland said we would need to vote on whether we would allow sewer service contingent upon them being annexed.

Commissioner Anliker asked if there was any cost to the town? Holland said no sir.

A motion as made by Commissioner Kinch, seconded by Commissioner Ryan, and so the motion carried unanimously to approve the sewer service at 604 Bruton Street (Maness Property) contingent upon the properties being annexed.

*A motion was made by Commissioner Kinch, seconded by Commissioner Ryan, and so the motion carried unanimously to approve sewer service contingent upon the property being annexed.*

## **Board & Staff Reports & Upcoming Events**

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Photo Contest - Spring Photo Contest

Town Clerk Laura Morton announced the following winners of the 1<sup>st</sup> Spring Photo Contest

1<sup>st</sup> Place – Aiden Asbill (10-12 category)

2<sup>nd</sup> Place – Alyssa Asbill (10-12 category)

1<sup>st</sup> Place – Beth Hall (18 & Up category)

2<sup>nd</sup> Place – Ashlynn Webb (18 & Up category)

Alyssa Asbill was present and received her gift card.

Town Clerk Morton thanked Commissioner Ryan, Commissioner Jackson, and Brandi Barnum with the Police Department for being our judges for the contest. Morton said you will be seeing those photos on social media and in the newsletter. The photos are really good.

Police Chief Armstrong said Community Policing is starting back up on April 29<sup>th</sup> at 7 pm in the Board room. Mayor Reynolds asked him to explain about Community Policing. Armstrong said it is basically an open forum. There is an agenda, but it is pretty open. Lt. Medlin sets the agenda for the meetings. Citizens can request to be on the next agenda. It is an open meeting and it serves to get to know everyone. We want everyone to know we are just human in all of this. Mayor Reynolds said I know before COVID you and Tina started this program. Several of us have attended the meeting and it is a great program. It is an open forum with an open discussion. We are also having young people starting to attend. We had to stop because of COVID. Armstrong said once social distancing is eased up on we will start our Coffee with a Cop program back. Commissioner Anliker said it is a good program, Lt. Medlin does a great job. We had built up to 15 people at the last meeting. There were young people that attended and enjoyed being around the police. There was mutual respect. Mayor Pro-tem Anderson said he agreed with Commissioner Anliker. He had attended some of the meetings and they are very good.

Commissioner Kinch asked if all of the planters had been adopted. Clerk Morton said we have had four to be adopted. The details will be worked out on the rules for the planters.

Mayor Pro-tem Anderson thanked Town Staff for all of the good work.

Commissioner Ryan asked that everyone continue to pray for our children. They are going back four days a week now. COVID is still present. The news has been talking about how it is affecting children now. She encouraged everyone to practice social distancing and stay safe.

Manager Holland reminded the Board of the meeting on Wednesday at 6 pm. He said we have advertised to have the legislative public hearing for the Planning and Zoning documents, and Rick Flowe will be back to join us.

Mayor Reynolds said I would like to thank Town Clerk Laura Morton and her staff for the newsletter – Biscoe Bark. It is very good, very informative. It is good because we can get Biscoe news out to the public. Mayor Reynolds said I am tickled to death. Thank you for taking the initiative to do it, we are very thankful for your staff. The Board agreed.

Mayor Reynolds said Sam the cemetery looked beautiful at Easter. Thank you for you and your staff. Reynolds also thanked the Police Department for their good work. He encouraged everyone to keep up the hard work. He said we are getting back to somewhat normal.

A motion was made by Commissioner Anliker, seconded by Commissioner Jackson, and so the motion carried unanimously to recess until Wednesday, April 14, 2021 at 6 pm.

**RECESS until Wednesday, April 14, 2021 at 6 pm**

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*A motion was made by Commissioner Anliker, seconded by Commissioner Jackson, and so the motion carried unanimously approved the following consent agenda items:*

*(Closed Session – Pursuant to NCGS 143-318.11 (a) (6) – Personnel  
this item was carried forward to April 14<sup>th</sup>)*