

The Town Council of the Town of Nashville held a Regular Meeting on Tuesday, January 7, 2020 at 7:00 PM in Town Council Chambers. Members Present: Mayor Brenda Brown, Mayor Pro Tem Kate Burns, Council Member Louise Hinton, Council Member Lynne Hobbs, and Council Member Larry Taylor. Absent: None. Staff Present: Randy Lansing – Town Manager, Lou Bunch – Town Clerk and Human Resources Director, Marguerite Bishop – Parks, Recreation and Cultural Resources Director, Julie Spriggs – Planning and Development Director, Chris Joyner – Fire Chief, Anthony Puckett – Police Chief, Lee Brown – Public Works Director, Tikela Alston – Library Director, Sam Sanchez – Finance Director, Tina Price – Planning Technician, JT Winstead – Police Captain, David Boykin – Police Lieutenant, Damon Brantley – Police Sergeant, Lee Coppedge – Fire Battalion Chief, and Douglas Garciga – Fire Engineer. Other(s) Present: Thomas Gillespie – Nash County Parks and Recreation Director.

1. Mayor Brown called the meeting to order at 7:00 PM and welcomed those in attendance.

Mayor Brown recognized Andrew Williams, a local Boy Scout, who was in attendance to earn his Citizenship in the Community badge. Mayor Brown then asked those present to stand for the Pledge of Allegiance. After reciting the pledge, Mayor Brown then spoke a few words of prayer over the meeting.

2. Mayor Brown called for the Approval of Meeting Minutes for December 3, 2019 – Regular Meeting Minutes, December 9, 2019 – Called Meeting Minutes, and December 18, 2019 – Called Meeting Minutes.

Mayor Brown asked for a motion to approve the minutes as written or if there were corrections. Council Member Hinton made a motion to approve the minutes as written, seconded by Council Member Taylor. There being no discussion, Mayor Brown called for a vote. The motion was unanimously approved (4-0).

3. Mayor Brown called for the Public Comments Period.

Mayor Brown called for Cindy Puckett to approach the podium. Cindy Puckett, 1405 Fairfield Drive, Nashville, NC, approached the podium. Mrs. Puckett said, "Mayor, Town Council Members, and Town Manager, thank you for allowing me this opportunity to speak. I am here tonight to speak in favor of the merger between Nash County Parks and Rec and Nashville Parks and Rec. Like most residents of Nashville, I am not a big fan of changes to our town. I see growth as a double edge sword. I want to see Nashville flourish, but at the same time I don't want it to lose its quaint appeal that so many places long for. When our children were small, one of my favorite things to do was to watch them play t-ball and little league while my husband coached. You know you needed to get to the park early to ensure that the kids had a little time on the playground equipment, but also because you wanted to get a decent parking spot and a seat at the fence during the game. You couldn't just pull for your child's team because more than likely your neighbor or close friend was playing on the opposing team and rarely did we leave right after our game was over because living in a small town you knew someone that was playing in the game after yours, so of course you had to stick around to cheer them on. Sadly, these days are behind us. Yes, our boys are older and have long outgrown their t-ball uniforms. That's not the only thing that is different. There aren't teams lined up to take the field after the last play is made and the parking lot isn't full of minivans carting around kids and snacks for after the game. The numbers are much smaller and it is of no fault of anyone here tonight. The County saw an opportunity years ago to start a program for all the County's youth and after a lot of dedication and hard work, Nash County Parks and Rec is a huge success and a benefit for the children that live here. Used to, leagues in Nashville would have six to eight teams playing against each other. Now we are lucky to have two full teams that compete against each other every week. We cannot compete with the County. It's time for a change, no matter how hard it is to make. Don't get me wrong, I think we can fill that park back up and give the children of Nashville a chance to have these memories of their days at the ballfield, but we can't do it on the current budget we have now. I know bottom line is money, but we need to take into consideration how this will affect our children and what is best for them. A six year old girl playing against a team with a few nine year old boys hardly seems safe or fair. The agreement, from what I understand, is for a one-year trial. What do we have to lose? If it doesn't work, we'll regroup and start over. I know there was mention of purchasing a building, but the Town once had the Library in the back of the Police Department. If we could make that work, surely we could find a workable area for the current Parks and Rec office. We can figure out a way to make this work if we put the children first. Thank you." Mayor Brown thanked Mrs. Puckett.

Mayor Brown then called Andy Hagy and Susan Phelps of Nash County Economic Development to the podium. Mrs. Phelps said, "Good evening. Nice to see you all in the New Year. I am Susan Phelps of Nash County. I know most of you up there. I am here to introduce Andy Hagy. He is our new Economic Development Director for Nash County. He started on January 1<sup>st</sup>. I will let him introduce himself and take it away."

Mr. Hagy said, "Thank you, Susan. Susan has been a real great help to me on my now day four and we have covered quite a bit of ground and toured a lot of properties and had a good lunch meeting with the Carolinas Partnership and Brad (Hufford) earlier today. So everybody is pulling together, planning to work together...as well as us working with you. I come to this position through - by way of Virginia and West Virginia. The latest was Executive Director with the Greenbrier Valley Partnership, Three County Region. Left it, I believe, in pretty good shape. Created a few jobs while we were there. And that's what it's all about is working together as a team with the Town, with the Partnership, and the County, as well as the State and try our best to create jobs, capital improvements, tax revenue for all those, but most especially good quality and good paying jobs. So, I look forward to working with each one of you. We briefly met Randy (Lansing) earlier today, but we are going to sit back down with him and go in a little bit more detail about what we could do and help the Town out. Please don't hesitate if you have a question Brad or I, maybe both, can help you. I will be more than happy to answer any questions or help you out in any area. In economic development, I have several years of commercial real estate under my belt so anything I can help you with, I would be more than happy to." Mayor Brown thanked Mr. Hagy and welcomed him.

Mayor Brown called Anne Freeman to the podium. Anne Freeman, 413 E. Park Avenue, Nashville, NC, approached the podium. Mrs. Freeman said, "I am speaking in favor of the Recreation Department merging with Nash County. If you could attend a County soccer game or basketball game and then attend a soccer game or basketball game with the Town of Nashville Recreation Department, you would understand why I am in favor of the merger. The last few years my granddaughter participated in sports programs at Glover Park, the attendance was so low that most of the time her team would play against the same team every weekend, which was no fun. That's why she is now playing and has for several years for Nash County. She has excelled in soccer, basketball, and futsal. She has learned so much from girls her same age and the volunteer coaches. I ask you to please when voting in this matter, please, please think about the kids and the many ways that they will benefit from this merger, now and in the future. It can't always be about the money and I know that it's very important and it's a large part of this, but this is one time that I think we really need to think about the kids. They are our future. They are the future of Nashville. We have a year, from what I understand, to see if this is what is best for Nashville and Nash County. I see no need in purchasing or leasing a building until we see the results at the end of a year. Thank you so much for allowing me to speak." Mayor Brown thanked Mrs. Freeman.

Mayor Brown called Chance Puckett to the podium. Chance Puckett, 1405 Fairfield Drive, Nashville, NC, approached the podium. Mr. Puckett said, "Good evening everybody...anybody who knows me knows that I am an avid supporter of athletics in the area. I've played essentially every recreation level sport here in Nashville and I am currently the President of Northern Nash High's Student Booster Club. I also presently work with Nash County's Parks and Recreation Department and I write covering local athletics from the recreation level up to the high school level for the *Nashville Graphic* here in town. As somebody who has undergone affiliations with both the Town and County Recreation Departments, including participation as an athlete, volunteer work, and paid employment, I believe a merger with the County would be greatly beneficial for both the Town and County. Unfortunately, our Town's Recreation Department has vastly fallen off over the last twenty-some years and merging with the County brings in a new excitement to our area that stems from hosting travel baseball and softball tournaments or revitalized and rejuvenated local recreation leagues, and a larger quantity of fair opportunities for young athletes to compete. Merging with the County also allows for the Town's Recreation Department to expand into other areas that would benefit youth residents who aren't necessarily as interested in sports as others. As someone who plans to live in Nashville beyond graduation from high school and college, being a part of a new era of citizens and representing the future of Nashville, I believe that this merger would be beneficial on multiple levels to each of the parties involved, the children, the County, and the Town. Thank you for your time." Mayor Brown thanked Mr. Puckett.

Mayor Brown called Brian Puckett to the podium. Brian Puckett, 1405 Fairfield Drive, Nashville, NC approached the podium. Mr. Puckett said, "I am here tonight also to speak in support of the merger. I grew up in the Town of Nashville. I coached in the Town of Nashville before I had kids. I coached in the Town of Nashville after I had kids. Shortly after that, the County, they started their rec program and when this town was vibrant we had people from all over the county coming to Nashville because they didn't have one. Well, they have one now. I hear people say, 'Well,' in speaking with some of you that 'Hey, we want it to be the way it was. We want it to be the way it was twenty years ago when the fields' - but what do

they want? Do they want the Town to run it? Or do they just want the vibrant fields full of children? Parking lots full? People out in the park playing? To me, the competition for the children is what it is about, not whether the Town runs it or whether the County runs it. I've watched – much as some other folks said – the County's program. I haven't coached in it, but I have watched it and I have seen it and it is very competitive. Their parks are full. I think they've got a good staff. I think they've got good programs and I think it would be good for the Town of Nashville to partner with them. I can't speak for what the contract says as far as what happens when lights go out, who mows the field, things like that, but just thinking in how it affects the children and how our children in the Town of Nashville can have fair competition. Fair competition between girls vs. girls, age vs. age, and very close brackets – I think that is what is best for children. I appreciate your time tonight and thank you very much." Mayor Brown thanked Mr. Puckett.

4. Mayor Brown called for Items for Consideration.

a) Mayor Brown called for Consideration of an Inter-local Agreement between the Town of Nashville and Nash County for the delivery of field athletic programs at Glover Park.

Mayor Brown called for a motion for this item. Council Member Hobbs made a motion to approve the agreement, seconded by Mayor Pro Tem Burns. Mayor Brown called for discussion.

Council Member Hobbs commented that she has thought a lot about the proposal, has studied the data, and has listened to those in favor and those who are opposed. She stated that she understands that those who are opposed do not want to give up the program that has been a part of the Town for so long, but unfortunately youth athletics in the Town is not what it used to be. She noted that they have heard from many parents who have spoken about the issues of not enough players to make two opposing teams, young children playing with older children, boys playing with girls. She added that they have heard about the Director having to go out and solicit players just to have enough members for two opposing teams. She commented that this is not working and that trend will sadly continue. She understands that change is hard, but change is happening even if they choose to leave things the way that they are. She stated that more people are going to pull out of the Town's program until it vanishes, adding that she has heard from a number of people who have decided that their children and grandchildren will be playing at Coopers' Park for spring athletics. Council Member Hobbs stated that she is an analytical person; she looks at raw data, and tries to make good decisions based on that. She commented that she has chosen to step back and think of this not from her head, but from her heart. She said that she has sat in these meetings and has seen the young men who are currently coaching the Town's football team in the back of the room and recognized that they have been there at almost every meeting concerning this. She thanked them as well as all of the other people who have donated their time, energy, and effort to make the Town's program what it is. She thanked them for their dedication to the children, not to the program, because she believes that this is all about the children. She commented that there is nothing magical about the Town's program; it is the people who make it work - the men and women and the moms and dads who give of their time and their energy to work with the kids. She stated that that does not have to be restricted to the Town limits. She commented that she believes that Nash County's Parks and Recreation Director, Thomas Gillespie, has the same heart and desire to provide the best athletic programs possible for our kids. Council Member Hobbs stated that she hopes those that are involved in Town athletics will continue to support our kids and all of the kids by offering their talents, whether it is under the name of Nashville Recreation or Nash County Recreation. She commented that the kids will not know the difference and that all the kids want to do is get out and play. She said that this is not about savings, it is about the Town providing new programs to fill a void that has been expressed by many in the community. She stated that if the Council votes to partner with the County for youth athletics, she would ask the Town Manager and Recreation Director to provide a plan of action before moving forward with any new programs or securing additional space so that Council can weigh in on how they perceive a new realm of programming. Council Member Hobbs stated that Nashville is in a very desirable position to do some dynamic, outside the box things in Recreation and Cultural Resources that can make us the envy of other small towns. She commented that she looks at this as an opportunity and she is in favor of approving the Inter-Local Agreement with Nash County for recreation.

Mayor Brown commented that she has grown up in Nashville; it has been her home her whole life and she loves Nashville. She said that she sees this consideration as two issues. She stated that she appreciates all of the people that have called her and trusted in her to share their opinions. She commented that Senior Citizens have called her and every single one said that they want what is best for the children; not one of them said that they did not want Nashville to give up their park. She said that that is not the issue; they do want to merge with the County and have the best opportunities. She commented that she would not want her six year old granddaughter playing with a nine year old boy. She said that the other issue that the Seniors and other people have brought up is that they want to be reassured that the Town will

not jump in and purchase or rent a building or hire more staff when we have only received input from 4% of the population in a survey and we do not know how many will show up. Mayor Brown reiterated that she sees it as two issues and so do the people that have spoken with her.

Mr. Lansing stated that we could do just that, and that he and Mrs. Bishop were brainstorming today on how they could present a plan for providing alternate programming, easing into it, and without leasing space. He said that they have talked at length about using the Council Chambers for dual purposes; they would have to do some retrofitting of the space to partition off the dais and add a door. Mrs. Bishop could then use the Closed Session room as an office for base operations. He noted that it would take cooperation from the Council to use it for a dual purpose. He said that he has also called around to see if there were other venues where the regular Town Council Meetings could be held, such as the Nash/Rocky Mount School Boardroom and the Nash County Courthouse, then all of the current Chambers space could be used for Parks and Recreation. He noted that this option would not cost us anything since we already own the building. He stated that they have also been discussing how they could accomplish providing alternate, non-athletic programming with a full-time Director and part-time staff, which would result in some savings and give an opportunity to explore for the first year to see what is really embraced by the community and what people want to participate in. Council Member Hinton asked Mr. Lansing if he had checked with the Community Building or with Nash Arts for additional space. Mr. Lansing replied that he has not checked with either of those; the Community Building is very well occupied year-round but that Nash Arts is a good suggestion and he will check with them. He said that he may be a little presumptuous thinking that the Council would be okay with another meeting venue other than this one. To answer what Mayor Brown had asked about, Mr. Lansing said that he feels confident going forward that they can put together a Parks and Recreation program that meets the needs of the kids, that is what the families want, and that is also respectful of the taxpayer's dollars. Council Member Hinton asked if we would ease into it and not go "full bore". Mr. Lansing said that was correct.

Council Member Taylor said that he has been on this board for twelve years and that this is going to be the hardest vote that he thinks he has had to go through during that time. He commented that he has talked to almost everyone that is in the room tonight at some point and that there are pros and cons for both sides. He said that he knows the main thing to consider is the kids, but that he was also reminded that the kids cannot get to the park by themselves most times and that the parents have to take the time to bring them to it. He stated that one thing that still bothers him is the scholarship situation that the underprivileged children would have to go through. He commented that personally he does not like that a parent would have to show documentation that their children are needy; he thinks that is private and should remain private. He stated that he does honestly see both sides of this issue and understands that we have to engage with progress sometimes. Council Member Taylor again stated that this will be the hardest vote that he thinks he has made since he has been on the Council, that he has given this some serious thought, and that there are some things he is not convinced about. He commented that this is going to be a hard night for him.

Mayor Pro Tem Burns commented that she feels like a broken record, that we have been talking about this for quite some time, and that she has said her piece on it. She stated that she does not think she could say it any better than Council Member Hobbs said tonight, so she seconds what Ms. Hobbs said.

There being no further comments, Mayor Brown called for a vote to approve the motion. The motion was approved 3-1, with Council Member Taylor voting against the motion.

Mayor Brown commented that in listening to people's stories that love the park and gave a lot of their lives to the park that she understands, but that when the children do not come to play that you cannot have fair games for them. She stated that this is only for a year and we are going to be watching to make sure that the County does take care of our children.

Mayor Pro Tem Burns stated that she does have a few comments with regards to the agreement itself. She asked if in the Financing section, if any of the language had been changed. Mr. Lansing replied that he did not change it in the copy in front of the Council, but in 2(b) it was suggested to eliminate the word "scholarship" so there is no confusion that there has to be an academic achievement component there. Mayor Pro Tem Burns asked to add in 2(a) where the funds sit and that the funds do not accrue. Mr. Lansing explained that the County requested that the Town set aside \$20,000 for Capital Improvements to Glover Park and we will add language that those dollars will remain in the Town's coffer until such time as they are requested by Nash County and approved by Nashville Town Council for expenditure, and if they are not expended in a particular year then it just resumes back to the General Fund and funds are reprogrammed in the same amount the following year. Mayor Pro Tem Burns asked to add in 2(e) "until such time as a meter is placed." Mr. Lansing stated that we are exploring putting a water meter in the park and Mr. Brown

has assured him that it can be done. He noted that with this agreement being one year in length when we renew this, hopefully in a year, that we can make changes with regard to that if the County is willing.

Council Member Taylor stated that this vote is over with, but he wants everyone to be assured that even though he voted against it, he will support what the Council has decided to do.

The inter-local agreement was approved as follows:

NORTH CAROLINA

INTER-LOCAL AGREEMENT

NASH COUNTY

THIS INTER-LOCAL AGREEMENT (the "Agreement") dated this the 21 day of January, 2020 (the "Effective Date"), by and between TOWN OF NASHVILLE, a North Carolina municipal corporation (the "Town"), and NASH COUNTY, a body politic and corporate of the State of North Carolina ("Nash County") (collectively, the "Parties").

WITNESSETH

WHEREAS, pursuant to Article 20 of Chapter 160A of the North Carolina General Statutes, the Town and Nash County are authorized to enter into joint inter-local agreements to execute undertakings; and

WHEREAS, the Town owns that certain real estate, including the improvements thereon, known as Glover Park and being more particularly described in that deed, dated June 8, 2001 and recorded in Book 1790, Page 2, Nash County Registry ("Glover Park"); and

WHEREAS, the Town's parks and recreation department currently provides operational, maintenance, management, and supervisory services of field athletic sports programs at Glover Park; and

WHEREAS, Nash County's parks and recreation department provides services, which are substantially similar to the services provided by the Town's parks and recreation department; and

WHEREAS, in order to avoid overlapping services and to provide more cost effective services to the citizens of the Town and Nash County, the Town and Nash County desire to enter into this joint inter-local agreement for the operation of field athletic sports programs, maintenance management and supervision of Glover Park.

NOW, THEREFORE, in consideration of the foregoing and the mutual promises herein, and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the Parties agree as follows:

1. Operation and Maintenance.

(a) Nash County shall assume all duties and responsibilities related to operation, maintenance, management, and supervision of Glover Park, including, but not limited to, supplying personnel and/or staff, maintaining and repairing the facilities, managing and/or supervising athletic activities, events, and programs at Glover Park.

(b) Nash County shall have access to and use of the storage buildings, office space, restrooms, and the concession stand area located at Glover Park.

(c) Nash County shall establish rules, policies and procedures for Glover Park in conjunction with the Town, and the Town hereby agrees to abide by same.

(d) Except as otherwise provided herein, all decisions related to the operation of field athletic sports programs, routine maintenance, and management of Glover Park shall be in the sole discretion of Nash County.

(e) To avoid the duplication of program offerings, Nash County shall not offer any programs other than youth and adult recreational team athletic programs within the city limits of the Town of Nashville, and the Town shall not offer any youth or adult recreational team athletic programs within the city limits of the Town of Nashville.

(f) Nash County shall install signage at Glover Park directing users to call the Nash County parks and recreation department for field rentals and inquiries about athletic programming.

## 2. Financing.

(a) The Town shall allot in their budget the sum of Twenty Thousand and No/100 Dollars (\$20,000.00) annually for capital improvements to be made at Glover Park, with the Town Council deciding what capital improvements the money will be spent on. The Town will hold the money until it is approved for expenditure and unspent monies will not accrue from year to year. Capital improvements include, but are not limited, to restroom remodeling, roof replacement, fencing & backstop replacement, HVAC replacement, playground equipment replacement, and field lighting replacement.

(b) Nash County shall provide financial assistance for needy participants at Glover Park, as may be determined by Nash County in its sole discretion.

(c) All revenues generated from fees charged for athletic programs, rentals, recreational activities, and events administered by Nash County, or any approved third party organization, shall be paid to Nash County to be applied to the costs and expenses of the management and operation of Glover Park. By way of example and not limitation, said fees shall include shelter and field rentals, and fees chargeable for tournaments, programmed activities, events, and concessions.

(d) Events sponsored by the Town shall be exempt from any rental fees for any portion of the facilities located at Glover Park. Events sponsored by the Town shall have first priority after Nash County, but only with prior approval of Nash County.

(e) The Town shall be responsible for all water and sewer bills for Glover Park until such time as a water meter may be installed by the Town at the Town's expense. Nash County shall be responsible for all electric bills for Glover Park.

**3. Equipment.**

(a) The Town shall transfer ownership of the following equipment to Nash County: (i) Football equipment, including, but not limited to, helmets, balls, pads, uniforms, and tackling dummies; (ii) Cheerleading equipment, including, but not limited to, uniforms, pom poms, and bags; (iii) Soccer equipment, including, but not limited to, soccer goals, balls, pennies and uniforms; (iv) Baseball equipment, including, but not limited to, batting tees, balls, bases, batting helmets, catchers' pads and other catching equipment; (v) Field preparation equipment, including, but not limited to, drags, rakes, field painting machines, pull behind sprayer; (vi) The John Deere Gator; and (vii) Two (2) Toro lawn mowers.

(b) Any and all equipment purchased by Nash County for the management and operation of Glover Park shall be the sole property of Nash County.

**4. Employment.**

(a) The Park Maintenance Worker currently employed by the Town shall be offered employment by Nash County in similar or comparable roles.

**5. Insurance.**

(a) During the term of this Agreement, Nash County shall, at its expense, obtain and keep in full force and effect, personal injury and property damage insurance naming the Town as an additional insured, insuring against claims of bodily injury or death and personal injury to \$2,000,000 per occurrence, and property damage arising out of Nash County's operation, management and maintenance of Glover Park to \$2,000,000.

(b) During the term of this Agreement, the Town shall, at its expense, obtain and keep in full force and effect, personal injury and property damage insurance naming Nash County as an additional insured, insuring against claims of bodily injury or death, personal injury or property damage arising out of the Town's use of Glover Park.

**6. Term.** This Agreement shall be effective as of the date it is approved and signed by both parties and shall continue in effect for a term of one (1) year at which time, Town and Nash County agree to meet and determine the future of this Agreement. However, the Town shall first have a ninety (90) day grace period after the Agreement becomes effective to move out of Glover Park.

**7. Binding Effect.** All the terms and conditions hereof shall be binding on the Parties hereto and shall bind and inure to the benefit of their successors and/or assigns.

**8. Waivers.** The failure of the Town or Nash County to complain of any omission on the part of another party, no matter how long the same may continue, shall not be deemed to be a waiver by said party of any of its rights hereunder. No waiver by any of the Parties at any time, express or implied, of any breach of any provisions of this Agreement shall be deemed a consent to any subsequent breach of the same or any other provisions.

9. **Construction.** This Agreement shall be governed and enforced in accordance with the laws of the State of North Carolina. If any provision of this Agreement shall be determined to be void by any court of competent jurisdiction, then such determination shall not affect any other provision of this Agreement, all of which other provisions shall remain in full force and effect. If any provision of this Agreement is capable of two interpretations, one of which would render the provision void and the other of which would render the provision valid, then the provision shall have the meaning which renders it valid.

10. **Amendment.** This Agreement contains the entire agreement of the Parties. It may be changed or amended only by an agreement in writing signed by all Parties.

11. **Captions.** The captions and section numbers appearing in this Agreement are inserted only as a matter of convenience and in no way define, limit, construe or describe the scope or intent of such sections.

IN WITNESS WHEREOF, the Parties have hereunto affixed their hands and seals as of the day and year written herein below.

NASH COUNTY

By: Robbie B. Davis  
Robbie B. Davis, Chairman, Board of Commissioners

Date: 1-21-2020

ATTEST:

Janice Evans  
Janice Evans, Clerk to the Board

NORTH CAROLINA

NASH COUNTY

I, Mary D. Edwards, a Notary Public in and for the above referenced county and state, do hereby certify that Janice Evans personally appeared before me this day and acknowledged that he/she is the Clerk of the Board of Commissioners of Nash County and that by authority duly given and as the act of the County, the foregoing instrument was signed in its name by its Chairman, sealed with its corporate seal, and attested by himself/herself as its Clerk. Witness my hand and official seal, this the 22<sup>nd</sup> day of January, 2020.

My commission expires: 12/2/2023

Mary D. Edwards  
Notary Public





TOWN OF NASHVILLE

By: Brenda Brown  
Brenda Brown, Mayor, Town of Nashville

Date: 1-22-2020

ATTEST:

Lou Bunch  
Lou Bunch, Town Clerk

NORTH CAROLINA

NASH COUNTY

I, Jontessa D. Silver, a Notary Public in and for the above referenced county and state, do hereby certify that Lou Bunch personally appeared before me this day and acknowledged that he/she is the Clerk of the Town of Nashville and that by authority duly given and as the act of the corporation, the foregoing instrument was signed in its name by its Mayor, sealed with its corporate seal, and attested by himself/herself as its Town Clerk. Witness my hand and official seal, this the 22<sup>nd</sup> day of January, 2020.

Jontessa D. Silver  
Notary Public

My commission expires: July 27, 2022



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- b) Mayor Brown called for Consideration of Resolution 2020-01: Resolution Authorizing the Sale of Surplus Personal Property at Electronic Auction.

Mayor Brown read Resolution 2020-01. Council Member Hobbs asked if this would be posted online. Mrs. Bunch replied that it would be posted online as well. Council Member Hinton asked if we have a replacement for the sewer lateral camera. Mr. Brown said that to his knowledge we do not have a replacement; there are two of those listed for surplus, one is "bits and pieces" and the other is damaged beyond repair. He said that we do have a sewer main line camera, but not a sewer lateral camera. He noted that he has discussed with several employees about getting one. Council Member Hinton commented that she knew we had purchased a new camera and she was hoping that it was still operational. Mr. Lansing replied that the one for the main line is operational, but these are for the laterals. Mr. Brown reiterated that the main line is operational, but the laterals which are two different cameras in two different styles are not operational. Mr. Lansing explained that these cameras are placed in tight spaces and do not come out without having to tug on them. Council Member Hinton stated that they know how important they are and that is why she was asking if there was a replacement. Council Member Taylor asked if the last one that was purchased, the straight line camera, was still operational. Mr. Brown confirmed that it was.

Mayor Brown called for a motion to approve the resolution. Council Member Taylor made a motion to approve the resolution, seconded by Council Member Hinton. There being no further discussion, Mayor Brown called for a vote. The motion was unanimously approved (4-0).

The resolution was approved as follows:

**RESOLUTION 2020-01**

**RESOLUTION AUTHORIZING THE SALE OF SURPLUS PERSONAL PROPERTY AT ELECTRONIC AUCTION**

WHEREAS, NCGS §160-270 allows the Town Council to sell personal property at electronic auction upon adoption of a resolution or order authorizing the appropriate official to dispose of the property at electronic auction; and

WHEREAS, the Town Manager has recommended that the property listed below should be sold at electronic auction as surplus property.

NOW, THEREFORE, BE IT RESOLVED by the Town Council of the Town of Nashville that:

1. The following described property is hereby declared to be surplus to the needs of the Town:

Edger with Honda 4hp Motor  
Mighty Mole Boring Machine  
Gas-Powered Blower  
Sewer Rodding Machine  
Toro Z-Master Mower  
5 (Five) Motorola XTS1500 Radios with Chargers  
Approx. 400 Concrete Cinder Blocks (8"x8"x16")  
1974 T-31 Cushman Truckster  
Sewer Lateral Camera  
Gas-Powered Post Hole Auger  
ForBest Sewer Lateral Camera  
17 (Seventeen) Nortel Desk Phones  
4 (Four) Computer Monitors  
8 (Eight) Computer Keyboards  
Ricoh MPC2050 Copier

2. The Town Manager or his designee is authorized to sell by electronic auction at [www.govdeals.com](http://www.govdeals.com) beginning January 27, 2020 at 8:00 a.m. and ending January 31, 2020 at 5:00 p.m., the surplus property described above as per the terms and conditions of GovDeals and in accordance with NCGS §160A-270.

3. The Town Clerk is directed to publish in the *Nashville Graphic* at least once and not less than ten (10) days before the date of the auction, a copy of this resolution or a notice summarizing its content as required to NCGS § 160A-270.

4. The Town shall retain the right to delete or "NO SALE" any item(s) and/or reject any and all bids.

Adopted this 7th day of January, 2020.

  
Brenda Brown, Mayor

ATTEST:

  
Lou C. Bunch, Town Clerk



- c) Mayor Brown called for Consideration of Ordinance Amendment 2020-01: An Ordinance Amending the Code of Ordinances of the Town of Nashville by Creating a New Article XI Entitled "Backflow and Cross Connection Control" in Chapter 38, "Utilities."

Mayor Brown called on Mr. Lansing to discuss this item. Mr. Lansing stated that this is an ordinance that we should have had in place for a while. He said that Mr. Brown has taken the time to use a model ordinance from Rural Water and from another county and has adapted it for our use. Mr. Lansing stated that they are recommending this to the Council for approval, however it was pointed out to him prior to the meeting that there are a few items that need to be cleaned up in the ordinance. He said that at this time, he would recommend tabling this item to allow those changes to be made and then bring it back before the Council at another meeting.

Council Member Taylor made a motion to table this item, seconded by Mayor Pro Tem Burns.

Council Member Hinton asked for Mr. Brown to explain why we need this and why we have not had it in the past. She asked if we have been vulnerable all of this time without it. Mr. Brown stated that part of our Distribution Permit through the State requires that we deliver clean, safe, and aesthetically pleasing drinking water and maintain the integrity of our distribution system. In 2003, the State passed a law and updated the regulations that all licensees (those that have a Distribution Permit) have to incorporate a Cross-Connection Control program. He explained that Cross-Connection Control ensures that the municipality is doing its due diligence to protect against potential cross-connection, which is basically anything that is connected to the distribution system, but this focuses heavily on commercial and industrial business and types of facilities like that. Council Member Hinton asked if we have not had it since 2003. Mr. Brown replied that this was correct, but he does not know why. He stated that once he started reviewing things and found it out, he brought it to Mr. Lansing and they have begun the process to get it enacted as soon as possible.

Council Member Taylor asked how much it would cost to get us into compliance. Mr. Brown stated that there is no setup cost to come into compliance with the ordinance, but you will see that it is up to us to manage and maintain the database and enforce the ordinance; a lot of the testing costs and annual expenses are passed on to the users of the system. Council Member Taylor asked if this would be for residential users as well as business users. Mr. Brown replied that irrigation systems should be protected by a backflow device. Mayor Pro Tem Burns asked if whoever is not in compliance would bear the cost and that it would not be dispersed amongst all taxpayers. Mr. Brown replied that it is per user that falls within the guidelines of the ordinance. Mr. Lansing stated that there is no need for a check valve if you are a typical homeowner without a private well that is also connected to your house with the town's water, but if you have an irrigation system that would be a potential source for cross-connection and you would need a check valve. He stated that there would be no impact for the majority of the residential users in Nashville. Council Member Hinton asked to confirm that this would be mostly for commercial users. Mr. Brown replied that it mostly would be. Mr. Lansing stated that anybody who is a water user that has a potential risk of contaminating our public water supply with something that they do in their manufacturing or business process (such as a dry cleaner or funeral home, or someone with a boiler system where water is taken and goes into a vessel). If there was a water line break and there was negative pressure in the water main, it could potentially siphon water out of their private piping and put it into the system, hence the need for a check valve. He stated that in some instances the check valves have to be testable, which is where our cross-connection inspection program established by this ordinance comes in to place. He stated that we have to maintain records of those users that have testable check valves to ensure that they are being tested by a licensed plumber or tester once a year. He said that Mr. Brown would have to keep copies of that and this would be part of the inspection program going forward.

Mayor Brown commented that it is great that we are taking care of it. Council Member Hinton stated that the bottom line is that our water supply has been vulnerable. Mr. Brown agreed. Mr. Lansing added that most of the users that are required by law to have them already do, but we are just not knowledgeable of them nor verifying that they have been tested. He said that they are out there; most licensed plumbers know what the requirements are and they put them in, so we may not be as vulnerable as you initially think. Council Member Taylor asked if the water has been checked on a regular basis to make sure that we have no contamination in our system. Mr. Brown replied that we sample our water every day and we are on a sampling schedule with the State. He commented that you can only regulate what you are aware of and to some extent, every drinking water supply is vulnerable to something. He stated that they have discovered this and are taking steps to enact and get it corrected.

There being no further discussion, Mayor Brown called for a vote to table the item. The motion was unanimously approved (4-0).

- d) Mayor Brown called for Consideration of Ordinance Amendment 2020-02: An Ordinance Amending the Code of Ordinances of the Town of Nashville for Sewer Surcharges in Section 38-279.

Mayor Brown called on Mr. Lansing to explain this item. Mr. Lansing stated that Mr. Brown also noticed that our sewer surcharges do not match up with what the City of Rocky Mount's are and that we have a component that we are paying for sewer surcharges to the City of Rocky Mount which is missing in our ordinances. This proposed ordinance brings us in compliance between our ordinance and our practice and updates the threshold limits to be consistent with Rocky Mount.

Mayor Brown called for a motion to approve Ordinance Amendment 2020-02. Council Member Hobbs made the motion to approve the ordinance, seconded by Council Member Hinton. There being no further discussion, Mayor Brown called for a vote. The motion was unanimously approved (4-0)

The resolution was approved as follows:

**ORDINANCE OA-2020-02**

**AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE TOWN OF NASHVILLE FOR SEWER SURCHARGES IN SECTION 38-279**

BE IT ORDAINED by the Town Council of the Town Nashville, North Carolina

**SECTION 1. AMENDED SUBSECTION:** The Code of Ordinances of the Town of Nashville, Nash County, North Carolina is hereby amended by creating item "e" in Section 38-279(d)(1), a sewer surcharge for TKN (total kjeldahl nitrogen) with a limit of 40 mg/l, lowering the limit for BOD from 300 mg/l to 200 mg/l, and increasing the limit for NH3 from 20 mg/l to 25 mg/l. Said subsection shall read as follows where bolded and italic text is new and struck-through text is removed:

- (1) All commercial and industrial users of the wastewater system are subject to surcharges on waste discharges which exceed the following levels:
- a. BOD, ~~300~~ **200** mg/l
  - b. COD, 600 mg/l
  - c. TTS, 250 mg/l
  - d. NH3, ~~20~~ **25** mg/l
  - e. *TKN, 40 mg/l*

**SECTION 2.** This Ordinance shall be in effect after its final passage, approval and publication as provided by law.

PASSED and APPROVED this 7<sup>th</sup> day of January 2020.

Attest:

  
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Lou Bunch, Town Clerk

  
Brenda Brown, Mayor



Post Office Box 987 . Nashville, North Carolina 27856 . Telephone: (252)459-4521 FAX: (252)459-8926

5. Mayor Brown called for Town Manager's Report.

Mr. Lansing reminded everyone of the Town Council's Community Forum being held on January 14<sup>th</sup> at 6:00 PM. Mayor Brown commented that the Council was elected to serve the people and they want to make certain that they are doing what the great citizens of Nashville would like to see happen. Mr. Lansing said that hopefully they will get some ideas to discuss at the Budget Retreat, which will be January 27<sup>th</sup> at 9:00 AM. He announced that a credit card payment process has been implemented by the Finance Department, so people can pay their utility bills and taxes with a credit card and online. This process was rolled out in December, and in that month the Finance Department collected \$1.37M in various payments. In the Fire Department, Volunteer Tony Bailey retired after 28 years of service to the Nashville Fire Department and the Momeyer Fire Department. In the Library, a Journalism Club has been rolled out for teenagers. In the Police Department, we now have 5 officers that are certified to run radar. We only had 1 when Chief Puckett came, and will have 2 more certified shortly. Part-time Nashville Police Officer Larry Danforth, who is also with Wake Forest PD, has developed a program for Active Shooter and will be offering this training to Town staff and the business community for their staff. Town employee training will be held on February 5<sup>th</sup> and the business community training will be February 25<sup>th</sup> in Town Council Chambers from 6:30-8:30 PM. Chief Puckett stated that he will post it on Facebook and they will probably have a need to hold other sessions. In Public Works, the DOC lift station is only running on one pump once more due to pump failure and the pump will need to be replaced. This lift station is one of the main lift stations in town and has not been rehabbed in 20 years. Mr. Brown is looking at pricing for this project. The library roof will be restored in early February or March. The HVAC system at Glover Park will be replaced January 13<sup>th</sup>. A preconstruction meeting will be held tomorrow in the neighborhood with the contractor, engineer, and the property owners for the Aviation Lift Station Abandonment Project. This concludes the Manager's Report.

6. Mayor Brown called for Council Comments.

Council Member Hinton asked about cost for the library roof. Mr. Brown said that it was just under the budgeted \$48,000. Mayor Pro Tem Burns stated that it is for restoration of the roof, not the replacement of it. Council Member Hinton commented that we have had so much trouble with this roof and asked if this is going to be good. Mr. Brown replied that he hopes so. Council Member Hinton said that we have

set aside \$25,000 for the HVAC at Glover Park and asked if it would be less. Mr. Lansing replied that the bid came back at \$10,500.

Council Member Taylor thanked all of the citizens of Nashville that have shown up for the last couple of meetings that they have had for the park deal. He commented that as always when something comes up, our townspeople show up but he would like for them to show up when there is "smooth sailing" and see what is going on. He stated that he appreciates all of the input that people have given him, for and against, and that the input he gets means a lot to him. He encouraged people to not stop giving input.

7. Mayor Brown called for Closed Session pursuant to NCGS §143-318.11 (a) (4) Economic Development and (a) (6) Personnel.

Mayor Brown called for a motion to go into Closed Session. Council Member Hinton made the motion, seconded by Council Member Hobbs. There being no discussion, Mayor Brown called for a vote. The motion was unanimously approved (4-0). The meeting moved into Closed Session at 7:49 PM. The members of Council moved to private Council Chambers.

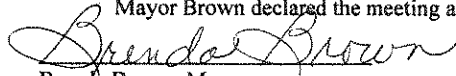
At 9:05 PM, members of Council returned to open Council Chambers. Mayor Brown called for a motion to come out of Closed Session. Mayor Pro Tem Burns made the motion, seconded by Council Member Taylor. There being no discussion, Mayor Brown called for a vote. The motion was unanimously approved (4-0). The meeting moved into Regular Session at 9:06 PM.

Mayor Brown announced that in Closed Session, the Council discussed an Economic Development issue and also conducted an evaluation of the Town Manager.

8. There being no further business, Mayor Brown called for a motion to adjourn.

Council Member Hinton made the motion, seconded by Council Member Burns. There being no discussion, Mayor Brown called for a vote. The motion was unanimously approved (4-0).

Mayor Brown declared the meeting adjourned at 9:06 PM.

  
Brenda Brown, Mayor

ATTEST:   
Lou C. Bunch, Town Clerk

