

The Town Council of the Town of Nashville held a Regular Meeting on Tuesday, September 1, 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 – Human Resources Director and Interim Town Clerk, Sherry Moss – Planning and Development Director, Tina Price – Planner I/Code Enforcement Officer, Chris Joyner – Fire Chief, Anthony Puckett – Police Chief, Sam Sanchez – Finance Director, and Lee Brown – Public Works Director. Others Present: Mark Edwards, Town Attorney.

1. Mayor Brown called the meeting to order at 7:00 PM and welcomed those in attendance.
2. Mayor Brown led the Pledge of Allegiance.
3. Mayor Brown led the Prayer.
4. Mayor Brown called for the Approval of Minutes.
 - a. There being no corrections, Mayor Brown called for a motion to approve the July 28, 2020 Called Meeting Minutes. Council Member Hobbs made the motion, seconded by Council Member Hinton. There being no discussion, Mayor Brown called for a vote. The motion was unanimously approved (4-0).
 - b. There being no corrections, Mayor Brown called for a motion to approve the August 4, 2020 Regular Meeting Minutes. 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).
5. There were no public comments.
6. Old Business
 - a. Mayor Brown called for the Presentation of the South Creek Stormwater Drainage Study and Report.

Mayor Brown gave a summary of the issue. Kevin Varnell of Stocks Engineering will be presenting the results, options, and recommendations of the South Creek Drainage Study, which includes Par Drive, Aubrei Court, Village Lane, Windy Oak Drive, Laurel Spring Drive, and South Creek Drive. Mayor Brown called on Mr. Varnell to give his presentation.

Kevin Varnell reminded the Council that at last month's meeting they discussed the current levels of service that they have on Par Drive, Laurel Spring Drive, and Windy Oak Drive, the proposal to lower Windy Oak Drive, and the effects of that remedy on the surrounding properties. He referred to the draft report and the different design alternatives:

- Alternative #1 would lower Windy Oak Drive around 2-feet and would include installing a trapezoidal channel to help drain both the upstream and downstream. He commented that they could not just lower the drive without providing some way for the water to get out downstream. The issue with this option is that while it would drastically improve Par Drive's performance and solve the drainage issue at 215 Windy Oak Drive, it would cause further problems with being able to get home and emergency services for those in the cul-de-sac and would also send more water down to Laurel Spring Drive. Council Member Taylor asked if lowering Windy Oak Drive would entail actually grading the street out, lowering it down, and then repaving it. Mr. Varnell replied that it would. He then added that right now Windy Oak Drive creates a dam with a 24-inch pipe underneath, so it backs water all the way through into the Par Drive subdivision; this solution would be lowering the dam, which just happens to be the road.
- Alternative #2 would still lower Windy Oak Drive, but the existing 24-inch pipe between Laurel Spring Drive and Windy Oak Drive will be removed and replaced with a 48-inch pipe.
- Alternative #3 would still lower Windy Oak Drive, but remove the existing 24-inch pipe and replace it with dual 24-inch pipes.

- Alternative #4 provides the best level of service, and would essentially give a 100-year storm event level of service at Par Drive, Windy Oak Drive, and Laurel Spring Drive, however it would remove all of the existing pipe systems and would put in an open ditch. He stated that open ditches carry far more water than a closed pipe system can. He commented that from an engineering standpoint this would be the best solution. This would solve all of the problems that have been pointed out, however it does put an open ditch where there is a current closed pipe system. Council Member Hinton asked about the 48-inch pipes shown in the proposal. Mr. Varnell explained that right now there is one 24-inch pipe under Windy Oak Drive and that pipe only would be replaced with twin 48-inch pipes under just the road, then it would be open ditch on both sides of the road. He noted that if they put in an open ditch on both sides of the road but did not upgrade the pipe then they would still have the same issues.
- Alternative #5 is a closed pipe system for the entire stretch and would carry a 25-year level of service and a 100-year level of service for all homes. Mr. Varnell noted that this alternative would solve all of their issues, however it is the most expensive and would close in the entire system so it would essentially be all underground.

Mr. Varnell recommended Alternative #4 and stated that it is the best recommendation from an engineering standpoint. He recognized that the ultimate concern for this option for the adjacent homeowners would be the appearance and aesthetics of an open ditch system. He stated that if they had to choose an alternate, it would be Alternative #2. Alternative #2 would protect the homes for a 100-year storm event; the streets would meet a 25-year storm event with a maximum of 1.07-foot of water on the street during that event. The cost for this would be around \$380,000. Mr. Varnell noted that there were five alternates presented, ranging from low to high in cost, but there are multiple options in between where they could do the project in phases. Council Member Hinton questioned the cost estimates for Alternative #2 which was listed in the report as \$336,066. Mr. Varnell replied that the \$380,000 figure adds in the engineering survey; there is a construction cost and an engineering cost.

Mayor Pro Tem Burns asked Mr. Varnell to review Alternative #2. Mr. Varnell explained that coming from Par Drive they would replace the 24-inch pipe with a 48-inch pipe all the way through and put an open channel on top of that. He added that the open channel would be a swale on top of the ground and would not be an open ditch. This would be enough to convey some storm water before it gets into the adjacent lot. Windy Oak Drive would also be lowered by 2-feet and a trapezoidal swale would be placed on the downstream side of 215 Windy Oak Drive to Laurel Spring Drive. Laurel Spring Drive would remain as it is. Mayor Pro Tem Burns asked if the repaving of Windy Oak Drive would not create a problem because of the proper drainage. Mr. Varnell replied that in this option the level of service would be higher than in option #1.

Council Member Hobbs noted that there was a \$30,000 difference between Alternatives #2 and #4 and asked what the difference was in the actual construction between the two. Mr. Varnell explained that Alternative #2 keeps a closed pipe system with a swale on top. Alternative #4 is an open channel ditch, 5-foot deep with a flat bottom with sides. Currently the entire neighborhood is pipe, but an open channel can drain much more stormwater than a pipe. He commented that once they choose an option, they can finalize the numbers. Mayor Pro Tem Burns asked about the safety of an open channel. Mr. Varnell replied that any time you have an open ditch you will have some concern with the aesthetics, but from a safety standpoint we have open ditches throughout town and he is not aware of any major issues with it. He noted that an open ditch would have more of an issue than a closed pipe that is hidden under ground. Council Member Hinton commented that the report shows that we do not have any definitive information about underground utilities and so that is a concern. Mr. Varnell noted that there would be underground power, cable, and telephone, but right now the pipes would be under the road where they already are located; the issue may be in between the properties where the homeowner has something underground that we are not aware of.

Council Member Taylor asked how full the ditch would get if there was another rain incident like we had recently. Mr. Varnell replied that with the amount of drainage that they have going through there, in a 10-year storm event the ditch would be half full and in a 100-year storm event the ditch would be full. He noted that it all depends on how long the event lasts; a flash event will come up high and drop quickly, but in a longer rain event it could stay up longer. He commented that they do not see that ditch being full for a week, it would be more like 1-2 days before it goes down to normal. Mayor Brown thanked Mr. Varnell for the report.

Mr. Lansing commented that now they have the report, if they would like to get feedback from the homeowners he could arrange for a meeting with them where Mr. Varnell could present the information

and see what the reaction is. He stated that he likes the idea of an open ditch because that will give us the greatest relief from all future rain events, but it would significantly alter the neighborhood to install an open ditch when one was not there before. Council Member Taylor commented that he thinks it is a great idea to contact the residents before they move forward. He then asked Attorney Mark Edwards what kind of recourse we have for the builder because this is a lot of money. Mr. Edwards replied that the town would have to show that the builder violated some provision that they did not meet at the time. He added that if the Council wanted to discuss that with the attorney, then it would need to be in closed session.

- b. Mayor Brown called for Consideration of SU 2020-02: Request for a special use for property located off E. Old Spring Hope Road, Zoning District M-F (Multi-family Residential) for the purpose of establishing more than one multi-family building on a single lot. This parcel contains approximately 12.62 acres and is identified by Nash County Tax Parcel Number 381015532563.

This item was heard at a Joint Public Hearing of the Town Council and the Planning Board on Wednesday, August 26, 2020. The Planning Board voted 3-0 to recommend approval of SU 2020-02. Mayor Brown stated that the applicant is requesting a Special Use Permit to allow more than one duplex to be established on a 12.62 acre lot off E. Old Spring Hope Road. The Multifamily Residential zoning district allows multifamily (more than one building per lot) with a Special Use Permit. The sketch plan submitted shows eight duplexes (16-units), with future expansion of more units. The petitioned property is surrounded by a mixture of single family dwellings and duplexes, with mixed zoning classifications of MF (Multifamily), R-10 (Medium Family Residential), R6 (High Density Residential), and A-1 (Agricultural) Zoning Districts. With regard to the Future Land Use Map, the petitioned property is classified as medium residential growth. The surrounding areas are classified as high density, medium density, and agricultural growth. The proposed use would be in harmony with the residential character of the area. Upon voting on the Special Use Permit, the Town Council shall consider the following:

- a) The use will not materially endanger the public health or safety if located where proposed and developed according to the plan as submitted and approved.
- b) The use meets all required conditions and specifications.
- c) The use will not substantially injure the value of adjoining or abutting property, or that the use is a public necessity.
- d) The location and character of the use if developed according to the plan as submitted and approved, will be in harmony with the area in which it is to be located and in the general conformity with the plan of development of the Town of Nashville.

Staff recommends that SU 2020-02 be approved. The Planning Board also recommends approval of SU 2020-02.

Mayor Brown called for a motion to approve the item. Council Member Hobbs made the motion to approve, seconded by Council Member Taylor. Mayor Brown called for discussion. Mayor Pro Tem Burns stated that there is a residential property to the east and two properties to the west and she would like to protect those properties' interests by putting up a buffer of either trees and/or fencing. She also requested that the lighting be pointed down to help with light pollution. Council Member Hobbs asked about the play area requirements in our regulations and asked if that was proposed in this sketch. Mayor Pro Tem Burns replied that it is there, but it is of such a design that she is not sure it would be a functional play area; it is about 12-feet wide and is a sliver of property that goes to a maximum of 22-feet wide and 100-feet long. Mayor Pro Tem Burns asked to ensure that the developer has some sort of plan that makes it a play area rather than just a designation of a play area that is a plot of grass. Mr. Lansing informed the Council that they could place conditions on the Special Use and that they could specify that playground equipment is actually placed in that area. Council Member Hobbs amended her motion to include that as a part of the Special Use Permit, seconded by Council Member Taylor. There being no further discussion, Mayor Brown called for a vote. The motion was unanimously approved (4-0).

- c. Mayor Brown called for Consideration of CP 2020-01: Request for a construction plat approval of a 41-lot major subdivision off Eastpointe Avenue, Zoning District R-4 (High Density Residential). This parcel contains approximately 25.63 acres and is identified by Nash County Tax Parcel Number 381006484519U.

Staff recommends approval of CP 2020-01. The Planning Board recommends approval of CP 2020-01 with TRC review.

Mayor Pro Tem Burns commented that Food Lion is directly north of this property, very close to the property line. She requested that fences and trees be planted lining the backs of the properties as a light and noise buffer and for security reasons to limit access to the backyards. She also requested that a grass buffer be placed on the sidewalks between the curb and the walkway for safety and aesthetics. The Council reached consensus to make that grass buffer be 2-feet wide. Council Member Taylor asked if they should require a play area as well. Mr. Lansing replied that our ordinance does not require it for this property, but in Phase 2 the Town could require that the developer give one of the lots to the Town to be developed as a playground. He reminded them that they are not considering Phase 2 at this time.

Mayor Brown called for a motion. Mayor Pro Tem Burns made a motion to approve the consideration with the specifications that they gave for fencing, buffers, and the sidewalk, seconded by Council Member Hinton. There being no further discussion, Mayor Brown called for a vote. The motion was unanimously approved (4-0).

- d. Mayor Brown called for Consideration of Resolution 2020-18: Resolution Awarding a Timber Purchase and Harvest Contract on 42- acres of Land Owned by the Town of Nashville.

Mayor Brown gave a summary of the issue. The Town of Nashville has received four competitive bids from pre-qualified logging companies for the purchase and harvest of timber on 42-acres of land owned by the Town of Nashville off of Industry Court. The bids are as follows: 1. Tidewater Land & Timber, LLC of Pantego, NC for \$40,950; 2. East Coast Timber, LLC of Williamston, NC for \$42,280; 3. Triangle East Timber Company of Mount Olive, NC for \$39,150; and 4. GatorWood, Incorporated of Wilson, NC for \$40,685. Mr. Lansing has recommended that the contract be awarded to the high bidder, East Carolina Timber, LLC of Williamston, NC for \$42,280.

Mayor Brown called on Chris Cobb to speak on this item. Mr. Cobb stated that they did receive four bids from four reputable companies. His suggestion is to go with the high bid; all of the companies do a good job, carry insurance, and have a chipper. He informed the Council that he has given a sample deed to Mr. Lansing to have the Town Attorney review. Council Member Hinton asked about logging out the environmental area around Stoney Creek and if that would be a concern removing the vegetation. Mr. Cobb replied that they will follow the North Carolina Forestry Service guidelines and their recommendation for the stream side management zone requiring that they stay 50-feet from the edge of the water. He stated that no equipment will be allowed in that zone; the zone will be flagged out and he will be ensuring that all recommendations are met. Council Member Taylor asked about the Timber Harvesting Specifications where it states that they have 24 months to complete the work. Mr. Cobb replied that generally these companies do not carry more than 6 months' worth of inventory; the 24 months gives them some kind of protection in the event of a severe weather year or a complete crash in the markets. He does not anticipate it taking 24 months to complete. Council Member Taylor asked about #4 which reads that there shall be no decking or loading in the open fields, and stated that he is not worried about the fields but he is worried about the pavement. Mr. Cobb replied that there will no loading in that area at all. The loader and trucks will have to be backed into the woods. Mr. Lansing asked Mr. Cobb to provide a timeline. Mr. Cobb replied that they have 30 days to close; once the timber deed is signed then they will bring a check in exchange for the deed. He pointed out that they do have a large crew, but that the area does tend to hold water. In the event that it is holding water, they will lay off for a few days to let the water drain. He informed the Council that it would probably take about two weeks for the operation. Council Member Hinton asked who would be monitoring it. Mr. Cobb replied that he would and that he would be at that property every day. Mayor Pro Tem Burns asked what the recourse would be if the company does not finish in time or does not comply with the terms. Mr. Cobb replied that the Town could probably sue for breach of contract, but that these companies all have very good reputations.

Council Member Taylor made a motion to extend the contract to that company (East Coast Timber, LLC), seconded by Council Member Hobbs. There being no discussion, Mayor Brown called for a vote. The motion was unanimously approved (4-0).

The resolution was approved as follows:

RESOLUTION 2020-18

AWARDING A TIMBER PURCHASE AND HARVEST CONTRACT ON 42-ACRES OF LAND OWNED BY THE TOWN OF NASHVILLE

WHEREAS, the Town Nashville has a professional service contract with South Atlantic Timber Services, Inc. to pre-qualify logging companies and solicit bids for the purchase and harvest of 42-acres of land owned by the Town of Nashville off of Industry Court; and

WHEREAS, the following competitive bids have been received for the timber purchase and harvest:

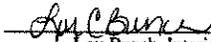
1. Tidewater Land & Timber, LLC, Pantego, NC \$40,950
2. East Carolina Timber, LLC, Williamston, NC \$42,280
3. Triangle East Timber Company, Mount Olive, NC..... \$39,150
4. GatorWood, Incorporated, Wilson, NC \$40,685

NOW, THEREFORE, BE IT RESOLVED by the Town Council of the Town of Nashville, North Carolina that a timber purchase and harvest contract is hereby awarded to East Carolina Timber, LLC, Williamston, North Carolina for \$42,280. East Carolina Timber, LLC shall pay the full \$42,280 to the Town of Nashville before any logging and harvesting operation shall begin. East Carolina Timber shall log and harvest the 42-acres of timber per the attached specifications.

ADOPTED this the 2nd day of June 2020 in Nashville, North Carolina.


Brenda Brown, Mayor

ATTEST:


Lou Bunch, Interim Town Clerk



(Seal)

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

7. New Business

- a. Mayor Brown called for Discussion with Michael Hurt regarding residential development ideas for 608 Western Avenue.

Mayor Brown gave a summary of the issue. Michael Hurt, owner of 608 Western Avenue, has withdrawn his application to rezone this property from R-10 to Multifamily, and withdrawn his application for a Special Use Permit to build multifamily apartment buildings. Mr. Hurt wants to discuss residential development ideas for the property with the Town Council.

Mr. Lansing submitted for the record the Planning Board's recommendation and consistency statement for Z 2020-03 and SU 2020-01. He asked for a motion and a second to accept this for the record. Council Member Taylor made a motion to accept, seconded by Council Member Hobbs. There being no discussion, Mayor Brown called for a vote. The motion was unanimously approved 4-0. The recommendations were accepted as follows:

TOWN OF NASHVILLE PLANNING BOARD

Patsy McGhee, Chairman
Ann Collier, Vice-Chairman
Al Edwards
Shirley House



Dwight Jordan
Betty Tabron Lowe
Bill Lumpkin

Prior to adopting or rejecting any zoning amendment, the governing board shall adopt a statement describing whether its action is consistent with an adopted comprehensive plan and explaining why the board considers the action to be reasonable and in the public interest. The planning board shall advise and comment on whether the proposed amendment is consistent with any comprehensive plan that has been adopted and any other officially adopted plan that is applicable. The planning board shall provide a written recommendation to the governing board that addresses plan consistency and other matters as deemed appropriate by the planning board, but a comment by the planning board that a proposed amendment is inconsistent with the comprehensive plan shall not preclude consideration or approval of the proposed amendment by the governing board.
(NCCS 1804-363)

REZONING MAP AMENDMENT: Z-2020-03
Applicant: Michael Hurt
Owner: Michael Hurt
Mailing Address: 110 Timberlake Drive
Tax Map and Parcel(s): 38000629776
Parcel Size: +/- 9.45 acres
Location Address: 608 Western Avenue

REQUEST:
Request to rezone the above parcel from R-10 (Medium Density Residential District) to M-F (Multifamily Residential District).

STATEMENT OF CONSISTENCY & RECOMMENDATION:
At their meeting on August 26, 2020, the Planning Board voted to recommend denial of the proposed rezoning map amendment and stated, "The Planning Board finds and determines that case # Z-2020-03 is inconsistent with the Town of Nashville Land Use Plan, because this property is designated for future low density residential growth. Therefore, the amendment is unreasonable and not in the public interest because it fits into the character of the area."

Motion to deny by: Shirley House
Seconded by: Betty Lowe

Vote: Unanimous to deny the rezoning map amendment

TOWN OF NASHVILLE PLANNING BOARD

Patsy McGhee, Chairman
Ann Collier, Vice-Chairman
Al Edwards
Shirley House



Dwight Jordan
Betty Tabron Lowe
Bill Lumpkin

SPECIAL USE PERMIT REQUEST: SU 2020-01

Applicant: Michael Hurt
Owner: Michael Hurt
Mailing Address: 110 Timberlake Drive
Tax Map and Parcel(s): 38000629776
Parcel Size: +/- 9.45 acres
Location Address: 608 Western Avenue

SUMMARY OF ISSUE:
Request for a special use for property located at 608 Western Avenue, Zoning District M-F (Multifamily Residential) for the purpose of constructing more than one multi-family building on a single lot. This parcel contains approximately 9.45 acres and identified by Nash County Tax Parcel Number 38000629776.

STATEMENT OF SPECIAL USE PERMIT RECOMMENDATION:
At their meeting on August 26, 2020, the Planning Board voted to recommend denial of the proposed special use permit based on the finding of facts:

- The use will not materially endanger the public health or safety if located where proposed and developed according to the plan as submitted and approved. True
- The use meets all required conditions and specifications. True
- The use will not substantially injure the value of adjoining or abutting property, or that the use is a public necessity. True
- The location and character of the use if developed according to the plan as submitted and approved, will be in harmony with the area in which it is to be located and in the general conformity with the plan of development of the Town of Nashville. False; Planning Board staff stated it is a wonderful project, but in the wrong location.

Motion to deny by: Bill Lumpkin
Seconded by: Shirley House

Vote: Unanimous to deny the special use permit request

Mayor Brown called on Michael Hurt to speak on his request. Mr. Hurt stated that he would like to set up a public workshop with the Council and the community to be able to sit down and come up with something that fits better for the property that will benefit both him and the community at large. Council Member Taylor asked Mr. Hurt what he was thinking of proposing for the property. Mr. Hurt replied that he still wants to lean towards apartments, but he would like to slow down the pace of the project and develop it in phases. He mentioned possibly keeping the road frontage as R-10 with some duplexes and then transition, perhaps doing apartments in the back of the property. Council Member Taylor commented that he does not think that having three story apartments at the front will be a favorable option for the property. Mayor Pro Tem Burns commented that the citizens last week also spoke out that they were in favor of

development, just in the right, responsible way; she thinks it would be smart to have the community come in and hear some proposals or give their feedback. Mayor Brown stated that the citizens need to be aware that this is an input session to make it work for everybody and an opportunity to listen. Mr. Lansing suggested holding the meeting on Wednesday, September 16, 2020 at 5:00 PM. The Council was agreeable to this date and time. Mayor Pro Tem Burns asked if it would be possible to give physical notification to those who attended the meeting last week. Mr. Lansing replied that he has all of the addresses. Council Member Hinton asked when the Downtown Nashville Strong Advisory Board Meeting would be. Mrs. Bunch confirmed that it would be on Tuesday, September 22nd. Mr. Hurt informed the Council that he has spoken with Bobby Liverman with DOT and that with the proposed unit count of 48 units, it would not require a road widening; he indicated that Mr. Liverman would give him a layout of what the turning lane would look like in that instance. Mr. Hurt also stated that he will have an appraisal report that will reiterate property values, and that he will have some more information ready so they can address the concerns of the community. Mayor Brown thanked Mr. Hurt.

- b. Mayor Brown called for Consideration of the Submission of Asset Inventory Assessment Grants to Inventory and GIS Map the Town's Water and Sewer System - Resolution 2020-19: Resolution Authorizing Submission of Water Asset Inventory Assessment Grant to the North Carolina Department of Environmental Quality and Resolution 2020-20: Resolution Authorizing Submission of Wastewater Asset Inventory Assessment Grant to the North Carolina Department of Environmental Quality.

Mr. Lansing informed the Council that Mike Tolson with Mack Gay & Associates was present to speak on the grant applications. Mr. Tolson explained that the Asset Inventory Assessment (AIA) program is a state funded program that gives grants in \$150,000 amounts for engineering services to go through and assess and inventory your water and sewer systems. He reminded the Council that they had submitted the applications last year and that the Town scored 16 and 17 out of 24 total points on them; the last awarded grant last year was a score of 18. He reported that there was tight competition for last year's application and that he has talked with the state to find ways to improve our scores for this year. Mr. Tolson is requesting permission to apply for the grants again this year. He explained that the AIA grants are only open in the fall with a deadline of September 30th. He stated that the applications are about 75% complete, and are in need of signatures on a few documents including the two resolutions presented tonight in order to submit. He hopes to have a draft to Mr. Lansing before the final documents are submitted. Mr. Tolson informed the Council that it requires a 10% match, however the only funds the Town would be responsible for is \$2,250 in cash for the \$150,000 grant; the remainder of the \$12,750 contribution can be in-kind.

Council Member Hinton asked Mr. Tolson what his strategy would be for improving our chances of receiving the grant. Mr. Tolson replied that the guidelines change every year and they have added a couple of opportunities in the scoring process that would help our chances; they also have more information on the asset management team, which includes the Mayor and Public Works Director, to include in the application. He noted that this year is the first time they have really been given guidance on what they are looking for; this year they are focusing on what the management strategy of the utility system is and what the Town is doing to manage and run a fiscally responsible enterprise fund. Council Member Hinton commented that they had been told that they were not charging enough for our utilities and asked if that had anything to do with it. Mr. Tolson replied that it is a factor in the LGU that they use for the scoring matrix. He stated that we are probably on the shy side for water but we are in the good range for sewer; we will likely score higher on the sewer application than on the water application simply because our rates in the water are not in the range that would show us as an economically distressed town. He noted that he could go look at three or four other towns that they have done these application for and their rates are twice as much for the same level of service. Council Member Hinton commented that our sewer rate is about three times as much as the water rate; Mr. Tolson replied that he knows and that if the Town's water rate was \$4 or \$5 for 5,000 gallons of usage per month, then it would likely earn the maximum amount of points on the water application. He commented that it is often a very small adjustment that needs to be made, but it is often an adjustment that councils are not willing to vote for. Mr. Tolson stated that if they do receive the grant, they will do a rate study which will give a real picture of what can be done with an asset management plan and a capital improvement plan for the water and sewer infrastructure.

Council Member Hobbs asked when the grants would be awarded. Mr. Tolson replied that the Safe Water Infrastructure Authority, as long as everything had been scored, would award the grants in April. He noted that they will find out the recommendations about two weeks prior to the SWIA meeting. Council Member Taylor asked if the grant could be used to make infrastructure improvements. Mr. Tolson replied that it cannot be used for construction; it is used for planning, condition assessment, smoke testing, and other engineering related services. He explained that this grant helps you find out where you stand and helps you figure out the next step. Mrs. Sanchez asked how debt factors into the scoring. Mr. Tolson

replied that they look at the audits and the operating ratios; the operating ratio must be above one in at least the past three consecutive years to show fiscal responsibility with the enterprise fund. He added that they do not look at the debt, but they do look at the operating ratio to make sure that funds are being managed well. He commented that the grants are used for those things that you would not necessarily have capital outlay for to fund a study. Council Member Hinton commented that she hopes they have a better chance last year; Mr. Tolson commented that he believes that they have a very good chance.

Council Member Hobbs made a motion to approve the submission of the two NCDEQ grant applications, seconded by Mayor Pro Tem Burns. There being no further discussion, Mayor Brown called for a vote. The motion was unanimously approved (4-0).

The resolutions were approved as follows:

RESOLUTION 2020-19

RESOLUTION AUTHORIZING SUBMISSION OF WATER ASSET INVENTORY ASSESSMENT GRANT TO THE NORTH CAROLINA DEPARTMENT OF ENVIRONMENTAL QUALITY

WHEREAS, the Federal Clean Water Act Amendments of 1987 and the North Carolina Water Infrastructure Act of 2005 (NCGS 159G) have authorized the making of loans and grants to aid eligible units of government for water and sanitary sewer asset inventory assessments, and

WHEREAS, the Town of Nashville has need for and intends to complete an asset inventory assessment for the Town of Nashville's public water supply.

NOW THEREFORE, Be It Resolved by the Town Council of the Town of Nashville, North Carolina as follows:

Section 1. That the submission of a \$150,000 grant to the North Carolina Department of Environmental Quality for an asset inventory assessment of the Town's public water supply is hereby authorized.

Section 2. That if the cost of the asset inventory assessment is more the \$150,000, the Town of Nashville, the Applicant, will cover the remaining costs.

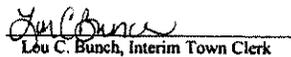
Section 3. That Town Manager, Randy Lansing, is hereby authorized to execute and file the application on behalf of the Town of Nashville with the State of North Carolina for a grant to aid in to the asset inventory assessment. The Town Manager is also hereby authorized and directed to furnish such information as the North Carolina Department of Environmental Quality may request in connection with the asset inventory assessment, and execute other documents as may be required in connection with the application.

Section 4. That the Town of Nashville is substantially complied or will substantially comply with all Federal, State, and local laws, rules, regulations, and ordinances applicable to the asset inventory assessment and to Federal and State funding pertaining thereto.

PASSED and APPROVED this the 1st day of September 2020.

ATTEST:


Brenda Brown, Mayor


Lou C. Bunch, Interim Town Clerk

RESOLUTION 2020-20

RESOLUTION AUTHORIZING SUBMISSION OF WASTEWATER ASSET INVENTORY ASSESSMENT GRANT TO THE NORTH CAROLINA DEPARTMENT OF ENVIRONMENTAL QUALITY

WHEREAS, the Federal Clean Water Act Amendments of 1987 and the North Carolina Water Infrastructure Act of 2005 (NCGS 159G) have authorized the making of loans and grants to aid eligible units of government for water and sanitary sewer asset inventory assessments, and

WHEREAS, the Town of Nashville has need for and intends to complete an asset inventory assessment for the Town of Nashville's sanitary sewer collection system, and

NOW THEREFORE, Be It Resolved by the Town Council of the Town of Nashville, North Carolina as follows:

Section 1. That the submission of a \$150,000 grant to the North Carolina Department of Environmental Quality for an asset inventory assessment of the Town's sanitary sewer collection system is hereby authorized.

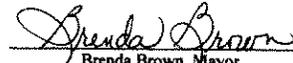
Section 2. That if the cost of the asset inventory assessment is more the \$150,000, the Town of Nashville, the Applicant, will cover the remaining costs.

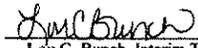
Section 3. That Town Manager, Randy Lansing, is hereby authorized to execute and file the application on behalf of the Town of Nashville with the State of North Carolina for a grant to aid in to the asset inventory assessment. The Town Manager is also hereby authorized and directed to furnish such information as the North Carolina Department of Environmental Quality may request in connection with the asset inventory assessment, and execute other documents as may be required in connection with the application.

Section 4. That the Town of Nashville is substantially complied or will substantially comply with all Federal, State, and local laws, rules, regulations, and ordinances applicable to the asset inventory assessment and to Federal and State funding pertaining thereto.

PASSED and APPROVED this the 1st day of September 2020.

ATTEST:


Brenda Brown, Mayor


Lou C. Bunch, Interim Town Clerk

- c. Mayor Brown called for Consideration of Proposal for Garbage Truck Financing, Resolution 2020-21: Resolution Approving Financing Terms.

Mrs. Sanchez stated that the Council had approved financing as an option during the budget; proposals had been sent out to eight financial institutions. She informed Council that BB&T had the lowest rate; the terms would be for five years, with bi-annual payments. Mayor Brown read the terms: the truck will cost \$350,000 for a 5 year term at an interest rate of 1.67%. Tax Status is Tax Exempt – Bank Qualified. Payments will be semi-annual for both interest and principal. Mayor Brown noted that the truck will not actually be here until April due to the time it takes to build the truck. Mrs. Sanchez added that the purchase of the truck has come in under budget at around \$318,000. Mayor Pro Tem Burns asked what had been budgeted for the interest rate. Mrs. Sanchez replied that she budgeted 3.25%.

Mayor Brown called for a motion to approve this financing. Council Member Hobbs made the motion, seconded by Mayor Pro Tem Burns. There being no discussion, Mayor Brown called for a vote. The motion was unanimously approved (4-0).

The resolution was approved as follows:

RESOLUTION 2020-21

Resolution Approving
Financing Terms

WHEREAS: The Town of Nashville, NC ("Borrower") has previously determined to undertake a project for the financing of garbage truck (the "Project"), and the Finance Officer has now presented a proposal for the financing of such Project.

BE IT THEREFORE RESOLVED, as follows:

1. The Borrower hereby determines to finance the Project through Truist Bank ("Lender") in accordance with the proposal dated July 30, 2020. The amount financed shall not exceed \$350,000.00, the annual interest rate (in the absence of default or change in tax status) shall not exceed 1.67%, and the financing term shall not exceed five (5) years from closing.
2. All financing contracts and all related documents for the closing of the financing (the "Financing Documents") shall be consistent with the foregoing terms. All officers and employees of the Borrower are hereby authorized and directed to execute and deliver any Financing Documents, and to take all such further action as they may consider necessary or desirable, to carry out the financing of the Project as contemplated by the proposal and this resolution.
3. The Finance Officer is hereby authorized and directed to hold executed copies of the Financing Documents until the conditions for the delivery of the Financing Documents have been completed to such officer's satisfaction. The Finance Officer is authorized to approve changes to any Financing Documents previously signed by Borrower officers or employees, provided that such changes shall not substantially alter the intent of such documents or certificates from the intent expressed in the forms executed by such officers. The Financing Documents shall be in such final forms as the Finance Officer shall approve, with the Finance Officer's release of any Financing Document for delivery constituting conclusive evidence of such officer's final approval of the Document's final form.
4. The Borrower shall not take or omit to take any action the taking or omission of which shall cause its interest payments on this financing to be includable in the gross income for federal income tax purposes of the registered owners of the interest payment obligations. The Borrower hereby designates its obligations to make principal and interest payments under the Financing Documents as "qualified tax-exempt obligations" for the purpose of Internal Revenue Code Section 265(b)(3).
5. The Borrower intends that the adoption of this resolution will be a declaration of the Borrower's official intent to reimburse expenditures for the Project that are to be financed from the proceeds of the Lender financing described above. The Borrower intends that funds that have been advanced, or that may be advanced, from the Borrower's general fund or any other Borrower fund related to the Project, for project costs may be reimbursed from the financing proceeds.
6. All prior actions of Borrower officers in furtherance of the purposes of this resolution are hereby ratified, approved and confirmed. All other resolutions (or parts thereof) in conflict with this resolution are hereby

repealed, to the extent of the conflict. This resolution shall take effect immediately.

Approved this 1 day of September, 2020

By: Deanda Brown
Title: Mayor

By: Lamonte Sanchez
Title: FINANCE DIRECTOR

SEAL



d. Mayor Brown called for Consideration of Preliminary Coronavirus Relief Funds Plan.

Mayor Brown gave a summary of the issue. Nash County has elected to share their allocation of Federal Coronavirus Relief Funds with eligible towns within the County. The Town of Nashville is eligible for up to \$88,767 in Coronavirus Relief Funds. The CRF Plan is a preliminary plan for the use of these funds. The plan, which was submitted to Nash County on August 31, 2020, can be amended at any time.

Mrs. Sanchez explained that these funds can be used for many of the expenses that were not FEMA eligible, such as some of the teleworking equipment and some payroll expenses. Additionally, there are preliminary plans to build some more permanent structures in high customer traffic areas, additional

teleworking equipment, and sanitizing supplies. She also mentioned that there has been some discussion about possibly using some of the funds to help the community.

Mayor Brown called for a motion to receive the funding from Nash County. Council Member Hinton made the motion, seconded by Mayor Pro Tem Burns. There being no discussion, Mayor Brown called for a vote. The motion was unanimously approved (4-0).

The plan was approved as follows:

**North Carolina Pandemic Recovery Office
Coronavirus Relief Fund (CRF)
Town of Nashville CRF Plan**

<u>Instructions</u>	
<p>1. This document is to be used by municipalities to document the planned use of the CRF monies allotted in Session Law 2020-80.</p> <p>2. Please add the name of your Municipality in front of the existing name in the title as follows: " _____ CRF plan" and on the Excel Template Name</p> <p>3. Submit your plan to Emily.Moore@nashcountync.gov before August 31, 2020. Nash County must submit all Municipal Plans by September 1, 2020. Funding to the Municipality will not be available until your plan has been received by the County. The actual distribution will be based on your Plan up to your established allotment.</p> <p>4. Under Categories. Please aggregate the amount of all expenses for that specific category. The total must not exceed your allotment.</p>	
<p>The Municipality is responsible for maintaining adequate documentation to support expenditures. If estimates are being used the methodology must be documented and defensible. The Municipality is responsible for following the Federal Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards promulgated by the United States Office of Management and Budget unless the US Treasury publishes guidance stating otherwise.</p>	
<u>Municipal Information</u>	
<p>Name of Municipality: Town of Nashville Person Submitting: Samantha Sanchez Title: Finance Director Email: samantha.sanchez@townofnashvilenc.gov Phone Number: 252-459-4511 x 226</p>	
<u>Planned Expenditures</u>	
<u>Categories</u>	<u>Amount</u>
<p>1. Medical expenses such as:</p> <ul style="list-style-type: none"> • COVID-19-related expenses of public hospitals, clinics, and similar facilities. • Expenses of establishing temporary public medical facilities and other measures to increase COVID-19 treatment capacity, including related construction costs. • Costs of providing COVID-19 testing, including serological testing. • Emergency medical response expenses, including emergency medical transportation, related to COVID-19. • Expenses for establishing and operating public telemedicine capabilities for COVID-19 related treatment. 	

2. Public health expenses such as: <ul style="list-style-type: none"> • Expenses for communication and enforcement by State, territorial, local, and Tribal governments of public health orders related to COVID-19. • Expenses for acquisition and distribution of medical and protective supplies, including sanitizing products and personal protective equipment, for medical personnel, police officers, social workers, child protection services, and child welfare officers, direct service providers for older adults and individuals with disabilities in community settings, and other public health or safety workers in connection with the COVID-19 public health emergency. • Expenses for disinfection of public areas and other facilities, e.g., nursing homes, in response to the COVID-19 public health emergency. • Expenses for technical assistance to local authorities or other entities on mitigation of COVID-19-related threats to public health and safety. • Expenses for public safety measures undertaken in response to COVID-19. • Expenses for quarantining individuals. 	\$ 20,000.00
3. Payroll expenses for public safety, public health, health care, human services, and similar employees whose services are substantially dedicated to mitigating or responding to the COVID-19 public health emergency.	\$ 10,000.00
4. Expenses of actions to facilitate compliance with COVID-19-related public health measures, such as: <ul style="list-style-type: none"> • Expenses for food delivery to residents, including, for example, senior citizens and other vulnerable populations, to enable compliance with COVID-19 public health precautions. • Expenses to facilitate distance learning, including technological improvements, in connection with school closings to enable compliance with COVID-19 precautions. • Expenses to improve telework capabilities for public employees to enable compliance with COVID-19 public health precautions. • Expenses of providing paid sick and paid family and medical leave to public employees to enable compliance with COVID-19 public health precautions. • COVID-19-related expenses of maintaining state prisons and county jails, including as relates to sanitation and improvement of social distancing measures, to enable compliance with COVID-19 public health precautions. • Expenses for care for homeless populations provided to mitigate COVID-19 effects and enable compliance with COVID-19 public health precautions. 	\$ 20,000.00
5. Expenses associated with the provision of economic support in connection with the COVID-19 public health emergency, such as: <ul style="list-style-type: none"> • Expenditures related to the provision of grants to small businesses to reimburse the costs of business interruption caused by required closures. • Expenditures related to a State, territorial, local, or Tribal government payroll support program. • Unemployment insurance costs related to the COVID-19 public health emergency if such costs will not be reimbursed by the federal government pursuant to the CARES Act or otherwise. 	\$ 38,767.00
6. Any other COVID-19-related expenses reasonably necessary to the function of government that satisfy the Fund's eligibility criteria.	
Grand Total	\$ 88,767.00

Signature _____
Title: Finance Director _____
Date: September 1, 2020 _____

e. Mayor Brown called for Consideration of Budget Amendments.

Mayor Brown gave a summary of Budget Amendment #3. The Library was awarded a Federal LSTA CARES grant to purchase computer equipment. No match is required. Budget Amendment #3 appropriates these funds for expenditure.

Mrs. Sanchez congratulated Mrs. Alston for bringing forth the third grant that has been awarded for her department this year. She noted that these funds will be used to purchase mobile devices which can be used to promote social distancing while still running the programs.

Mayor Brown gave a summary of Budget Amendment #4. On August 4th, Council approved a flow meter study. Budget Amendment #4 appropriates funds for this project.

Mrs. Sanchez noted that this budget amendment is for the project that Council has already approved and will move funds to complete the project. Mayor Brown called for a motion to appropriate the funds

for the flow meter study. Council Member Taylor 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).

Budget Amendment #4 was approved as follows:

		Budget Amendment #			4
Account #	Account Description	Current Budget	INCREASE	DECREASE	Amended Budget
Fund	10-General Fund				
Revenues:					
30-399-0000	NET ASSET APPROPRIATION	\$ 19,238.00	\$ 21,000.00		\$ 40,238.00
					NET CHANGE IN REVENUES \$ 21,000.00
Expenditures:					
30-820-0400	PROFESSIONAL SERVICES	\$ 15,000.00	\$ 21,000.00	\$ -	\$ 36,000.00
					NET CHANGE IN EXPENDITURES \$ 21,000.00

EXPLANATION:

On August 4th, Council approved the installation of a temporary flow meter for analysis purposes on Old Carriage Rd. This budget amendment appropriates funds needed to complete the project, which includes rental of the meter (\$15,500) and the flow study (\$5,500).

Approved by Town Manager

posted:

Approved by Town Council



8-26-20
Date

9/1/20
Date

Item #:

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

Budget Amendment #3 was approved as follows:

		Budget Amendment #			3
Account #	Account Description	Current Budget	INCREASE	DECREASE	Amended Budget
Fund	10-General Fund				
Revenues:					
10-349-0302	FEDERAL GRANTS LIBRARY	\$ 16,867.00	\$ 10,000.00		\$ 26,867.00
					NET CHANGE IN REVENUES \$ 10,000.00
Expenditures:					
10-630-4205	FEDERAL GRANTS LIBRARY	\$ 16,867.00	\$ 10,000.00	\$ -	\$ 26,867.00
					NET CHANGE IN EXPENDITURES \$ 10,000.00

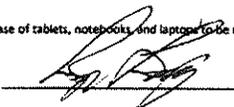
EXPLANATION:

The library was awarded the Federal LSTA CARES grant for the purchase of tablets, notebooks, and laptops to be used in programming. The grant does not require a local match.

Approved by Town Manager

posted:

Approved by Town Council



8-26-20
Date

9/1/20
Date

Item #:

Council Member Hinton asked if the funds for the flow meter were being appropriated from Fund Balance. Mrs. Sanchez replied that they were at this time.

8. Mr. Lansing gave a Manager's Report.

Mr. Lansing informed the Council that he has been notified by Nash County and the State of North Carolina that our citizens have fallen behind in completing the 2020 Census. He reported that the State of North Carolina has around 40% of its citizens that have not responded yet, which equates to a \$7 billion dollar loss of revenue each year for the next ten years. He commented that every municipality in Nash County, besides Red Oak, is behind from where they were ten years ago with the last census. He asked the Council to urge the citizens to complete their census information. Mr. Lansing informed the Council that they were looking into some grant opportunities to host an event promoting the census. Mayor Brown commented that she does not think people realize how important it really is and how much money it brings in to the area. Council Member Hinton pointed out that the Congressional Representatives are also based on the census. She then asked how Nash County stands in their response. Mr. Lansing replied that they are down overall from where they were ten years ago, but he does not know what percent that equates to. Citizens have until September 30th to complete the census. Council Member Hobbs commented that she

saw today that Nash County was at 62%. She commented that every person counts; locally we would receive around \$1,800 per person in state and federal funding. She also urged citizens to complete the census online or over the phone and to call Town Hall if they need help. Mayor Pro Tem Burns commented that she thinks it would be great if we could have some type of event.

Mr. Lansing also informed the Council that he has been in touch with the North Carolina Office of Recovery and Resiliency to see if we could get a special buyout program for the homes by Indian Trail in the Winwood Subdivision. He commented that Nancy Nixon from Nash County has been great in helping him petition this department, but he does not have an announcement to make on that yet. Council Member Taylor asked if there was anything the Town could do to help. Mr. Lansing replied that once he hears from the state, there may be an opportunity to have our local state representatives back us on our request. Council Member Hinton asked if this will be CDBG funds. Mr. Lansing replied that he believes that it will ultimately be CDBG funding through the Office of Recovery and Resiliency. Mayor Pro Tem Burns asked if he knew when he would have a response. Mr. Lansing replied that he heard back from her today that she was still working on it; he is hoping to hear something next week.

Mr. Lansing also reported that the primary side load garbage truck has been out of service for two months and we will hopefully get it back in service soon. However, the truck is ten years old with over 13,000 hours on it and the Sanitation crew has no confidence in its ability to stay on the road until April. The back-up truck, which is a rear-load, works great for bulky items, but leaks and leaves a smelly residue on the streets. Mr. Lansing passed out the specifications on a used garbage truck that is located in Pennsylvania; Kevin Taylor and Lee Brown are planning on traveling there to inspect the vehicle. Mr. Lansing noted that what we can purchase this truck for is about what we have spent in repairs over the last 13 months. Council Member Hinton asked if the truck we had bought from Georgia a few years ago could be used. Mr. Lansing replied that we are using it and that it works well for dry bulky goods, but not for anything with liquid. Mayor Brown pointed out that the truck in Pennsylvania only has 6,497 hours on it. Mr. Lansing added that it is a 2007, which is three years older than our current truck, but it has half the hours on it and has not had as much use. The price is \$44,900. Council Member Taylor asked if we go with this truck if we will drive it back or have it transported back. Mr. Lansing replied that if they like the truck, they will still have to come back and get Council's authorization to purchase it. Mr. Brown added that it would be \$2.50 per mile to have it delivered for approximately \$650. Council Member Hinton asked if in the meantime we were still using the truck from Rocky Mount. Mr. Lansing replied that the Rocky Mount truck is not fully functional but we will use it if we get in a bind. He suggested finding a good used truck to use until April and then keeping that truck as a backup for our new one. He informed the Council that if this truck in Pennsylvania checks out, then they will be back before Council with a request to see if they want to purchase it.

9. Council Comments

Council Member Taylor thanked Mrs. Sanchez for all her work and all she has done for us. He said to the citizens from Indian Trail that they have not forgotten them and to not be discouraged just because we are working on a plan for another neighborhood. He asked everyone to say a prayer for the mother and her children who were washed away during the flash flood last night in Smithfield.

Council Member Hobbs thanked everyone for coming tonight and Mrs. Sanchez for getting the financial information to the Council. She commented that it looks like we finished the fiscal year in the black, even with some one time capital expenditures.

Council Member Hinton commented that she did not get how the water and sewer funds would report the use of Fund Balance in the amount of \$1,495,000. Mrs. Sanchez replied that it was due to the budget amendment transfers that totaled \$1.2 million. Council Member Hinton asked to confirm that it went back several years. Mrs. Sanchez replied that was correct. Council Member Hinton stated that she has had several citizens to call her about not being able to get in touch with anyone at Town Hall, and asked for Mr. Lansing to address that. Mr. Lansing stated that he also received a firsthand complaint about that last week and that he then met with Mrs. Sanchez and Mrs. Bunch; they have revised the automated attendant on the phone system which should address the issue. When the phone rings, it will ring in three different offices simultaneously and immediately; three different staff members should be able to answer. The phone tree has also been simplified and makes a lot more sense now.

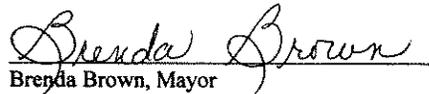
Mayor Pro Tem Burns thanked everyone for coming to this meeting and to the last meeting.

Mayor Brown thanked everyone for coming and also for persevering through the last meeting.

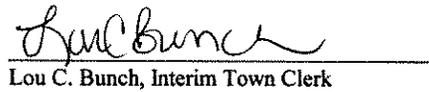
Council Member Taylor asked for an update on the property acquisition for the Fire Department. Mr. Lansing replied that he, Mayor Brown, and Chief Joyner met with Clayton Homes last week. He reported that Clayton Homes is willing to give almost four acres of land to the Town for Station Two. James Strickland went to survey the property on Monday, and met with Chief Joyner, Matt Frazier from Clayton Homes, and Kevin Varnell from Stocks Engineering. He commented that we should have the survey result by the end of the week. At this point, we have been told that if the Town incurs the surveying costs and all the costs associated with conveying ownership of that parcel, and also helps Clayton Homes get a permit with the DOT for a new driveway, then we will receive the land as a gift. Mayor Brown commented that we are so grateful to them for that.

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

Mayor Brown declared the motion adjourned at 8:21 PM.


Brenda Brown, Mayor

ATTEST:


Lou C. Bunch, Interim Town Clerk

