

Town of Mount Olive
November 8, 2022
Regular Board Meeting
Minutes

Mayor Kenneth Talton called the meeting to order at 7:00 P.M. Those in attendance per roll call of Mayor Kenneth Talton were Mayor Pro-Tempore Steve Wiggins, Commissioner Delreese Simmons, Commissioner Barbara Kornegay, Commissioner Tommy Brown, Commissioner Vicky Darden, Town Manager Jammie Royall, Town Clerk/Administrative Assistant Sherry Davis and Town Attorney Carroll Turner.

Mayor Kenneth Talton welcomed everyone to the meeting. Reverend Dennis Draper delivered our invocation and Commissioner Barbara Kornegay led us in the Pledge of Allegiance.

Mayor Kenneth Talton read the Conflict of Interest Statement; there were no conflicts.

Mayor Kenneth Talton requested a motion to approve the published agenda. Commissioner Tommy Brown made the motion. Commissioner Vicky Darden seconded and the motion passed 5-0.

Mayor Kenneth Talton requested a motion to approve the October 11, 2022 regular meeting minutes. Commissioner Barbara Kornegay made the motion. Commissioner Vicky Darden seconded and the motion passed 5-0.

Mayor Kenneth Talton then moved to the Public Forum. He advised everyone to hold comments to three minutes.

Mr. Joe Hatch of 501 West James Street, Mount Olive, NC 28365, 919-252-8671 wanted to address the speed limit on certain streets. He advised years ago a vote was passed to lower the speed limit from 25 miles per hour to 20 miles per hours. He stated Main Street is a state road and the Town of Mount Olive does not dictate the speed limit on state roads.

Mr. James Usher of 613 Oliver Street, Mount Olive, NC 28365, 919-920-4725. He stated that he owns property on Morning Drive and he has no right-of-way to property.

Mayor Kenneth Talton thanked everyone for his or her comments and closed the Public Forum.

Mayor Kenneth Talton then discussed Non-Action Memo - 11-75 – Recognition of Garriss Funeral Home for their Exemplary Work during Covid. Commissioner Vicky Darden presented the award for ninety- three years of service to our community.

Mayor Kenneth Talton then discussed Non-Action Memo - 11-76 – Recognition of Tyndall Funeral Home for their Exemplary Work during Covid. Commissioner Vicky Darden presented the award for ninety- one years of service to our community.

Mayor Kenneth Talton stated these organizations do so much for our community and go unrecognized. He remembers working with the staff of both organizations when he was the inspector for the Town of Mount Olive and they were always great.

Mayor Kenneth Talton then discussed Action-Memo - 11-77 – Consider Authorizing Approval to Proceed with Surveys Necessary to Transfer Ownership of Carver Cultural Center to ADLA, Inc., Men of FIC & Carver High School Alumni & Friends. Town Manager Jammie Royall advised that he has everyone's plans. Mayor Kenneth Talton asked if there were any concerns. Mr. Al Southerland with Men of FIC stated he has not yet meet with the Town. Town Manager Jammie Royall said he will call everyone together before the next meeting. Mr. Al Southerland is concerned because there are expenses involved with the survey. Town Manager Jammie Royall stated the three organizations are responsible for the survey costs and this was previously discussed. We are still trying to come to an agreement. Mayor Kenneth Talton suggested delaying this item until the next meeting. Town Manager Jammie Royall agreed.

Mayor Kenneth Talton requested a motion to table this item until the December 13, 2022 meeting. Commissioner Barbara Kornegay made the motion. Commissioner Tommy Brown seconded and the motion passed 5-0. Dr. Jerome Newton said they never had the meeting together, the last discussion was who would pay for what. He does not want to delay this any further and would like to have this in place by the next regular board meeting. Town Attorney Carroll Turner advised the Resolution of Intent to Transfer the Buildings was passed on April 12, 2022. He stated a meeting was held at the Train Depot prior to that date but only one of the Organizations showed up. Surveyor Bobby Rex Kornegay has estimated the cost to be around ten to twelve thousand dollars. He said there will also be water-sewer and electrical meter expenses. Town Manager Jammie Royall commented the Town would handle the transfer of the water and sewer.

Reverend Dennis Draper asked is there anything in the agreement that if one group ceases to exist the property reverts back to the Town of Mount Olive. If there is not that maybe something to consider. Town Manager Jammie Royall responded this it just to get the process started, we have talked about cost in the past. He stated his thought process is on the same page and the agreement will include such a clause. Mayor Kenneth Talton suggested getting all of this ironed out. Dr. Jerome Newton commented he was unaware of who is going to pay, the meeting was scheduled but was cancelled. He needs to know who will pay. Mayor Kenneth Talton asked Town Attorney Carroll Turner and Town Manager Jammie Royall to help make this happen.

Mayor Kenneth Talton then discussed Action- Memo 11-78 – Confirm Sale of Connor Street Lots (Parcels 2572841937 & 2572851032) to Genia Hodges. Town Attorney Carroll Turner advised the initial bid was made on June 8, 2022 by Dr. Jerome Newton. The offer was for twelve hundred dollars. The final bid was made on October 5, 2022 in the amount of five thousand five hundred and ten dollars. He stated we were receiving raised bids, sometimes before we could even get the advertisement out. At one point there were three people involved in the bidding at the same time. On August 22, 2022 letters were mailed out to adjoining property owners because the properties are jointly owned by the Town of Mount Olive and Wayne County.

Town Attorney Carroll Turner stated he is asking the board to confirm the sale and authorize Mayor Kenneth Talton to sign the deeds. Wayne County will then approve the sale and the monies will be divided up between them and the Town of Mount Olive. Each advertisement cost one hundred dollars but it is important to have this property in a taxpayer's name.

Mayor Kenneth Talton requested a motion. Commissioner Barbara Kornegay made the motion to accept the final bid offer of five thousand five hundred and ten dollars and to authorize Mayor Kenneth Talton to sign the deeds. Commissioner Vicky Darden seconded the motion and it passed 5-0.

Mayor Kenneth Talton then discussed Action-Memo 11-79 - Consider Adoption of the Mobile Home Ordinance in Mobile Home Parks Only as Recommended by the Planning Board. Commissioner Barbara Kornegay advised that she, Commissioner Tommy Brown and Mayor Pro-Tempore Steve Wiggins were appointed to this committee by Mayor Kenneth Talton. She stated the Planning Board recommended removing the 180 day restrictions for Mobile Home Parks only. She, Commissioner Tommy Brown, Code Enforcement Officer Justin Hill and Mayor Pro-Tempore Steve Wiggins visited all four Mobile Home Parks in Mount Olive. They also toured the Mobile Home Parks in Goldsboro and they are in terrible shape. Code Enforcement Officer Justin Hill invited the Mount Olive Mobile Home Parks owners to meet with the committee. Mr. Logan Porter attended and informed the committee that mobile homes have to be ordered and it takes some time for them to be delivered. Code Enforcement Officer Justin Hill did a walk through with Vista Verde Mobile Home Park owner regarding improvements. The committee also met with tenants of the Mount Olive Mobile Home Parks. The committee attended a tour with Outlaw Mobile Homes and advised they are built to HUD standards. The average single-wide mobile home now costs approximately sixty five thousand dollars and a double-wide is around one hundred thousand dollars.

Commissioner Barbara Kornegay stated the banks have high standards and the cost to the Mobile Home Park owners is passed on to the tenants. She recommends the 180 day restriction for Mobile Home Parks only and any references there to be removed from the current ordinance. Town Attorney Carroll Turner advised he prepared an amended ordinance. Section one and Section two has deleted any sentences related to the 180 day restriction for Mobile Home Parks only.

Mayor Kenneth Talton asked if there were any questions or comments from the board. Commissioner Delreese Simmons wanted to know what we are considering a Mobile Home Park. Commissioner Barbara Kornegay responded three or more mobile homes set up in one designated area. Those mobile homes not set up in a Mobile Home Park can be dealt with separately. Commissioner Tommy Brown commented those mobile homes that are individually owned do not fall under this Mobile Home Park ordinance. Mayor Kenneth Talton informed the board the mobile homes located on Franklin and Johnson Streets are not considered a Mobile Home Park and do not fall under this updated ordinance. Code Enforcement Officer Justin Hill stated Mobile Home Parks are managed and owned, the owners are responsible for the roads and caring for the tenants. For the individually owned mobile homes, the 180 day rule to replace them still applies. If they do not replace the mobile home within this time frame they will not be allowed to place another single wide at that location. Mayor Kenneth Talton said they are referred to as Non-Conforming Mobile Home Parks. Commissioner Delreese Simmons advised the people in his district do not want the Mobile Homes to keep coming.

Town Attorney Carroll Turner commented all instances being discussed are single-wide mobile homes. Our ordinances already prohibit single-wide mobile homes and any replacements in those Non-Conforming Mobile Home Parks must not be older than ten years and meet HUD standards. If the time frame of 180 days for replacement is not met the ordinance requires a manufactured or stick built home be placed at the location instead. Most of those lots are not large enough for anything other than a single-wide.

Mayor Kenneth Talton said the single-wide mobile homes will eventually phase themselves out because if one is condemned or not replaced in those Non-Conforming Mobile Home parks they will not be allowed to replace. Code Enforcement Officer Justin Hill clarified that double-wide mobile homes are held to the same ordinance and must be replaced within six months. If not, a modular or stick-built home are all that will be allowed at that location in the future. Commissioner Delreese Simmons commented the tin underpinning does not look good. Why does the ordinance not specify brick underpinning? Code Enforcement Officer Justin Hill stated there is an underpinning that looks like brick and is less expensive. Commissioner Barbara Kornegay said it is all spelled out in the ordinance. Mayor Pro-Tempore Steve Wiggins clarified the ordinance as it is, single and double-wide homes must meet HUD standards only. He asked if they takes care of all questions or concerns. Commissioner Delreese Simmons answered, yes.

Commissioner Barbara Kornegay suggested setting up a Mobile Home Parks Committee meeting with the citizens that are concerned. They look at it from a different perspective and we can help each other. Commissioner Delreese Simmons said, people take their time. Commissioner Barbara Kornegay commented, this is already in the ordinance.

Mayor Kenneth Talton requested a motion to approve the Adoption of the Mobile Home Ordinance in Mobile Home Parks Only as Recommended by the Planning Board. Commissioner Barbara Kornegay made the motion. Commissioner Tommy Brown seconded the motion commenting that to piggy back off what Commissioner Barbara Kornegay said regarding we want our citizens to reside in nice mobile homes. There are ten to twelve empty lots at Hallowell Estates. The motion passed 5-0.

Commissioner Barbara Kornegay stated the Mobile Homes Park committee continues to look at the ordinances. Commissioner Delreese Simmons requested she help them pick a date for the meeting.

Mayor Kenneth Talton then discussed Action-Memo 11-80 – Consider Approval of Budget Ordinance Amendments #9 through #10.

BUDGET ORDINANCE AMENDMENT #9

BE IT ORDAINED by the Board of Commissioners of the Town of Mount Olive, North Carolina, that the following amendment be made to the Budget Ordinance for the fiscal year ending June 30, 2023:

Section I. Budget Amendment for GASB 87 Auto Leases

A. Revenue

Other Financing Sources	10-3680-0000	\$287,300.00
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B. Expenditure

Capital Outlay – Equipment	10-4510-7401	64,900.00
Capital Outlay – Equipment	10-4700-7400	35,100.00
Capital Outlay – Equipment	10-5100-7400	151,900.00
Capital Outlay – Equipment	10-6200-7400	35,400.00

Section II. Explanation

1. The Town of Mount Olive leases vehicles from Enterprise Fleet Management. There were a total eleven vehicles placed in service in the current fiscal year. These leases are capital leases which are required to be accounted for under GASB 87. GASB 87 is required to be implemented in the current fiscal year ending 06/30/2023. The total lease obligation must be recorded in the year the vehicle goes into service.

BUDGET ORDINANCE AMENDMENT #10

BE IT ORDAINED by the Board of Commissioners of the Town of Mount Olive, North Carolina, that the following amendment be made to the Budget Ordinance for the fiscal year ending June 30, 2023:

Section I. Budget Amendment for GASB 87 Auto Leases in Water & Sewer Fund

A. Revenue

Other Financing Sources	30-3680-0000	\$ 181,200.00
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B. Expenditure

Capital Outlay – Equipment	30-8210-7600	145,800.00
Capital Outlay – Equipment	30-8210-7600	35,400.00

Section II. Explanation

1. The Town of Mount Olive leases vehicles from Enterprise Fleet Management. There were a total of eleven vehicles placed in service in the current fiscal year. These leases are capital leases which are required to be accounted for under GASB 87. GASB 87 is required to be implemented in the current fiscal year ending 06/30/2023. The total lease obligation must be recorded in the year the vehicle goes into service.

Finance Director Jamie Butler advised both budget amendments apply to Fleet Management. They are a GASB 87 requirement. Budget Amendment #9 applies to the General Fund and Budget Amendment #10 applies to the Water/Sewer Fund. Commissioner Barbara Kornegay commented the two funds have to be kept separately.

Mayor Kenneth Talton asked if there were any questions, there being none, he requested a motion to Approve Budget Amendments #9 and #10. Mayor Pro-Tempore Steve Wiggins made the motion. Commissioner Barbara Kornegay seconded and the motion passed 5-0.

The Commissioner's Reports were as Follows:

Commissioner Barbara Kornegay

- She invited the board to sign-up for the Wayne County Economic Development Alliance Event on Thursday, November 17, 2022 at Walnut Creek Country Club. The event is free.
- She advised the airport is looking for additional parking space.
- She stated Vidant had more calls last month than ever before.
- She attended her fourth mandatory Viability Training hosted by the North Carolina League of Municipalities.
- She stated we are still having weekly update meetings on the Waste Water Treatment Plant.
- She commented the second annual Pickles, Pigs and Swigs was held on Saturday, October 29, 2022 from 11:00 A.M. to 5:00 P.M. There were ten cook teams, bands, vendors, the Pickle Train and barbecue plates.
- She advised there would be an ordinance review committee meeting on Thursday, December 1, 2022 at 6:00 P.M. in the Town Hall Conference Room
- She stated the Grants Group would resume their meetings this month.
- She informed everyone the Mount Olive Community Development distributed checks to thirteen small downtown businesses from the Duke Energy Grant to assist with the costs incurred during COVID.
- She has sent out Request for Proposals for the Downtown Master Plan but has not received any.

Commissioner Delreese Simmons

- He stated he would like to receive the agenda at least a week before the meeting rather than two to three days
- Town Clerk Sherry Davis advised we have tried this in the past but it did not work because there was always someone who had something to add. We can try again if the majority of the board requests.

Commissioner Tommy Brown

- He wanted to thank Commissioner Barbara Kornegay for her hard work.

Commissioner Vicky Darden

- She thanked everyone for being here tonight.
- She feels people should be recognized before they pass away.
- She thanked God for giving her a vision.

Mayor Pro-Tempore Steve Wiggins

- He addressed the recent cemetery vandalism of the older tomb stones and said it is absolutely reprehensible. The cost to replace them is approximately ten thousand dollars. We need extra effort to catch the person responsible.
- He discussed the Veteran's Day Ceremony held on Sunday, November 6, 2022. He stated we have a nice memorial wall there. The benches need painting and flags are fading.
- He would like to reconvene the committee to complete the memorial wall project via a fundraising event.
- The Eastern Carolina Council came to Goldsboro to put on a presentation for the county. They discussed the Older Americans Act, Transportation and In Home Aid Services.
- He advised that James and Church Streets are state owned roads. He said there have been a number of accidents there over the years. Vehicles burst through the fence in the corner yard with small children outside playing. He feels there should be a four way stop sign there.

Town Manager Jammie Royall Presented Report As Follows:

- He commended all the employees for doing an excellent job every week.
- He thanked Commissioner Barbara Kornegay for her hard work. She is always right there if he calls.
- He also thanked Mayor Pro-Tempore Steve Wiggins.
- He stated work is about to begin on some of the grants we have received.

Town Attorney Carroll Turner Presented Report as Follows:

- He stated we are in the process of acquiring two properties at the airport.

Mayor Kenneth Talton

- He commented we need to have a reception as soon as everyone is settled.
- He thanked Town Manager Jammie Royall for bandaging him up when he cut himself while cooking at Pickles, Pigs and Swigs.
- He can't believe Thanksgiving is only two weeks away. He encouraged everyone to be with their families.
- He said a new committee is going to be formed to help obtain the funding to build a new fire station in town. He requested volunteers.
- He reminded everyone the Mount Olive Chamber of Commerce's Christmas Parade is Saturday, December 3, 2022.
- He discussed noise ordinances in Town whether it is trucks, music, etc. He has had several calls regarding a local establishment that provides services to this town. We need to reach an agreement with both businesses and residents.
- He thanked the employees for their hard work at Pickles, Pigs and Swigs.

Mayor Kenneth Talton then requested a motion to go into CLOSED SESSION PURSUANT TO NCGS SEC. 143-318.11 (a) (6): To consider the competence, performance and/or fitness of an employee and CLOSED SESSION PURSUANT TO NCGS SEC. 143-318.11 The board will have a closed session to instruct the Town Attorney as to the position to be taken per N.C. G.S. 143-318.11 (a)(3) The public body may consider and give instructions to an attorney concerning the handling or settlement of a claim, judicial action, mediation, arbitration, or administrative procedure.

Mayor Pro-Tempore Steve Wiggins made the motion to go into closed session. Commissioner Tommy Brown seconded and the motion passed 5-0.

The closed session lasted approximately one hour. The first two items discussed were PURSUANT TO NCGS SEC. 143-318.11 (a) (6): To consider the competence, performance and/or fitness of an employee.

The final item discussed was PURSUANT TO NCGS SEC. 143-318.11 The board will have a closed session to instruct the Town Attorney as to the position to be taken per N.C. G.S. 143-318.11 (a) (3) The public body may consider and give instructions to an attorney concerning the handling or settlement of a claim, judicial action, mediation, arbitration, or administrative procedure. This involved a settlement agreement between the Town of Mount Olive and Southeastern Wayne Water District. In June and July of 2021 the Town of Mount Olive noticed a substantial water loss from the Burlington Water Tank. The two systems are interconnected at this location and it was realized someone had unknowingly turned off the valve on the Town's side. This caused a loss of thousands of gallons of water to the Town of Mount Olive. This water was diverted to Southeastern Wayne Water District where it was received and sold to their customers.

We have been negotiating for over a year and a settlement has been reached in the amount of thirty thousand dollars. Town Attorney Carroll Turner recommended the Town of Mount Olive Board of Commissioners accept this settlement and authorize Mayor Kenneth Talton to sign when we return to open session.

Mayor Kenneth Talton requested a motion to come out of closed session and back to regular session. Commissioner Barbara Kornegay made the motion. Commissioner Tommy Brown seconded and the motion passed 5-0.

Back in regular session Mayor Kenneth Talton discussed Action – Memo 11-81 – Consider Taking Action on Settlement of Claim Discussed in Closed Session.

Mayor Kenneth Talton requested a motion to approve the Southeastern Wayne Sanitary District settlement to pay the Town of Mount Olive thirty thousand dollars and authorize the Mayor to sign the agreement.

Commissioner Barbara Kornegay made the motion. Commissioner Tommy Brown seconded and the motion passed 5-0.

There being no further business Mayor Pro-Tempore Steve Wiggins made a motion to adjourn. Commissioner Tommy Brown seconded and the motion passed 5-0.

Our next regular meeting is scheduled for Tuesday, December 13, 2022 at 7:00 P.M. in the board meeting room.

Respectfully Submitted,

Kenneth K. Talton
Mayor

Sherry Davis
Administrative Assistant/Town Clerk