

Town of Mount Olive
September 13, 2021
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 Vicky Darden, Commissioner Harlie Carmichael, Commissioner Barbara Kornegay, Commissioner Dennis Draper, Town Attorney Carroll Turner, Town Manager Jammie Royall and Town Clerk/Administrative Assistant Sherry Davis.

Mayor Kenneth Talton welcomed everyone to the meeting.

Commissioner Dennis Draper delivered our invocation and Commissioner Vicky Darden 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. Mayor Pro-Tempore Steve Wiggins made a motion to approve the published agenda. Commissioner Barbara Kornegay seconded the motion and it passed 5-0.

Mayor Kenneth Talton requested a motion to approve the August 2, 2021 meeting minutes. Commissioner Barbara Kornegay made a motion to approve the August 2, 2021 meeting minutes, Mayor Pro-Tempore Steve Wiggins seconded the motion and it passed 5-0.

Commissioner Harlie Carmichael began feeling ill and asked to be excused. Commissioner Dennis Draper made a motion to excuse Commissioner Harlie Carmichael. Commissioner Barbara Kornegay seconded the motion and it passed 4-0.

Mayor Kenneth Talton then moved to the Public Forum. He asked if anyone would like to speak. Annie M. Stukes of 115 Elmore Street, Mount Olive, NC 28365 signed up to speak. Her phone number is 919-222-9275. She received a letter from Code Enforcement requesting she cut her grass. She stated she has lived here for over thirty years and has never received an Ordinance Violation. She spoke with Code Enforcement Administrative Assistant Marilyn George and went to see Mayor Kenneth Talton but he was in a meeting. She was able to speak with Town Manager Jammie Royall and he stated he would address the issue. She said that she is very upset. She has kept her grass cut for thirty years. She is all about saving trees and she thinks letters should be put to good use not bad. She will follow up to see if this was a mistake. She would like to talk with Code Enforcement Officer Justin Hill. She has not received a call from him and would like an apology.

Mayor Kenneth Talton asked if anyone else would like to speak. No one else wished to speak and the public forum was closed.

Commissioner Harlie Carmichael was able to return to the meeting.

Mayor Kenneth Talton then discussed Non-Action Memo – 09-61 Attorney Carroll Turner will Give a Status Report to the Board Concerning the Following Condemnations:

- 1) T&C Strategic Properties – Old Theater Building at 201 NW Center Street
- 2) Jose Parent – Old Kraft Building at 104 West James Street
- 3) Mr. & Mrs. James Dove, Jr. at 107 North Chestnut Street

Mayor Kenneth Talton turned the floor over to Attorney Carroll Turner. Attorney Carroll Turner advised the proceedings for all three properties began under 160A-193. The property owners were cited with no response from the Parents' or the Dove's. He stated there has been a lot of activity with the Old Theater Building. They needed to see the inside and obtained a search warrant to enter. However, they discovered that ownership of the building had changed and now belonged to Nicholas "Lee" Swinson. Therefore, a second search warrant was obtained the following week. They also executed a search warrant for the Dove House.

Those present at the Old Theater Building Search were Code Enforcement Officer Justin Hill, Fire Chief Greg Wiggins, Town Manager Jammie Royall and County Inspector Jason Baker. Code Enforcement Officer Justin Hill advised they were unable to proceed any further than the door. It was too dangerous as the roof is about to collapse and the building is full of mold and mildew.

Attorney Carroll Turner informed everyone the Kraft Building belonging to the Parents' was sold to Nicholas "Lee" Swinson for \$1.00.

Attorney Carroll Turner then discussed the Dove House. He stated he has spoken with Mrs. Karen Moore (President of the Mount Olive Historical Society. This is an historical property known as the former Mosely Davis House. One if the Davis Heirs has contacted Mrs. Moore and would like to

purchase and restore the house. Attorney Carroll Turner is unable to give a status report tonight because Mrs. Moore is out of state. He will speak to her when she returns and give an update at the October 2021 meeting.

Attorney Carroll Turner advised the General Assembly has stream lined this proceedings process. Quite a few were abolished with the exception of 160A-193. However, 160D-1119 was incorporated and he is very interested in this. Using this proceeding, the hearing would be conducted by Code Enforcement Officer Justin Hill. Initially Code Enforcement Officer Justin Hill would enter a written order. If the items requested to be completed in the written order are not performed, he can have the building demolished. If the owner is not satisfied with Code Enforcement Officer Justin Hill's request, they will have the option to appeal to the Board of Commissioners and your request would be final.

Attorney Carroll Turner said he is going to start proceedings on all three properties under the new statute. He asked Code Enforcement Officer Justin Hill and Fire Chief Greg Wiggins if they had any comments. They did not have any comments.

Mayor Kenneth Talton commented an engineer claimed the Old Theater was structurally sound. He asked did we need to get another engineer. Code Enforcement Officer Justin Hill feels that we should get a second engineer's opinion. He said the conditions are very dangerous and stated they could not even go past the door. Mayor Kenneth Talton wanted to know if it was dangerous to by-standers. Code Enforcement Officer Justin Hill feels the stump on the roof would be if it causes the walls to collapse.

Mayor Kenneth Talton asked if there were any fire hazards. Fire Chief Greg Wiggins advised there really is not that much left. The last time he went in there twelve years ago, the stage and balcony were intact. Now they are no longer there. He stated when a building collapses it either pulls the walls in or out. It is very hard to determine which way the walls will fall and how severe the safety hazard will be.

Mayor Kenneth Talton asked if there were any questions from the Board of Commissioners. Attorney Carroll Turner said he spoke with the Engineer Steve Blanchard. Attorney Carroll Turner stated, Mr. Blanchard admitted to him that all he did was walk around the outside of the building and he never saw the roof.

Mayor Kenneth Talton then moved on to the Kraft Building. He asked if the damage to this building needs to be examined by a structural engineer. Code Enforcement Office Justin Hill advised yes as the building has partially collapsed. Mayor Talton asked Fire Chief Greg Wiggins if the damage goes all the way to the old storage building. Chief Greg Wiggins advised the majority of the fire was in the three store fronts. Four-fifths of the roof collapsed the night of the fire. He is not sure of the wall integrity because it was exposed to high heat.

Mayor Kenneth Talton asked Attorney Carroll Turner if we need to hire a third party engineer. Attorney Carroll Turner believes we do. He contacted a firm in Smithfield but they said they would not put any of their engineers in that building. He advised this might be a problem we run into. However, they referred him to a firm in Raleigh whose engineers will go into any building. Mr. Steve Blanchard will not rescind his original report.

Mayor Kenneth Talton remembered Attorney Joseph Ezzell (represents Old Theater Building Property Owners) stating if the building is structurally sound then we could not move forward with condemnation proceedings. However, now that we know it is not structurally sound we can move forward.

Mayor Kenneth Talton advised the Board of Commissioners he met with Mr. Lee Swinson and they had a very candid and polite conversation regarding a plan of action for the roof.

Town Attorney Carroll Turner stated if we do not engage in a structural engineer, he is confident Code Enforcement Officer Justin Hill will require a roof replacement. The repair cost has been estimated around \$60,000.00 to \$100,000.00. Mr. Lee Swinson will have to determine how much he wants to invest. Just bringing these proceedings puts a lot of pressure on him. It would be nice to obtain a third party engineer.

Mayor Kenneth Talton asked if there were any other questions regarding the Kraft Building. Commissioner Dennis Draper commented from a legal standpoint our position would be stronger if we had determination from a third party engineer to keep someone from coming back on us. Commissioner Barbara Kornegay agrees with Commissioner Dennis Draper. We have been dealing with this a long time. It is an eye sore but the location is a prime real estate area.

Mayor Kenneth Talton then moved onto the Dove Property. Code Enforcement Officer Justin Hill advised there is a lot of mold and water damage. This house could be saved with a lot of money. The floors and walls are structurally sound. We did find dead birds and bees inside. Mayor Kenneth Talton asked if the electricity is on. Code Enforcement Officer Justin Hill stated yes. Mayor Kenneth Talton commented that is not good. He asked if it has been condemned. Code Enforcement Officer Justin Hill answered no.

Commissioner Barbara Kornegay asked Fire Chief Greg Wiggins if he went. He stated he did and he agrees with Code Enforcement Officer Justin Hill. He thinks this house can be saved but it needs to be done quickly. Mayor Kenneth Talton asked if it was a fire hazard at this time. Fire Chief Greg Wiggins stated yes as long as the electricity is on. Code Enforcement Officer Justin Hill advised there is cardboard on some of the wall sockets.

Town Manager Jammie Royall said there are also LP Tanks inside. Fire Chief Greg Wiggins stated it doesn't matter with LP tanks if they are full or not, they are still a fire hazard. Code Enforcement Officer Justin Hill advised with the amount of items on the porch and in the yard, any fire would spread quickly.

Fire Chief Greg Wiggins advised again, the Dove House could be saved at this time but not in another year. Mayor Kenneth Talton commented the owners at one time expressed interest in giving the house away but they both still have to consent.

Attorney Carroll Turner said he would make another attempt to reach Karen Moore even if there is not concrete action, we do not need a structural engineer for that.

Commissioner Dennis Draper asked how old the house is. Mayor Kenneth Talton stated he is not sure. He then advised Attorney Carroll Turner that Ms. Dove is ready to talk.

Attorney Carroll Turner asked Code Enforcement Officer Justin Hill and Fire Chief Greg Wiggins to prepare written reports on the Dove House and the Old Theater.

Mayor Kenneth Talton will move on the structural engineer and report on this at the October 12, 2021 meeting.

Mayor Kenneth Talton then moved on to Action Memo – 09-62 Consider Approval Effective October 11, 2021 and Until Further Notice to Hold the Regular Town Board of Commissioners Meetings on the second Monday of each month. The location will still be the Town Board Meeting Room at 114 East James Street and the time will remain at 7:00 P.M.

Mayor Kenneth Talton advised since this agenda was distributed, he has spoken with the Board of Commissioners and has been asked to temporarily move the meetings to the second Tuesday of the month instead of the second Monday. He then opened up the floor to the Board of Commissioners for comment.

Mayor Pro-Tempore Steve Wiggins advised he has been a member of the Eastern Carolina Council Executive Board for a several years and they hold their meeting on the second Monday of the month. Mayor Kenneth Talton is unable to attend on the first, third or fourth Tuesday, so that just leaves the second Tuesday.

Mayor Kenneth Talton asked if there was any further discussion. Commissioner Barbara Kornegay made a motion until further notice to move the regular Town Board of Commissioners meeting to the second Tuesday of the month. Commissioner Harlie Carmichael seconded the motion and it passed 5-0.

Mayor Kenneth Talton then moved to Action Memo- 09-63 Consider Approval of an Engagement Letter with Local Redistricting Services. Attorney Carroll Turner advised things have been delayed due to possible census results. He stated he has some good news, he hopes. He contacted the Law Firm of Poyner Spruill to handle our redistricting for us. He stated it was not easy because hardly anybody does this anymore. They gave an estimate for \$17,500.00 to do our redistricting which is hefty but it has been ten years.

Caroline Mackie with the firm sent an email and said the demographer made a quick view and said it is highly likely we will not have to do anything. The law allows a ten percent variance and the U.S. Census counts live beings. If everyone recalls about ten years ago we had an influx of Haitian Immigrants but quite a few have moved on since then. Our population increased by maybe two hundred people. If no redistricting is, needed their fee will be \$27.00 per hour so he is cautiously optimistic. This is the reason it was not received with the agenda packet because it was just the preliminary review.

Commissioner Barbara Kornegay asked if we are approving tonight. Attorney Carroll Turner advised yes, this allows the Law Firm to proceed and determine whether redistricting is needed. It could save us a lot of money. Mayor Kenneth Talton asked if there were any other questions. He then asked for a motion to approve the Letter of Engagement for Poyner and Spruill. Commissioner Dennis Draper made the motion. Commissioner Barbara Kornegay seconded the motion and it passed 5-0.

Mayor Kenneth Talton then discussed Action Memo 09-64 Consider Appointment of New Airport Commission. Commissioner Barbara Kornegay advised the commission would consist of the following nine voting members:

- Craig Anfinen
- David Edwards
- Scotty Kennedy
- Brad Lee
- George Futrelle
- Ray McDonald, Jr.

Al Southerland
Ed Zuravel – Chairman
Jeremy Williams

The following members would be Ex-Officio (Non-Voting) Members:

Chuck Strickland – Vidant Health
Michael Bass – Airport Manager
Jammie Royall – Town Manager
Kenneth Talton – Mayor
Barbara Kornegay – Town Commissioner
Tim Moore – Wayne County Economic Development Alliance
Gary Whaley – UMO Flight School

Talbert and Bright Associates are our Aviation Consultants.

Our first meeting as an Airport Commission is scheduled for Wednesday, September 22, 2021 at 11:00 A.M. via Zoom.

Commissioner Barbara Kornegay advised that she is very grateful for their service and looks forward to future growth. Mayor Kenneth Talton stated the Airport Commission is very valuable and he thanked the volunteers who are willing to serve of their time.

Mayor Pro-Tempore Steve Wiggins made a motion to approve, Commissioner Vicky Darden seconded the motion, and it passed 5-0.

Mayor Kenneth Talton then discussed Action Memo- 09-65 – Consider Approval of COVID State of Emergency Using Wayne County Plan. Commissioner Barbara Kornegay advised she had a question. She said this really states no restrictions but asked if it could be changed at any time. Mayor Kenneth Talton answered yes and said we can put into action at any time.

Commissioner Barbara Kornegay made the motion to approve. Commissioner Harlie Carmichael seconded the motion and it passed 5-0.

Mayor Kenneth Talton then discussed Action Memo.-09-66 Discuss and Consider Adoption of the Town Flag. We had a flag for display but unfortunately, it was burned in the fire. This particular flag was one-sided, do we want to consider the re-order as a double-sided. Commissioner Dennis Draper feels the flag should be two-sided. Town Clerk Sherry Davis advised that she only ordered one flag so we could see the quality before ordering more. The cost for the one-sided flag is \$49.25. Commissioner Barbara Kornegay stated the Beautification Committee has approved the flag design. Mayor Kenneth Talton said we would consider the two-sided design at the October 12, 2021 meeting. Town Clerk Sherry Davis will order a two-sided flag to present at the next meeting.

Mayor Kenneth Talton said this represents Town Pride. Commissioner Barbara Kornegay suggested selling to local business owners. Mayor Kenneth Talton talked about the front Town of Mount Olive license plates. Town Clerk Sherry Davis advised a few melted in the fire but the majority are good.

Mayor Kenneth Talton requested a motion to adopt. Commissioner Dennis Draper made the motion but amended it to approve the two-sided flag. Mayor Pro-Tempore Steve Wiggins seconded the motion and it passed 5-0.

Mayor Kenneth Talton then discussed Action Memo – 09-67 – Budget Memos – Finance Director Geoffrey Merritt talked about Budget Ordinance Amendment #3 – FEMA Reimbursement for Hurricane Florence the total amount is \$63,905.00 and was split into two adjustments. \$51,000.00 went to Fleet Management Expense and \$12,905.00 went to Budget Ordinance Amendment #4 Departmental Supplies.

Finance Director Geoffrey Merritt discussed Budget Ordinance Amendment #5 – We received \$629,499 from the American Rescue Plan Funding. \$129,499.00 went to Capital Outlay – Water & Sewer Improvements. The remaining \$500,000.00 went to Upgrades for the Wastewater Treatment Plant expense.

Finance Director Geoffrey Merritt discussed Budget Ordinance Amendment #6 – We received \$750,000.00 in Grant Funding from the CDBG Neighborhood Revitalization Grant 19-C-3131. The expenditures are as follows: \$19,500.00 for Administrative Fees and \$750,000.00 for Construction.

Commissioner Barbara Kornegay asked if all four Budget Ordinance Amendments could be approved at one time. Attorney Carroll Turner advised yes as long as all four numbers are included in the motion.

Commissioner Dennis Draper made a motion to approve Budget Ordinance Amendments #3, #4, #5 and #6. Commissioner Barbara Kornegay seconded the motion and it passed 5-0.

Town Manager Jammie Royall presented his report as follows:

- He talked about the office fire on Labor Day and advised we have hired ServPro for the clean-up and they are taking care of everything. They are moving right along.
- He advised that we have recently He advised that we have recently lost a couple of key employees these past few months. Our Sewer Collections/Utilities ORC and Water Collections ORC both resigned. Jeremy King has really stepped in and has a plan. He has the sewer line smoke testing completion up to forty percent. The state only mandates ten percent.
- Mayor Kenneth Talton asked if the insurance adjusters have been in. Town Manager Jammie Royall stated yes, they found mold and termites. The building has been gutted and the windows will be pulled out tomorrow. The ceilings will have to be sand blasted to get the smell out.
- Mayor Kenneth Talton asked if there would be any floor plan changes. Commissioner Dennis Draper asked how long you are expected to be out of the building. Town Manager Jammie Royall advised around six months. He is getting estimates from ServPro from the ground up and a local contractor.
- Mayor Kenneth Talton commented the brand new facility glass partitions and closed doors saved the building. Fire Chief Greg Wiggins advised if not, there would have been a bulldozer instead of a con-ex box. Mayor Talton said we are very fortunate.
- He thanked Commissioner Vicky Darden for feeding the employees last Thursday.

Town Attorney Carroll Turner presented his report as follows: He had no report

The Commissioner's Reports were presented as follows:

Commissioner Barbara Kornegay –

- She stated she has been very busy with the Airport Commission and she is very pleased
- She talked about Small Town Main Street and how we used their design concepts for our murals.
- She is looking forward to being considered for an award through Small Town Main Street.
- She attended an Exchange Club meeting with Beth Hill. Artistic work is hard work and authentic.
- She advised the artists doing the pickle mural would be back this week to complete.

Commissioner Harlie Carmichael -

- He attended the ribbon cutting for the Tractor Supply. He was very glad to be there and is starting to see the town grow.
- The Public Works Advisory Committee is starting to make progress.
- We are seeing progress concerning the dilapidated houses.

Mayor Pro-Tempore Steve Wiggins

- He thanked Town Manager Jammie Royall for the Police Department Monthly Report. It is extremely interesting. They deal with some dangerous things. Keep up the great work.
- He met with University of Mount Olive students this month thank to Human Resources Director Erin Lambert. They are very interested in helping the elderly.
- If the elderly need transportation, they can contact Gateway and ride the circular.
- He had an impromptu fire department visit that was very interesting.
- He met with Danny King with ADLA, Inc. (A Lot of Direction Love and Affection). Mr. King has a very extensive operation. He was recognized during COVID as the greatest supplier. He is doing good things at the Carver Cultural Center and Mayor Pro-Tempore Steve Wiggins is very impressed.
- He met with Dick Cobb on behalf of Mayor Kenneth Talton. Mr. Cobb needs help with some monuments. Town Manager Jammie Royall will arrange for extra help.
- Carver Cemetery needs to see some additional improvements before our meeting with the VFW on Thursday night. The debris is gone but some areas are still the same. Take a weed eater to show some progress.
- He also attended the Eastern Carolina Council Executive Committee meeting.
- He attended the CARES Act Funding Seminar.
- He has had a very busy month.

Commissioner Dennis Draper

- He stated he looked at the new fire trucks last Thursday He thanked Fire Chief Greg Wiggins for finding the funding. The trucks cost \$650,000.00 each. They were individually made and will be the first two trucks to be used when we have fires.

Commissioner Vicky Darden

- She loves to feed the employees because they work so hard. She thanks God for the Police Department and Public Works.
- She asked when we are going to fix the railroad on Pollock Street. Mayor Kenneth Talton will contact CSX tomorrow. It should be done this year.
- She stated the Widower & Widowers New Beginnings was formed ten years ago.

The Mayor's Report was presented as follows:

Mayor Kenneth Talton

- He advised they had a great cemetery meeting last month and are planning to meet again this Thursday at 7:00 P.M. in the courtroom.
- He discussed the new Tractor Supply location and possibly talking with DOT about putting up a stop light because that curve is dangerous especially with the tall grass. Fire Chief Greg Wiggins stated he discussed this with them when he was looking over the site plans. However, it is worth reaching out to them. Commissioner Barbara Kornegay asked if they could get someone to cut the grass across the street. Fire Chief Greg Wiggins commented it would be the same thing in the curve.
- He thanked Mount Olive Area Chamber of Commerce President Julie Beck for being here tonight. She stated she is grateful for the partnership the Chamber has with the Town. She is really looking forward to the First Annual Pickles, Pigs and Swigs Cook- Off Event on Saturday, November 20, 2021. Proceeds will go to support the Master Plan for Downtown Development.
- Mayor Kenneth Talton advised that he is cooking a pig in the event. Commissioner Dennis Draper reminded everyone that his church would be having their annual BBQ Plate fundraiser on Saturday, September 18, 2021 from 4PM to 7PM.
- Mayor Kenneth Talton thanked Police Chief Jason Hughes for the Police Report.
- He talked about an incident that happened last weekend to his seventeen-year-old daughter. She was in Goldsboro and some man came up to her in full military dress and told her she had hit a car when she was turning in and wanted her contact information. Luckily, another parent and friend came out and the man ran off. In addition, the owner of the vehicle that she supposedly hit stated it was not damaged. Therefore, he urged everyone to watch where you go and what you do. Also, be aware of your surroundings. This was a very disturbing incident and he is thankful for EMS and the Police Department

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

Our next regular meeting is scheduled for Tuesday, October 12, 2021 at 7:00 P.M. in the board meeting room.

Respectfully Submitted,

Kenneth K. Talton
Mayor

Sherry Davis
Administrative Assistant/Town Clerk