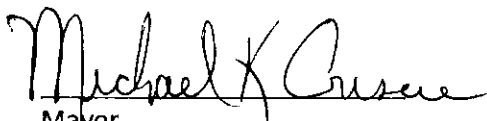
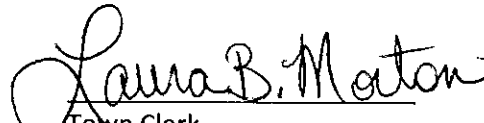


Adjournment

There being no further business to bring before the Board, Commissioner Beard made the motion to adjourn, and Mayor Pro-tem Smith made the second.

All voted in favor. Meeting adjourned at 7:40 p.m.


Mayor


Town Clerk

**TOWN OF BISCOE
BOARD OF COMMISSIONERS MEETING
September 9, 2013**

The Town of Biscoe Board of Commissioners met in a regular session on September 9, 2013 at 7:00 pm in the Municipal Building.

Present were: Mayor Michael Criscoe, Mayor Pro-Tem Jerry Smith, Commissioners Gene Anderson, Jimmy Cagle, John Beard and Jimmy Blake. Town Manager Brooks Lockhart and Town Clerk Laura Morton were also present.

Call to Order

Mayor Michael Criscoe called the meeting to order at 7:00 p.m.

Consent Agenda

A motion was made by Commissioner Smith, seconded by Commissioner Cagle, and so the motion carried unanimously to approve the following consent agenda items:

- a) Approval of Minutes 8-12-13 – Regular Session
- b) September Financial Report

Clean Water Management Trust Fund Grant and Golden Leaf Project Update

Bob Froneberger from WK Dickson will be with us to discuss both of the above projects.

Since we initially applied to the CWMTF Grant in 2009, we have seen adjustments to the scope of the project and to the projected costs. Quoted below is an email from Mr. Froneberger which will address how/what changes have been proposed. Froneberger will be on hand to discuss these concerns in further detail.

"Our opinion of costs for the WWTP upgrade of 1/28/13 reflected a total cost of \$1,214,000. This estimate included:

- Sludge removal @ \$22,000
- Sand drying bed improvements @ \$42,000
- Effluent sampler @ \$8,190

Since January, we received bids on a very similar project in Columbus providing us updated construction costs for a similar clarifier and pump station. We have updated our opinion of cost utilizing the recent actual construction cost values and additional detail for the proposed Biscoe modifications developed during our preliminary design. Our revised opinion of cost provided

yesterday (9/3) was \$1,580,000. This opinion of costs included the following major revisions to the previous estimate:

- Removal of sand drying bed and sampler costs @ \$50,000
- Increase in sludge removal volume and cost to from \$22,000 to \$33,000
- New 25 Hp aerators for AB #1 @ \$66,000
- New emergency generator @ \$180,000 (based on a 400 Kw generator from Columbus project)
- Increase in engineering cost approved by Biscoe @ +\$37,000"

Froneberger will also be on hand to give an overview of the Golden Leaf project. There has been some concern with the timetable of project completion in regards to the high volume of rain and the higher than anticipated rock volumes. We might have a vote to consider the schedule and possibly waiving some of the liquidated damages in regards to our contractor.

Commissioner Blake what would happen if we do not have a generator. He said if we do not have to have one that would save \$120,000. He said we really need to look into this. Commissioner Smith agreed. The Board also discussed possibly leasing or renting a generator if one was needed.

Mr. Lockhart said that Clean Water approved removing the dry beds and purchasing a generator. He said we need to reach out to them and talk with them about it. The Board also discussed the possibility of purchasing a used generator.

A motion was made by Commissioner Blake, seconded by Commissioner Smith, and so the motion carried unanimously to have Mr. Froneberger to see about amending the scope of the project.

Public Hearing: Conditional Use Permit - 223 Rouse Street

A motion was made by Commissioner Anderson, seconded by Commissioner Smith, and so the motion carried unanimously to recess the regular session and call to order the public hearing for the 223 Rouse Street Conditional Use Permit.

The Town of Biscoe has received an application for a Conditional Use Permit for 223 Rouse Street. This permit is being requested by Steve Cole, son of the property owner Judy Cole, to allow the placement of a Class A Mobile Home (Double-Wide) on a parcel zoned R-12. This use is an allowable Conditional Use of the R-12 District. The property in question is bounded on the affected sides (South, East, North) by property owned by the Town of Biscoe and on west by property belonging to Judy Cole. This hearing has been duly advertised on 8/28/13 and 09/04/13 in the Montgomery Herald. Also attached you should find the plat map which subdivides this property and will be required to be recorded with the tax office prior to construction. Staff has reviewed this request and gives it a favorable recommendation.

A motion was made by Commissioner Anderson, seconded by Commissioner Smith, and so the motion carried unanimously to adjourn the regular session and reconvene the regular session.

A motion was made by Commissioner Blake, seconded by Commissioner Anderson, and so the motion carried unanimously to approve the Conditional Use Permit for 223 Rouse Street.

Signage for the Mega Park

A request has been made to allow a sign advertising land for sale within the Mega Park. The proposed sign will be shaped as a "V" with both faces being visible from Highway 24/27. The proposed sign is 32ft by 10ft or 320 square feet on both sides.

The relevant section from the Zoning Ordinance is Section 15.9 Temporary Signs, Subsection B is found on page 120. This section allows for one construction sign to be erected at a size of 50 square feet or one square foot per lineal foot of roadway frontage not to exceed 100 square feet.

The County has recently updated their Zoning Ordinance to include a billboard ordinance. Under their newly approved Ordinance they allow 400 square feet billboards on 2 lane highways and 672 square foot billboards on 4 lane highways. If you have ever driven on 211 East outside of Candor, you have probably noticed the billboards that have been there for years; they are finally zoning compliant.

The development of the Mega Park is critical to the Town. As such, this sign is of critical importance. I would like to know if there is support from the board to consider passing a Billboard Ordinance for use only in our Extra Territorial Jurisdiction, similar to the County's Ordinance at our October meeting. The sign construction will likely take 4 weeks, and preliminary support will hopefully indicate to the property owner if it is worth their time to being constructing the sign now.

Mr. Lockhart said there is no official measure. At the present time we cannot allow a sign that is visible on the bypass.

The Board instructed Mr. Lockhart to proceed with an amendment. Mr. Lockhart said he would schedule a public hearing.

Financing Proposals for CWMTF Grant Match

A Request for Proposal was issued on September 4th to the following banks: First Bank, Fidelity Bank, Community One, and BB&T. I have requested to receive their proposals by 1pm on Monday, September 9th. On Friday the 6th, Community One contacted me and made me aware that at the moment they do not qualify to make loans under the provisions of Section 265 and would not be able to be competitive.

This course of action has been discussed with board. The primary objective of borrowing would enable the Town to maintain sufficient operating reserves within our water/sewer fund (enterprise fund) and borrowing while rates are at a low.

The proposal from the Town outlined borrowing funds for a period of 59 months. From discussions with staff at the Local Government Commission we would not be subject to receiving their approval if we either had a term of less than 60 months OR were intending to finance less than \$500,000. This is an either/or; as such our proposal will not be subject to their approval. If we decide to reject our current proposal and structure in a manner that would require their approval, we would simply need to fill out a one page application and get on their agenda; they meet the first Tuesday of every month.

That breakout will show the monthly payment, and the overall cost to the Town to borrow under the proposed rates.

Cemetery Bench Proposal (New Section)

Mr. Lockhart said a few months ago a request to reconsider placement of benches within the new section of the Biscoe Cemetery was made to the Board. This request was tabled for further discussion at a later date. New benches or other objects creating obstructions were banned in February 2010, prior to selling any plots within the new section. At the time the primary reasons cited were: access for burial equipment to graves, future maintenance concerns, handicap accessibility, and the placement benches on other people's grave plots. Sam Stewart will be on hand to discuss this proposal, as suggested by the Public Works Department; their compromise is presented below. Attached you will find a survey of the new section of cemetery, the red asterisks denote where we would like to consider bench placement (8 in total). The details of what type of benches to purchase have not been worked out at this point. It has been suggested that the Town could allow the benches to be given in memorial. Additionally, it has been suggested that the Town could purchase all the benches, so they are uniform. Alternatively, we could purchase them all and later allow them to be engraved in memory of people to defray their cost.

Additionally, we could look to install more seating in the shade, under the crepe myrtles on the north side of the cemetery. Jeff Allen has already provided benches on the west side of the cemetery.

Mr. Eddie Reynolds said that his wife wrote a letter several months ago and if Bobby Myrick's wife would have sent the letter something would have already been done. He said he didn't agree with the benches because they would be 30 ft. away from the grave. He said he would mow his son's grave and he said he was putting the bench on the grave regardless of what the Board's decision was. He said the mowing looks like they have cut hay.

Public Works Director Sam Stewart said the problem with benches is it is hard for the grave diggers to get by the headstones. Mr. Lockhart said the Town's proposal was an attempt to compromise. This is the first attempt. Commissioner Anderson said if we allow this one bench it will open a can of worms. If we allow one person we will have to allow others.

A motion was made by Commissioner Blake, seconded by Commissioner Smith, and so the motion carried unanimously to allow the Reynolds family to place the bench at the end of the plot which would be the head of Mr. Reynolds plot.

Proposal for Cameras in the Park

As a follow-up to last month's conversation regarding the park fencing and the installation of cameras at the park town staff has obtained a quote from Electronic Service Co of Hamlet for creating and installing a system for us.

Their proposal includes 6 cameras, 1 DVR unit, 6 licenses for the cameras' software, and 2 radio microwave units. Total cost of materials proposed is \$6,670 with labor at \$1000 and sales tax at \$466.90; making a total proposal of \$8,136.90. The DVR system would be stored in the Police Department and the software provided would allow remote access to the cameras; I am not sure if they can be remotely panned or if they are fixed. This access would allow our officers, in conjunction with the air cards the laptops currently have, to view the cameras while the officers are on patrol.

Future upgrades could be considered with this system. Eventually, we will be required to have an interrogation room in our police department which features sound and video recording. This could easily be incorporated into this system in the future.

Commissioner Smith recommended 4 cameras around one pole to see in a complete circle, 1 at the Veteran's Monument, 1 at the Softball field, and 1 at the Pool.

Commissioner Beard asked for more estimates and more specifications. Commissioner Smith said he would check on this and get back with the Board.

Public Comment

The following spoke during the Public Forum:

Mr. Sammy Martin said the buzzards are back again. He said they love to tear up shingles and other things. He asked where we stand with them. He said he understands we have to have a permit to hang the corpses.

Mr. Lockhart said we have to use Site Master to climb the tower which is a vendor of Century Link who is the owner of the tower. He said there was a lapse in the Depredation Permit lapse because no corpse was hung. A new permit has been requested. We cannot climb the tower without permission from Century Link.

Mrs. Betty Sedberry was present. She lives on Hunsucker Street. She said the buzzards have eaten the chimney top. She said water is running in through the chimney and ruining her carpet. She said she has spent over \$800 in repairs and she does not have the money for a metal roof. She said the buzzards poop all over everything. She is begging for help.

Mayor Criscoe said he called Senator Burr but has not received a call back from him. He said unfortunately buzzards are an endangered species. Mr. Lockhart said the tower does not belong to the Town of Biscoe.

Commissioner Blake said he attended the COG meeting with Jackie Morris. He also worked with Operation In as Much. He will be attending a workshop in Pinehurst next week. He also spoke with Bobby Kellam regarding the power poles. Mr. Blake also said Jesse Day will be working on the Safe Routes to Schools.

Mr. Lockhart said the 48 unit site for the apartments (behind Bojangle's) has been surveyed and the financing has gone through. Mayor Criscoe announced Music in the Park to be held September 28th. Potter's Will and two other groups will be performing.

Fence

There was discussion regarding the fence at the park. A motion was made by Commissioner Beard, seconded by Commissioner Blake, and so the motion carried unanimously to table the discussion regarding the fencing at the park.

Closed Session-Personnel

A motion was made by Commissioner Beard, seconded by Commissioner Cagle, and so the motion carried unanimously to recess the regular session and go into closed session to discuss personnel issues pursuant to NCGS 143-318.11.

A motion was made by Commissioner Beard, seconded by Commissioner Anderson, and so the motion carried unanimously to close the regular session and reconvene the regular session.