

**TOWN OF NEWLAND**  
**08/01/2023**  
**MONTHLY BOARD MEETING**



**ATTENDING:**

**MAYOR:** Derek Roberts

**ALDERMAN:** Gail Haller, James Johnson, Christie Hughes

**GUEST:** Mike Tolson, Keith Hoilman, Scott Bumgardner, Maria Roberts

**STAFF:** Town Administrator Bill Bailey, Town Clerk Mackenzie Tipton, Finance Officer Jessica Buchanan, Police Chief Byron Clawson, Police Captain Michael Fields, Deputy Chris Clark, Deputy Dylan Isaacs Public Works Supervisor Gary Lewis, LPA agent Melisa Borkowski, LPA agent Jamie Bare, Finance Officer Jessica Buchanan, Town Attorney Gerald McKinney

The Mayor called the meeting to order at 6:05 p.m., reminded everyone of ethics awareness, and led the assembly in the Pledge of Allegiance. Christie made a motion to approve the June minutes; James seconded the motion, and all agreed by a show of hands and stating aye. James made a motion to adopt the agenda. Christie seconded the motion. All agreed by a show of hands and stating aye.

**AGENDA**

**MIKE TOLSON**

In his introduction, Mike Tolson mentioned that he had been conducting smoke tests for the community for the past few weeks. When Mike presented his final report on the smoke tests, he reported that, after examining the town's entire sewer system, he discovered only 25 occurrences of smoke. According to Mike, his team did discover a few missing clean-out caps that may have been some sources of a tiny bit of water entering the sewer system, but overall, there were just a few locations that might require some sort of excavation. Mike stated that there was just one instance that he would classify as critical, and it occurred downtown, underneath a sidewalk. Mike described the map that depicts the locations of all of the smoke occurrences in the system. He stated that the only reason they are referred to as major is because clean-out coverings are absent. Mike stated, the majority of them are located in the downtown area, most of them are quite small, and some of them are simply cracked—they aren't actually leaks—just openings where air can enter. Mike noted that the smoke test is phase 1 of the AIA Grant, and they didn't find what they had hoped to, but they are going to conduct a little more investigation. At the moment, they are making their way through the town and looking for water meters, water valves,

and hydrants, as well as simply checking the conditions at each spot. According to Mike, they are still inspecting each manhole, and he would describe 40% of them as being in poor shape, but he hasn't yet reached the oldest portions of town, where he anticipates the worst to be. To address INI and other problems, Mike suggested that this test would help the Capital Improvement Plan suggest that a rehabilitation and rewinding project be undertaken on the gravity sewer collection system; however, overall, the system appears to be in reasonable shape from what his team has so far observed. He added that they did discover numerous cross-connections to the storm drain, which was one issue they were concerned about, but they are still finishing the study and anticipate having probably another two months of research before he will come to a meeting and present his findings so the town can include them in the upcoming budget.

### **POLICE DEPARTMENT TAKE HOME VEHICLES**

Derek stated that this is the only department that is not allowed to take home vehicles. Jamey asked about seven devils. The chief replied that they do get to take home their vehicles. The chief expressed his concerns about the sheriff's department raising their initial pay. The Chief added that the last two outgoing officers informed him that they were doing so because their new employment offered take-home vehicles. According to Bill, he discovered a Wilmington study that concluded that taking home vehicles was advantageous because they were well maintained, there was no substantial expense, and insurance was not a concern as long as they complied with state law. Bill said that the policy he created accomplishes that, and the rules specify that they must wear uniforms and that there is a limit to how far they can go. If they need to go to the store or do anything else, they must immediately return home and switch vehicles before continuing on. Bill stated that he contributed to this policy for Boone as well. Both Bill and Derek said that FBI statistics also supported take-home vehicles. Jamey inquired about the deputies' residences. One resides in Watauga County, the chief said, one at the Avery/Mitchell line, and one on Hickory Nut Gap. Jamey said he didn't believe a Newland police car belonged in Mitchell or Watauga County. Jamey stated that supposedly Watauga County's policy is that they can't take them out of the county. Bill and Derek said that was no longer the standard procedure. The chief stated that he's estimating about three thousand dollars more a year to purchase fuel, but he can absorb that into the fuel budget anyway. Jamey acknowledged this but said that in addition to fuel, he was concerned with wear and tear, an increase in oil changes, and tire replacements. According to Derek, the study he looked at clearly demonstrates that when a driver is responsible, both the price of the vehicle and the cost of maintaining it decrease.

**MOTION** Gail made a motion to give a take-home vehicle to all Newland police officers. Christie seconded the motion. Christie and Gail approved by a showing of hands and stating aye. Jamey disagreed and stated nay. The motion was successful.

There was a discussion about the clarity of the policy. It was decided that Bill would revise the policy for clarity purposes. Derek asked for a motion to adopt the policy and make the corrections.

**MOTION** Christie made a motion that we adopt the policy for the police vehicles to be taken home and the corrections to be made. Gail seconded the motion. Christie and Gail approved by a showing of hands and stating aye. Jamey disagreed and stated nay. The motion was successful.

## **SOLID WASTE PICKUP ORDINANCE**

Bill stated that the town's residents hire professionals to cut down trees and leave the branches by the side of the road for brush pickup, and then public works must travel to the site to do seven or eight pick-ups for a single household. Public Works once had to make 17 visits before all the brush had been cleared out. Bill suggested creating a special collections ordinance to set a cap on how many pickups can be made in a calendar year. According to Bill, the ordinance should specify that brush can only be gathered up to three times, that it must be trimmed to a specific length, and that it can only weigh a given amount. Bill suggested that there be a cost after three pickups because there are so many other things that need to be done and because it is unfair to the other taxpayers who are waiting in line. Bill also made it clear in the policy that garbage cans could be placed on the street the day before collection, but they had to be taken away by the following evening on the day of collection. Bill stated that penalties were listed at fifty dollars for any property that violates this within the course of a year, so if they leave trash cans out once, the town will give them a warning, but the town might theoretically impose fees if it happens a second time. Bill stated that he did mention in the ordinance that the owners were to supply their own containers. Gerald asked about the special collections and subparagraphs. Bill stated that changes could be made to the language if needed. Bill noted that there is also a section about not mixing different materials because they must be transported to various locations. Derek asked about the disposal of home appliances. Bill said there would need to be a fee in place before the town could remove them. Bill stated that he is merely attempting to foresee all of these circumstances that the contract does not cover. Derek stated that he thinks Bill should handle this on his own and asked the board for their opinion. Jamey said he didn't have a problem with it. Gail agreed. It was decided to hand the solid trash pickup ordinance over to the administrator.

**MOTION** Jamey made a motion to accept this. Gail seconded the motion. All agreed by a show of hands and stating aye.

## **JOURNAL STREET**

Bill stated that while part of Journal Street was covered by the Powell Bill, the part to the south was not; therefore, he wants to know where to get the funding to make changes. Bill said that he had learned that the alley is usually considered a town alley and that in order for it to be included in the Powell Bill, it must be a minimum of 16 feet wide. Additionally, it must be paved and accessible to the general public. Bill stated that although it is somewhat paved and open to the public, it is only 14 feet wide; therefore, it would need to be extended in order to be included on the Powell bill. Bill requested guidance from the board on this issue. According to Bill, repairs must be done before they may be added to the Powell bill. Jamey inquired as to how much money the Powell Bill would add. Bill stated that since it is only 500 feet long and not even a lane mile, it is one percent every mile, meaning the town would maybe get a few hundred dollars. Jamey asked if there was money in general funds for this. Bill stated yes, he has money for paving. Derek inquired about the signs. Bill said he would order them the next day.

## **NEWLAND BOARD OF ALDERMAN RULES OF PROCEDURE**

## **PUBLIC WORKS REPORT**

Gary stated that they had a busy month. They cut the grass at least three days a week, and last week they removed three Yellow Jacket nests. They picked up brush several different times and they intend to pick up more but they must first get the backhoe. They had two water leaks and they cut off the water at the time of cut-offs and went to turn them back on as well. Gary stated there's been a lot of activity going on at the park, such as tree limbs, broken glass, and a variety of things to clean up. Gary stated that they had been cleaning up there frequently. Gary also stated that the major potholes will be repaired beginning this month. In addition, Gary displayed his creation for the notice of the cut-offs. The board approved.

## **FINANCE REPORT**

Jessica stated that they did transfer some money over to the general funds because whenever Mike did the paving, we did have to pay him out of the general fund since we didn't have all of our Powell bill funds yet. Jessica mentioned that she has been quite busy with the audit and end-of-fiscal-year reports. She stated that numerous handwritten checks needed to be looked up and located. Bill reported that certain checks were cashed but not recorded. Although it isn't anything illegal, it is extremely careless, and several checks have the same number and amount input twice, making it challenging to decipher. It was stated that these issues must address to move forward with the audit. As a result, nearly everything financial is placed on hold until the issue is corrected. It was confirmed that Serenity and Paul are still employed part-time. Paul, as indicated by Jessica, is assisting with the 21-22 audit as well as keeping up with and reconciling the most current year. Derek asked about catching up. Bill stated that if everything goes according to plan, they should be able to finish the two years of work before Thanksgiving and begin working on the budget from the previous year.

## **POLICE REPORT**

The Chief stated that he had a busy month and pointed out they made 3 arrests last month for possession of meth. Derek asked about the children on the bikes. Chief stated they were from the town and he's still trying to get those issues resolved. Jamey stated they also busted out his wife's car windows the night before and asked about a curfew. Chief stated he's dealing with the issue accordingly. Derek asked about the homeless man. The chief stated he thought it was a mental health issue and could be some drugs, but he hasn't committed any crimes so far. Gerald stated if it was a severe enough mental health issue he could be committed if he is a danger to himself and others. Chief confirmed that the situation will be resolved in the upcoming months.

## **ADMINISTRATORS REPORT**

First Bill stated there was final confirmation that the town has half of the 3.2 million for the Wastewater grant. He stated that all he is waiting for now is the completion of CIPS, so he knows where to start spending the money. Bill updated the board about the dog park and stated that the fence is on back order and there is no estimated time frame. Jamey asked about the clean-out covers. Bill stated they are being fixed. Gary stated that some were easy and some would be a little harder. Bill stated he talked to the hospital's attorney about the swap in property

and he should have an update at the next meeting. He stated that it didn't sound like they were opposed to the idea, but they would want that condition to move forward, and the hospital wants to make sure it gets used by the public. Bill then talked about the two USDA loans. Bill was instructed to pay off the one for ten thousand dollars. Derek asked about selling the backhoe. Bill stated they are getting ready to use it and he will need to get an estimate on the selling price. Bill gave an update on Sakossaa and stated they had two units there now for storage along with lights installed in the building and around. In the building, some gravel was laid out for a solid base. The outstanding would be a fence and an office for around \$76,000.00. it would come almost entirely set up with AC and heat. Bill said he put most of it in the budget but needs approval from the board.

**MOTION:** Christie made a motion to accept the price for the Sakossa building. Gail seconded the motion. All agreed by a show of hands and stating aye.

Derek thanked everyone who participated in the candidate's forum and asked to put a deposit down for the skydivers for next year and stated that there was one thousand and six hundred dollars left after all the donations.

**MOTION:** Jamey made a motion to make a deposit to lock in the skydivers for next year. Gail seconded the motion. All agreed by a show of hands and stating aye.

Derek asked for a meeting for advertisements for the events. Bill said he's working with the cog to build an interactive map for the vendors. Derek asked about prices. Bill said it would be discussed at a later date. Jamey asked about music. Derek suggested having another meeting for all events. Events were decided to be added to the next agenda for the September meeting.

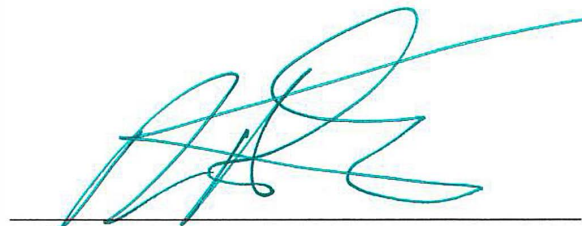
Derek asked for a motion to adjourn the meeting.

**MOTION:** Gail made a motion to adjourn the meeting Christie seconded the motion. All agreed by a show of hands and stating Aye.

The meeting was adjourned at 7:34 pm



Town Clerk, Mackenzie Tipton



Mayor, Derek Roberts