



**TOWN OF AYDEN  
GOVERNING BOARD MEETING  
MINUTES**

August 15, 2019 - 7:00 PM  
District Courtroom – 2nd Floor of Town Hall – 4144 West Avenue

I. CALL TO ORDER

Mayor Tripp

A. Call to order

Mayor Tripp called the meeting to order at 7pm.

B. Roll Call

Present:

Mayor Stephen Tripp, Mayor Pro-tem Ivory Mewborn, Commissioner Raymond Langley, Commissioner Cynthia Goff, Commissioner Phyllis Ross, Commissioner Johnny Davis

Absent:

Sarah Radcliff, Town Clerk

Also Present:

Steven Harrell - Town Manager  
Kimberly Raynor, Administrative Support Specialist  
Scott Dixon - Town Attorney

C. Welcome Visitors/Protocol for Public Comment

D. Invocation

E. Pledge of Allegiance

F. Approval of the Agenda

Motion to add a Closed Session item to the agenda, pursuant to G.S. 143-318.11 (a) (5); to move item "B." under "Items for Discussion" behind "Consent Agenda"; to add under "Action Items," a request from Doghouse Tavern for Parking Lot Use.

Motion to approve the agenda as amended.

Motion: Mayor Pro-tem Mewborn

Second: Commissioner Goff

Discussion: None

Approved: 5-0

Motion passed unanimously.

## II. PUBLIC COMMENTS

Leonard Gibson, 255 Second Street, Ayden, spoke in opposition to the Vacant Commercial Building Code. He said he was concerned that all business owners were not notified of the meeting. He felt the ordinance was unfair and unjust.

Rudy Robinson, spoke in opposition to the Vacant Commercial Building Code. He said the carpenter was moving because he got no support from the Town. He said he has people all the time that want to rent from them, but the Town refuses them. He stated his mother got a bill for \$8,700 because she didn't comply.

Kathy Robinson spoke in opposition to the Vacant Commercial Building Code. She said she owns property and did not get a letter about tonight's meeting. She stated they had always handled everything themselves and now are told they have to hire a realtor. She said they've been paying property taxes for 39 years and now the town wants to charge them because they can't rent it. She said she told her mother not to register her building because they weren't going to pay it.

Judi Pectal, speaking on behalf of her mother Laura Person, spoke in opposition to the Vacant Commercial Building Code. She stated they had a crack in the window due to a BB gun and when they went to report it to the Police Department, no one ever went down to look at it. She stated it costs over \$1,000 to fix it. She said they have someone that takes care of their buildings. She said the Town is penalizing people who have invested their time and money into Ayden for many years.

Shirley Dennis, 5434 Marvin Taylor Road, spoke in opposition to the Vacant Commercial Building Code. She stated she and her husband rented the building next to their restaurant, Bum's, and she was just notified that the current tenant would be leaving. She didn't think they should have to hire a realtor to rent their building. She said it's not easy to rent a building in Ayden. She felt \$500 - \$1,000 was an excessive amount.

Sam Jones stated he supported the intention of the Vacant Commercial Building Code. He felt it intends to protect the interest of our downtown and what it may be in 5-10 years. He felt our town is going to experience growth. He stated he had purchased 524 Third Street and 4261 Lee Street because they were a "pure cancer to our downtown". He said towns our size will only survive if they have a destination component to them. He said though he supported the ordinance, he did not support the building permit aspect. He said none of the work he has done has required a building permit. He asked if the fee only applied to buildings that needed repair. Manager Harrell stated it applied to vacant buildings.

Gwen Yiznitsky stated she was neither for nor against the ordinance, she just wanted to tell her story. She stated she had been a business owner in downtown Ayden for four years. She said it had been a privilege to be here. She said it has been frustrating to see neighbors leave because they can't find the help they need to make their business survive here. She stated she had looked to purchase a building in Ayden but wasn't able to find one to fit her needs or the grant money to assist her. She said when she looked into downtown Farmville, Uptown Greenville, and downtown Washington, there was help at every corner, from the private sector. She said it was from the people who owned the

buildings being willing to help fix the buildings or reduce the rent to fill the building, or assist with finding grants. She stated she would be moving to Greenville because she couldn't stay here. She said she has an investor that will support her, but not in Ayden, because there is no support for a thriving downtown. She said we are deciding today what we want Ayden to look like, both the public and the private sector.

Jimmy Roberson asked what the board hoped to accomplish with the \$500-\$1,000 fee. He stated the property owners were not notified and should have been.

Jerry Bowling spoke in opposition to the Vacant Commercial Building Code. He said the commissioners needed to work with the property owners, instead of beating them over the head with an ordinance.

Joseph Bray stated they had a good time at the Community Unity Celebration. He said they were looking for more to participate. He said Ayden Police Department usually comes out but they did not come out this year. He said he had gotten some information from the Town Clerk about getting some donations but that was unsuccessful. He said they got support from Greenville, but not Ayden. He said they would be selling dinners on August 24<sup>th</sup> and have a community yard sale on August 31<sup>st</sup> both at the intersection of MLK and Lee Streets. He said they would also have a live band on September 7<sup>th</sup>. He welcomed everyone to come out.

### III. PUBLIC HEARING

#### A. Conditional Use Permit – Quasi-Judicial Hearing

Stephen Smith presented to the Board. He stated anyone wishing to give testimony needed to be sworn in, because this is a quasi-judicial hearing. Ms. Raynor swore in Stephen Smith and Dancia Carter.

#### **Item Explanation**

The applicant is requesting a conditional use permit to operate a used car sales lot in the B-1 zoning district.

Zoning District: B-1 (Central Business District). The primary purpose of this district is to serve as the central commercial area of the Town of Ayden and to provide for the full range of retail, office, service and accessory uses customarily located in central business districts.

The property (Parcel #23866) is located at 4186 Lee Street (See map) and is owned by Dancia K Carter. The applicant is requesting a conditional use permit to operate a used car sales lot in the B-1 zoning district. The Conditional Use process allows the town to consider special uses which may be essential or desirable to a particular community, but which are not allowed as a matter of right within a zoning district. A conditional use permit can also provide flexibility within a zoning ordinance to enable the town to control certain uses, which could have detrimental effects on the community. Below is the definition of Automobile Rental and Sales, Retail and Wholesale:

*Automobile Rental and Sales, Retail and Wholesale. All such facilities shall have a separate office meeting all code requirements. The lot shall have a capacity of at least six vehicles. Lots with a capacity of 10 or more vehicles shall be paved and landscaped in conformance with the provisions of Article 8 of the Zoning Ordinance of the Town of Ayden. Ingress, egress, and interior circulation for vehicles shall conform to the requirements of the Town of Ayden, North Carolina Department of Transportation, and North Carolina Division of Motor Vehicles. Owners and operators shall have all required licenses and permits. All displayed vehicles shall be clean and capable of operation on the street as originally intended. Any vehicle not capable of operation on the street as originally intended shall be subject to*

*classification as a junked vehicle.*

**Staff Comments**

The application submitted has been deemed complete. The application and supporting documentation is included for your review. Action on a Conditional Use Permit will require a quasi-judicial hearing and the findings of fact must be addressed. Since this is a Conditional Use Permit, additional conditions can be added to the permit prior to approval. The property is surrounded by residential properties so proper screening is required. Staff suggests that all cars for sale be located on the concrete portion of the property. Adequate traffic circulation is required. Staff also suggests that no vehicle service or repair occur on the property (minor repair shops also require a conditional use permit in the B-1 district). With the majority of the uses in the area being residential, it is suggested that the appearance of the structure be such that it blends with the existing residential character. If the Conditional Use permit is approved, a detailed site plan meeting all requirements and any additional conditions will be required prior to occupancy. Staff supports the issuance of the Conditional Use Permit with the suggested conditions.

At their June 17th, 2019 meeting, the Planning Board recommended approval of the Conditional Use Permit with the following conditions.

- 1) Proper screening be installed
- 2) All cars for sale must be located on a paved surface and proper vehicle circulation must be provided
- 3) No vehicle service or repairs shall take place on the property
- 4) The appearance of the building shall be such that it blends with the residential character of the surrounding properties
- 5) All lighting must be directed onto the property only

The Board found 7 of 7 required findings to be met.

**Action Requested**

Conduct a Quasi-Judicial Hearing. Motion to approve or deny the Conditional Use Permit.

Mayor Tripp opened the quasi judicial hearing. Dancia Carter stated she had recently purchased the property and was working to renovate it and were seeking approval for the car lot.

Mayor Tripp read the findings of fact.

Findings of Fact:

1. The use requested is listed among the conditional uses in the district for which application is made, or is similar in character to those listed in that district.

Motion: Commissioner Goff

Second: Commissioner Ross

Discussion: None

Approved: 5-0

Motion passed unanimously.

2. The requested use will not impair the integrity or character of the surrounding or adjoining districts, nor adversely affect the safety, health, morals, or welfare of the community or of the immediate neighbors of the property.

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Motion: Mayor Pro-Tem Mewborn  
Second: Commissioner Langley  
Discussion: None  
Approved: 5-0  
Motion passed unanimously.

3. The requested use is essential or desirable to the public convenience or welfare.

Motion: Mayor Pro-Tem Mewborn  
Second: Commissioner Davis  
Discussion: None  
Approved: 5-0  
Motion passed unanimously.

4. The requested use will be in conformity with the towns land use plan.

Motion: Commissioner Goff  
Second: Mayor Pro-tem Mewborn  
Discussion: None  
Approved: 5-0  
Motion passed unanimously.

5. Adequate utilities, access roads, drainage, sanitation, or other necessary facilities have been or are being provided.

Motion: Commissioner Goff  
Second: Commissioner Ross  
Discussion: None  
Approved: 5-0  
Motion passed unanimously.

6. Adequate measures have been or will be taken provide ingress and egress so designed as to minimize the traffic congestion in the public streets; and

Motion: Mayor Pro-Tem Mewborn  
Second: Commissioner Davis  
Discussion: None  
Approved: 5-0  
Motion passed unanimously.

7. The conditional use shall, in all other respects, conform to the applicable regulations of the district in which it is located.

Motion: Mayor Pro-Tem Mewborn  
Second: Commissioner Goff  
Discussion: None  
Approved: 5-0  
Motion passed unanimously.

Motion to approve the request by Hemp Haze, LLC for a Conditional Use Permit to operate a used car sales lot in the B-1 zoning district with the following conditions:

1. Proper screening to be installed
2. All cars for sale must be located on a paved surface and proper vehicle circulation must be provided
3. No vehicle service or repairs shall take place on the property
4. The appearance of the building shall be such that it blends with the residential character of the surrounding properties
5. All lighting must be directed onto the property only.

Motion: Mayor Pro-Tem Mewborn

Second: Commissioner Goff

Discussion: None

Approved: 5-0

Motion passed unanimously.

#### IV. CONSENT AGENDA

A. Minutes from the June 10, 2019 and July 8, 2019 Board Meetings

B. Approve Funding Participation in Greenville-ENC Alliance

Item Explanation

At last month's Town Board meeting, Michael Overton, Chairman of the newly formed Greenville-ENC Alliance, a public-private economic development partnership in Pitt County, made a presentation to the Town Board about the organization.

Staff Comments

Mr. Overton presented that the funding for the organization includes \$5 million from the City of Greenville and Greenville Utilities Commission along with private contributions from businesses and industry in Pitt County - expected to raise another \$2 to \$3 million over the 5 years. Request is for the other municipalities in Pitt County to contribute \$1 per capita to the Alliance - that would be approximately \$5,000 annually for the Town of Ayden for a total of \$25,000 over the 5 years. The smaller municipalities will have three (3) rotating seats on the Alliance governing board.

Recommendation from staff is to participate in the Alliance as a funding contributor member.

Action Requested

By motion, approve in FY19-20 \$1 per capita from budgeted marketing funds as a contribution to the Greenville-ENC Alliance.

Motion to approve the consent agenda.

Motion: Mayor Pro-tem Mewborn

Second: Commissioner Ross

Discussion: None  
Approved: 5-0  
Motion passed unanimously.

VI. ITEMS FOR DISCUSSION

B. Consideration of Amendment to the Vacant Commercial Building Code

Manager Harrell stated this item was not presented for adoption tonight, but for discussion of the items, many of which were mentioned in the public comment period, that are listed below.

B.

**Item Explanation**

Several Commissioners have questions concerning the Vacant Commercial Building Code as adopted by the Town Board in October, 2018, and amended in June, 2019. Copies of the ordinance and the amendment are enclosed.

**Staff Comments**

Discussion points:

(1) Statutory authority of Town to enforce code, as adopted:

Board will find an article written by an attorney from the UNC School of Government specifically denoting that a municipality does have the state statutory authority to enforce our Town's ordinance as adopted.

(2) Definition of "Vacant":

As adopted, the ordinance doesn't explicitly define "vacant" as it applies to vacant commercial buildings and likely should have such definition.

Example: "A vacant building is a building that has been abandoned, unoccupied or vacant."

(3) Loss of a renter and affect on registration requirement:

Currently, the ordinance does not take into account a property owner losing a tenant and having some allotted time period to re-let the building before being required to pay the registration fee.

Example: "In the event of a rented or leased property that has been vacated, the owner of the property must register the property as vacant within 30 days. The registration fee would not be applied unless the property remains vacant for twelve (12) months after registration."

(4) Requirement vacant property be registered with licensed real estate to be exempt from the registration fee:

Question has arisen as to why this requirement, if property owner

can show evidence that property is being actively marketed for sale or rent. Some research now by Town Attorney also suggests that this requirement might not be allowed as it appears to be requiring the property owner to manage the marketing in a particular way. Demonstrated evidence of marketing by the property owner can be required, to even include the requirement for signage on building indicating it for sale or lease.

(5) Amount of the registration fee:

Contact by Town Attorney with UNC School of Government indicates that the registration fee cannot be excessive. Guidance from the School of Government is that the fee can/should be at a level that fairly represents the costs to the municipality to run/monitor the vacant building registration program.

(6) Notices of violation/fines sent to 10 structures each at \$8,750. Notices are for not complying with the registration requirement.

Community and Economic Planner Stephen Smith will review activity to date with the code enforcement.

Attorney Dixon stated after doing some research, he has found that the registration fee needs to be connected to the inspection fee. Also, it cannot be excessive. He stated based on comparable areas, our fee is a little higher and advised the town to reduce the fee to make it more connective and it has to be reasonable. He said they cannot tell a property owner that they have to list it with a realtor.

Mayor Pro-tem Mewborn asked what part would the input from the citizens play into this. Attorney Dixon said we could remove the realtor requirement and look into reducing the fee.

Mayor Pro-tem said we are going to have to come together and be fair to both parties. He stated he wished we had this information before so we could have done it better. Attorney Dixon stated they needed to be clear about the registration fee. He said, by law, the registration fee needs to be calculated to defray the cost of administering the program and the cost associated with the inspections. Second, they need to look at the penalty for non-compliance. If someone doesn't comply with the ordinance, the maximum civil penalty is typically \$500. He said they can also have a daily accrual.

Commissioner Langley stated they need to address how the citizens are being notified of what the board is doing. He stated as far as he knew, information was being posted in the newspaper and on social media, but apparently we are failing. He said the whole idea behind the registration was to get accountability of the vacant properties in our town so we can help get those properties filled. He stated we assumed we were within the law and now that we have found we are not, we are going to correct it.

Mayor Tripp said he felt sad because of what he had heard tonight from the citizens and business owners. He said we

could and should have done a better job. He said we should help them market what they have. He felt the fee was punitive and he had wanted to have a year without a fee to see how it goes. He stated we needed to have another meeting with the property owners to see how we can help.

Commissioner Ross said we are not business friendly and we need to do everything we can to get these buildings filled, and make the buildings presentable.

Commissioner Goff thanked everyone that spoke and agreed with the other board members. She said we have to all work together. She asked that the fee be suspended until we meet with the property owners.

Motion to consider suspending the registration fee and the penalties until the board meets with the property owners.

Motion: Commissioner Goff

Second: Commissioner Davis

Discussion: None

Vote: 5-0

Mayor Tripp asked for a five minute recess to allow those who wanted to leave to be able to.

**Action Requested**

At the Board's direction.

V. ACTION ITEMS

- A. Formation of Committee to Develop Plan for the Commercial Development and Improvement of the South Lee Street Corridor

**Item Explanation**

Mayor Tripp requested this item for the agenda to discuss and initiate a committee to develop a strategic plan for the commercial development and improvement of the South Lee Street Corridor.

**Staff Comments**

Mayor Tripp has suggested that since South Lee Street is encompassed by Mayor Pro Tem Mewborn and Commissioner Ross' Wards that they be sitting members of the committee and that the Town Board discuss means for filling the rest of the committee.

**Action Requested**

As the Board directs.

Mayor Tripp stated the land owned at the intersection of South Lee Street and MLK is owned by the IRS. He said we have tried to get the IRS to release the property to the Town, but it was not feasible at the time. He said he wanted to set up a committee to start the process again to see what we can do to acquire the land.

Under general consensus, the board agreed to have Mayor Pro-tem Mewborn and Commissioner Ross form a committee with the Town Manager to discuss options.

Commissioner Langley asked if they could get a list of the properties. Manager Harrell said he would get that to the board.

B. Consideration to Place Speed Cushions on Pinewood Drive and Allen Drive

**Item Explanation**

Mayor Tripp has requested consideration to place speed cushions on Pinewood Drive and Allen Drive.

**Staff Comments**

With the completion of improvements to NC102 as it leads out to the new US11 Southwest Bypass, Frederick Drive at the roundabout could likely become the street that drivers might take to cut through the Pines Subdivision. With the placement of stop signs and speed cushions on Wildwood that were approved by the Town Board at its July meeting, Pinewood Drive could be the choice of drivers now to reach Snow Hill Road. Speed cushions on Pinewood could deter drivers from using it to cut through the Pines.

Residents of Allen Drive have expressed concerns in the past with speeders as they enter Kennedy Estates. Speed cushions could deter such.

Under the Traffic Calming Policy, the Town Board has the option of placing speed cushions at the Town's expense for public safety consideration.

**Action Requested**

As the Town Board directs.

Motion to approve placing speed cushions on Allen Drive and Pinewood Drive.

Motion: Mayor Pro-tem Mewborn

Second: Commissioner Davis

Discussion: None

Approved: 5-0

Motion passed unanimously.

C. Approve McDavid Associates Proposal for Engineering of Powell Bill Project

**Item Explanation**

Enclosed is McDavid Associate's proposal to provide engineering services for the budgeted Powell Bill street project.

**Staff Comments**

As the Town Board recalls, earlier this year, a presentation was made concerning the various types of repairs that can be made to the pavement of streets in need of such. Enclosed from that earlier meeting are the maps of street repairs needed, and the type of street repairs recommended, as identified in the 2015 pavement assessment of streets in Ayden by the Greenville MPO; an assessment participated in by the Town of Ayden.

The MPO pavement assessment maps denote approximately \$200,000 annually, beginning in 2015, repairs to Ayden streets using the various methods of repairs. The enclosed proposal from McDavid & Associates denotes \$3,000 for an update this assessment as to the conditions of the streets in 2019 and a determination of the type of pavement repair that would be the most cost effective for the respective street. Purpose is to ensure a broader, but effective, use of the Town's FY19-20 budgeted Powell Bill monies for pavement repairs. Staff has already authorized this \$3,000 update by McDavid & Associates.

McDavid & Associates' proposal also includes its proposal to develop design plans and specifications based on a fixed 8% of ultimate construction costs based on competitive low bid.

The FY19-20 budget has \$487,400 budgeted for these street repairs. With the use of \$3,000 to update the MPO pavement assessment and McDavid & Associates 8% fee, which is approximated \$38,752, there will be approximately \$445,648 available for the street repairs. Again, the goal here is to effect as much cost effective types of street repairs as possible to ensure the \$445,648 can make the biggest impact on the identified streets in the MPO pavement assessment.

**Action Requested**

By motion, accept McDavid & Associated proposal and authorize the Town Manager to execute appropriate agreements with the engineer to effect this.

Motion to accept McDavid Associate's proposal and authorize the Town Manager to execute appropriate agreements with the engineer to effect this.

Motion: Mayor Pro-tem Mewborn

Second: Commissioner Langley

Discussion: None

Approved: 5-0

Motion passed unanimously.

- D. Appointment to the Ayden Planning Board

**Item Explanation**

Michael Doe has missed more than 25% of meetings since his appointment. He was absent on the following dates: 2/18/19, 4/15/19, 5/20/19, 6/17/19 and 7/15/19. Planning Director Stephen Smith sent an email to Mr. Doe on 7/16/19 and mailed the same on 7/22/19, neither of which has gotten a response. According to Town Code 151.02 (12) If appointees have unexcused absences which constitute more than 25% of the Board meetings in any calendar year which they are required to attend pursuant to their appointment, they are obligated to resign. Excused absences are defined as absences caused by events beyond one's control, if individuals refuse to resign, they may be dismissed by action of the Town Board of Commissioners subject to state or local law. A calendar year is defined as a 12-month period beginning on the date of appointment.

**Staff Comments**

Position was advertised in the Times Leader, on the Town's Facebook page and on the Town's website. Staff received two applications, which have been included.

**Action Requested**

Motion to remove Michael Doe from the Ayden Planning Board pursuant to Chapter 151.02 (12) and to appoint Angela Smith, who is currently serving as an alternate member, to the unexpired term that will expire in September 2021; and to appoint Alice M. Taylor-Smith to the alternate position that will expire in November 2021.

Motion to remove Michael Doe from the Ayden Planning Board pursuant to Chapter 151.02 (12) and to appoint Angela Smith, who is currently serving as an alternate member, to the unexpired term that will expire in September 2021; and to appoint Alice M. Taylor-Smith to the alternate position that will expire in November 2021.

Motion: Mayor Pro-tem Mewborn

Second: Commissioner Davis

Discussion: None

Approved: 5-0

Motion passed unanimously.

VI. ITEMS FOR DISCUSSION

A. Application for License Tag Office in Town Hall

**Item Explanation**

Given that Town Hall's entrance is now ADA compliant, and the lobby area is larger, Mayor Tripp would like to revisit the possibility of applying with the state to establish a License Plate Office in Town Hall.

**Staff Comments**

The Board may recall that, besides ADA compliance, a License Plate Office must be determined to be financially profitable and that determination is made by the North Carolina Division of Motor Vehicles following the submittal of an application for a License Plat Office.

**Action Requested**

As the Town Board directs.

Mayor Tripp stated he talked to a commissioner in Farmville, where they have a license plate agency in place, and was told their business was profitable. He stated they had two people to run it and they had people from Greenville, Greene Co. and other places because it was quicker. Mayor Tripp said he felt having this business in our downtown area would be an asset. He recommended we find a suitable building downtown and put in an application. Commissioner Langley stated it would bring more foot traffic and would be great, but felt we would be limited on buildings due to parking.

Manager Harrell stated he would put the application in.

- C. Discussion of Customer Service Guidelines as Amended by the Town Board in January, 2018

**Item Explanation**

Finance Director Rob Taylor will review Customer Service Guidelines and current practices of Town Collections' Office. Customer Service Guidelines, as updated and adopted by the Town Board in January, 2018, are enclosed.

**Staff Comments**

Purpose of review is to see if the Town Board wishes to make any changes in the Customer Service Guidelines. If so, staff will incorporate such changes in the Guidelines for the Town Board's adoption at its September 9th meeting.

**Action Requested**

As the Town Board directs.

Finance Director, Rob Taylor, presented to the Board.

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## UTILITY BILLING

AUGUST 15, 2019



## GOALS & OBJECTIVES

- TO FAIRLY AND EQUITABLY APPLY THE TOWN APPROVED GUIDELINES, POLICIES AND BUDGET TO ALL CUSTOMERS
- TO PROVIDE ALL CUSTOMERS TIMELY AND ACCURATE UTILITY BILLS
- TO MAXIMIZE THE EFFICIENCY OF TOWN STAFF AND RESOURCES

## BILLING & PENALTY DATES

- ADOPTED CUSTOMER SERVICE MANUAL(UPDATED 1/2018) STATES:

*" EACH CUSTOMER SHALL BE BILLED ON A MONTHLY SCHEDULE. FROM THE DATE OF THE BILL, THE CUSTOMER HAS 20 DAYS TO PAY THE ACCOUNT WITHOUT PENALTY. ON THE 21<sup>ST</sup> DAY, A 1% PENALTY WILL BE APPLIED. IF PAYMENT IS NOT RECEIVED PRIOR TO THE 25<sup>TH</sup> DAY, A NON-PAYMENT(CUTOFF) PENALTY WILL BE APPLIED AND THE ACCOUNT BECOMES ELIGIBLE FOR DISCONNECTION"*

While the above wording was updated in 2018, the core fees and dates have been in effect since 1996.

### BUDGET ORDINANCE

The late payment fee of 1% and non-payment penalty(cutoff fee) is \$25.00 and are listed in the schedule of fees

Reconnection fee – No charge if during regular business hours. \$25 if after hours

## CYCLES

- TOWN UTILITY CUSTOMERS ARE DIVIDED INTO FOUR CYCLES
- ONE CYCLE GETS BILLED EACH WEEK
- NUMBER OF CUSTOMERS IN A CYCLE IS BETWEEN 760- 1,460

## BILLING SCHEDULE ROUTINE

- Wednesday – Final review and Re-reads, devices loaded for next cycle, meter readers begin reading next cycle
- Thursday – Disconnects/Reconnects for past dues and failed arrangements – No billing, meter readers focused on disconnects, reading meters if time available
- Friday – Meter reading for next cycle – no billing, meter readers continue reading cycle and work on reconnects as customers pay on disconnected account
- Monday – Meter Reading is completed – Billing begins first review, Meter Readers begin rereads
- Tuesday Re-reads continue, billing works to finish final reviews

Process starts again

## CURRENT BILLING CYCLES

	Billing date	Cycle Days	Due Date	Cut off Date		Billing Date	Cycle Days	Due Date	Cut off Date
	<b>Cycle 1</b>					<b>Cycle 2</b>			
	Wednesday, June 26, 2019					Wednesday, June 5, 2019		6/25/2019	7/2/2019
July	Wednesday, July 24, 2019	28	8/13/2019	7/23/2019		Wednesday, July 3, 2019	28	7/23/2019	7/30/2019
August	Wednesday, August 21, 2019	28	9/10/2019	9/3/2019		Wednesday, July 31, 2019	28	8/20/2019	8/27/2019
September	Wednesday, September 25, 2019	35	10/15/2019	10/22/2019		Wednesday, August 28, 2019	28	9/17/2019	9/24/2019
October	Wednesday, October 23, 2019	28	11/12/2019	11/19/2019		Wednesday, October 2, 2019	35	10/22/2019	10/29/2019
November	Wednesday, November 27, 2019	35	12/17/2019	12/24/2019		Wednesday, October 30, 2019	28	11/19/2019	11/26/2019
December	Monday, December 23, 2019	26	1/12/2020	1/19/2020		Wednesday, December 4, 2019	35	12/24/2019	12/31/2019
January	Wednesday, January 29, 2020	37	2/18/2020	2/25/2020		Wednesday, January 1, 2020	28	1/23/2020	1/28/2020
February	Wednesday, February 26, 2020	28	3/17/2020	3/24/2020		Friday, January 31, 2020	30	2/20/2020	2/27/2020
March	Wednesday, March 25, 2020	28	4/14/2020	4/21/2020		Wednesday, March 4, 2020	33	3/24/2020	3/31/2020
April	Wednesday, April 29, 2020	35	5/19/2020	5/26/2020		Wednesday, April 1, 2020	28	4/23/2020	4/28/2020
May	Wednesday, May 27, 2020	28	6/16/2020	6/23/2020		Friday, May 1, 2020	30	5/23/2020	5/28/2020
June	Wednesday, June 24, 2020	28	7/14/2020	7/21/2020		Wednesday, June 3, 2020	33	6/23/2020	6/30/2020
		364					364		

## CURRENT BILLING CYCLES

	Billing Date	Cycle Days	Due Date	Cut off Date		Billing Date	Cycle Days	Due Date	Cut off Date
	<b>Cycle 3</b>					<b>Cycle 4</b>			
	Wednesday, June 12, 2019		7/2/2019	7/9/2019		Wednesday, June 19, 2019			
	Wednesday, July 10, 2019	28	7/30/2019	8/6/2019		Wednesday, July 17, 2019	28	8/6/2019	8/13/2019
	Wednesday, August 7, 2019	28	8/27/2019	9/3/2019		Wednesday, August 14, 2019	28	9/3/2019	9/10/2019
	Wednesday, September 4, 2019	28	9/24/2019	10/1/2019		Wednesday, September 11, 2019	28	10/1/2019	10/8/2019
	Wednesday, October 9, 2019	35	10/29/2019	11/5/2019		Wednesday, October 16, 2019	35	11/5/2019	11/12/2019
	Wednesday, November 6, 2019	28	11/26/2019	12/3/2019		Wednesday, November 13, 2019	28	12/3/2019	12/10/2019
	Wednesday, December 11, 2019	35	12/31/2019	1/7/2020		Wednesday, December 18, 2019	35	1/7/2020	1/14/2020
	Wednesday, January 8, 2020	28	1/28/2020	2/4/2020		Wednesday, January 15, 2020	28	2/4/2020	2/11/2020
	Wednesday, February 12, 2020	35	3/3/2020	3/10/2020		Wednesday, February 19, 2020	35	3/10/2020	3/17/2020
	Wednesday, March 11, 2020	28	3/31/2020	4/7/2020		Wednesday, March 18, 2020	28	4/7/2020	4/14/2020
	Wednesday, April 8, 2020	28	4/28/2020	5/5/2020		Wednesday, April 15, 2020	28	5/5/2020	5/12/2020
	Wednesday, May 13, 2020	35	6/2/2020	6/9/2020		Wednesday, May 20, 2020	35	6/9/2020	6/16/2020
	Wednesday, June 10, 2020	28	6/30/2020	7/7/2020		Wednesday, June 17, 2020	28	7/7/2020	7/14/2020
		364					364		

## BILLING PROCEDURES - ACCOUNTING

- ITRON DEVICES ARE LOADED TO READ ALL ACTIVE AND **INACTIVE** METERS TO LOOK FOR ACTIVITY
- FIRST REVIEW IS DONE (ITRON) - **RE-READS** - TYPICAL ERROR - DID NOT PICK UP READING
- ERRORS MUST BE COMPLETED BEFORE IMPORTING FILE TO BILLING
- DISCONNECT BILLING PROCESS - VOLUNTARY AND NONVOLUNTARY (11 STEPS)
- DEPOSIT APPLICATION PROCESS - (4 STEPS)
- REGULAR BILLING (13 STEPS) CORRECT ERRORS - **RE-READS**, SERVICE ORDERS FOR CHANGE OUTS
  - CALCULATE PRELIMINARY BILLING REVIEW VARIANCE REPORT - Billing reviews and Accountant does 2<sup>nd</sup> review
  - SERVICE ORDER FOR **RE-READS** FOR WATER LEAKS FOR ANY ERRORS FOUND IN STEP ABOVE
  - FINAL CORRECTIONS DONE, BILL FILE CREATED AND UPLOADED TO PRINTER &/OR EMAILED TO CUSTOMER

ANY OUTSTANDING SERVICE ORDER MUST BE COMPLETED OR REISSUED TO MOVE FORWARD

## FAILED ARRANGEMENTS, PENALTY, CUTOFF, DISCONNECT

- ALL STEPS ARE IN ONE PROCESSING PACKET
- FAILED ARRANGEMENTS ARE ADDED TO THE PACKET - PROMISES TO PAY NOT KEPT
- **DAY 21** 1% PENALTY PROCESS IS STARTED AFTER ALL PAYMENTS POSTED ON THE PENALTY DATE. EXCLUSIONS ARE ENTERED FOR ALL CUSTOMERS WITH AN ARRANGEMENT OR PLEDGE FROM DSS
- **DAY 25** DELINQUENT/CUT OFF PENALTY IS PROCESSED AFTER ALL PAYMENTS POSTED ON THE DELINQUENT DATE. EXCLUSIONS ARE ENDED FOR ALL CUSTOMERS WITH AN ARRANGEMENT OR PLEDGE FROM DSS
- ROBO CALL/TEXT GOES OUT AT 5PM ON WEDNESDAY NIGHT TO ALL CUSTOMERS ON THE CUTOFF LIST TO LET THEM KNOW THERE IS A PAST DUE BALANCE ON THEIR ACCOUNT
- THURSDAY DISCONNECT LIST IS CREATED AND REVIEWED AND SENT OUT TO METER READERS TO START DISCONNECT PROCESS.
- Any customer excluded without an arrangement, will go undetected until the next penalty cycle is run. Town can end up with two months of o/s bills, doubling loss.

## SPECIAL DUE DATE

- Last year began requesting documentation of social security or disability to be on special due date list
- 266 customers of approximate 860 in cycle were on the cutoff list July 31<sup>st</sup> – 1/3
- 74 were excluded and proper documentation on file to be excluded from penalties
- 192 robo calls went out. Next two days we received the proper paperwork on 30 more customers

## OTHER COMMUNITIES

	Ayden	Winterville	Grifton	Farmville	GUC	Kinston
Days Bill Due	20	15	15	15	20	20
Penalty	1% \$	2 \$	15 \$	15 \$	3	1% > of 1.5% or \$5
Penalty charged on day	21	16	16	16	23	22
Cutoff/Delinquent Penalty	\$ 25 \$	25 \$	25 \$	25 \$	- \$	- \$
Cutoff charged on day	25	26	20	25	30	
Past Due Courtesy Call/Door Hanger/Text	YES	NO*	NO	NO	MAILED PAST DUE NOTICE	INSERT WITH NEXT BILL
During Hours Reconnect	\$0	\$0	\$ -	\$ 25	\$ 35	\$ 25
After Hours Reconnect	\$25	NO	NO	NO	\$ 55	\$ 75
Extensions offered	2 PER YR	2 PER YR	NO	2 PER YR	3 PER YR	3 PER YR
Payment Plans	YES	NO	NO	NO	YES	NO**
Special Due Dates	YES	NO	NO	NO	YES	YES
*first time offender door hanger						
**rare occasions						
Maximum Deposit - residential	\$ 175	\$ 175	\$ 200	\$ 525	NA	\$350
						2X Average

Commissioner Langley asked for clarification on the \$25 penalty. Mr. Taylor said the day following the due date, if the bill isn't paid, you get a 1% late charge added to your bill. The \$25 penalty is added on the 25<sup>th</sup> day if the bill hasn't been paid. Mr. Taylor stated that although that is called the cutoff date, they aren't cut off for two more days. Commissioner Langley asked what we have done to justify that \$25 fee. Mr. Taylor stated it was a fee that has been in place for years. Commissioner Langley stated he felt it would make more sense to charge the fee after they had been cut off.

Commissioner Davis asked if the \$25 applied to people on the special due date. Mr. Taylor said it did not. He said they are excluded from the \$25 fee until the 4<sup>th</sup> of the month. Mayor Pro-tem said he was for the town getting what it

deserves; however, a lot of our citizens don't have transportation and can't get to town to make their payment. He asked if the software we used is compatible with other municipalities. Mr. Taylor said Farmville uses the same program, as do many other small communities. Mayor Pro-tem asked how much of a problem it would cause for the seniors to get their payments in on the 5<sup>th</sup> instead of the 4<sup>th</sup>. Mr. Taylor said we could look at it, it depends on when they get their check. Mayor Pro-tem said we need to give them a little more time. He said he's been getting beat over the head about the billing. He stated we needed to do some things differently because people aren't being treated right.

Mayor Tripp said he felt AMI would help tremendously with this process.

D. Consideration of Conditional Use Permits for Billboards Be Allowed for Multiple Billboards If All Situated on One Parcel

**Item Explanation**

Currently the Town's Zoning Ordinance, as recently amended, allows for the placement of billboards via a conditional use permit. Further, as currently configured, the ordinance considers each separate billboard a separate use requiring a conditional use permit for each billboard, whether or not all located on a single parcel.

**Staff Comments**

Mayor Pro-Tem Mewborn and Commissioner Langley would like the Town Board to discuss and consider allowing a conditional use permit for multiple billboards if all situated on a single parcel. In order to this, it would require drafting an amendment for consideration by the Town Planning Board for a recommendation to the Town Board on this amendment.

**Action Requested**

At the Town Board's direction.

Mayor Pro-tem Mewborn said he didn't like that the citizens had to come back every time for approval. He felt it was unfair to them. Commissioner Langley stated there was a fee for each billboard, or each permit, and felt that was excessive. He felt we should put the cost per parcel. Manager Harrell said that would need to go back to the Planning Board.

Motion to send to the Planning Board for their recommendation.

Motion: Commissioner Langley

Second: Mayor Pro-tem Mewborn

Discussion: None

Approved: 5-0

Motion passed unanimously.

E. Use of Parking Spaces by Doghouse Tavern

Manager Harrell stated the Doghouse Tavern has requested to use three spaces behind their building and across the lots during the Collard Festival. Mr. Smith stated they had had conversations with Pat Tripp, Chair of the Collard Festival and he was on board with their request. Mr. Smith said their second request is for the following weekend for a charity event for three spaces behind their building.

Mayor Pro-tem Mewborn said he felt we needed to give each building their own “back yard” space.

Mayor Tripp wanted to clarify that they would be selling alcohol and Cinderine’s has been designated as a Beer Garden area. He said they would need to establish boundaries for the Doghouse areas. Mr. Smith stated it would be barricaded and limited to members only. He said they would have to go through the ABC Commissioner and our Police Department to get their permits.

Motion to allow the use of the parking spaces to the Doghouse Tavern.

Motion: Commissioner Goff

Second: Commissioner Langley

Discussion: None

Approved: 5-0

Motion passed unanimously.

## VII. INFORMATION

### A. Staff Departmental Reports

Mayor Pro-tem Mewborn stated the event at the community building with the library was excellent. Mayor Tripp said National Night Out was also a great event by the Police Department and the Housing Authority. Commissioner Goff thanked everyone for the donations to the event.

## VIII. BOARD MEMBER COMMENTS

Commissioners thanked everyone for coming and the employees for their hard work.

Motion to go into closed session at 9:26pm pursuant NCGS 143-318.11 (a) (5) to establish, or to instruct the public body’s staff or negotiating agents concerning the position to be taken by or on behalf of the public body in negotiating (i) the price and other material terms of a contract or proposed contract for the acquisition of real property by purchase, option, exchange, or lease; or (ii) the amount of compensation and other material terms of an employment contract or proposed employment contract.

Motion: Commissioner Ross

Second: Mayor Pro-tem Mewborn

Discussion: None

Vote: 5-0

Motion passed unanimously.

Motion to return to open session at 9:37pm.

Motion: Commissioner Ross

Second: Commissioner Goff

Discussion: None

Vote: 5-0

Motion passed unanimously.

IX. ADJOURNMENT

Having completed the business before them, Mayor Tripp announced that without objection the Governing Board would stand adjourned at 9:37pm.

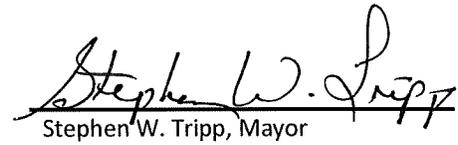
CERTIFICATION

Minutes from the August 15th meeting were adopted and certified this 9th day of September, 2019, in Ayden, North Carolina.

AYDEN, NORTH CAROLINA

  
Sarah W. Radcliff, Town Clerk



  
Stephen W. Tripp, Mayor

