

**TOWN OF PLYMOUTH MEETING MINUTES  
SEPTEMBER 19, 2022 – VIA COUNCIL CHAMBERS AND ZOOM  
5:00 p.m.**

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**I. CALL TO ORDER – Mayor Brian Roth**

The Mayor opened the meeting, welcomed all attendees, made a few announcements in reference to Councilman Boston and Attorney Isenberg, and how the special meeting would be conducted.

PRESENT	ABSENT	COUNCILMEMBER
X		Mayor Pro-Tempore Brooks
	X	Councilman Boston
X		Councilwoman Byers
X		Councilman Tharps
X		Councilwoman Williams
X		Councilman Wobbleton
X		Mayor Roth

NOTE: Attorney Natalia Isenberg attended the meeting via ZOOM.

**II. APPROVAL OF MINUTES FROM THE SEPTEMBER 12, 2022 REGULAR MEETING**

A motion was made by Councilman Wobbleton to approve the September 12, 2022 Regular Meeting Minutes with a second by Mayor Pro-Tempore Brooks. A roll call vote was taken. The motion passed 5-0.

**III. RESOLUTION 2022-12 SEWER IMPROVEMENTS**

Town Clerk Wallace reported that the resolution for Sewer Improvements is needed to accompany the Viable Utility Reserve Application to be submitted by the Wooten Company on behalf of the Town by the end of the month. A motion was made by Councilman Wobbleton to approve Resolution 2022-12 with a second by Councilwoman Byers. A roll call vote was taken. The motion passed 5-0.

**IV. RESOLUTION 2022-13 WATER IMPROVEMENTS**

Town Clerk Wallace reported that the resolution for Water Improvements is needed to accompany the Viable Utility Reserve Application to be submitted by the Wooten Company on behalf of the Town by the end of the month. A motion was made by Councilwoman Byers to approve Resolution 2022-13 with a second by Councilman Tharps. A roll call vote was taken. The motion passed 5-0.

## **V. LETTER OF INTENT TO FUND VUR-AIA-W-ARP-0012**

Town Clerk Wallace reported that funds were received from the North Carolina Department of Water Infrastructure, Environmental Quality because a planning grant in the AIA sewer application was not funded; however, the state pulled this component out of the application in order to fund the planning grant portion of what could be a larger capital project. Ms. Wallace further explained that the letter of intent is due by the end of September and includes the budget and scope of the project. A motion was made by Councilwoman Byers to approve the Letter of Intent to Fund VUR-AIA-W-ARP-0012 with a second by Councilman Wobbleton. A roll call vote was taken. The motion passed 5-0.

## **VI. ORDINANCE 2022-08 VUR-AIA-W-ARP-0012**

Town Clerk Wallace reported that a grant ordinance will need to be established to receive funds for the Asset Inventory and Assessment funding from the North Carolina Division of Water Infrastructure Department of Environmental Quality. A motion was made by Councilwoman Williams to approve Ordinance 2022-08 VUR-AIA-W-ARP-0012 with a second by Councilwoman Byers. A roll call vote was taken. The motion passed 5-0.

## **VII. AUTHORIZATION FOR STAFF TO ISSUE REQ FOR VUR-AIA-W-ARP-0012**

Town Clerk Wallace reported to Council that a Request for Qualifications (RFQ) will need to be issued for engineering services for the VUR-AIA-W-ARP-0012 grant. Town Clerk Wallace asked Council for permission to issue the RFQ. A motion was made by Councilwoman Byers for staff to issue and RFQ for VUR-AIA-W-ARP-0012 with a second by Mayor Pro-Tempore Brooks. A roll call vote was taken. The motion passed 5-0.

## **VIII. BUDGET AMENDMENT 2022-08**

Finance Officer Wallace explained that Peters & White, the contractor for the Wastewater Treatment Plan Improvements Project, through the Department of Water Infrastructure (DWI), provided a spare decant pump for the project. DWI deemed this pump to be ineligible for funding after erroneously reimbursing the Town for the pump during the course of the project. During the close-out of the project, the DWI Project Manager directed the Town to deduct the value of the pump from its final reimbursement request. She further explained that the Town is now obligated to pay Peters & White for the spare pump, which is valued at \$5,250.00. A motion was made by Councilman Wobbleton to approve Budget Amendment 2022-08 with a second by Mayor Pro-Tempore Brooks. A roll call vote was taken. The motion passed 5-0.

## **IX. APPROVAL OF ARP POLICIES**

Town Clerk Wallace explained to the Council that there were specific policies relative to ARP Federal funds that the Town will need to have in place, specifically, an Allowable Cost Policy, Title VI Nondiscrimination Policy, Eligible Use Policy, Conflict of Interest Policy, and Record Retention Policy. She reported that the Town already has an allowable Cost Policy and Title VI Nondiscrimination Policy in place. A motion was made by Councilman Wobbleton to adopt the Eligible Use, Conflict of Interest, and Record Retention Policies with a second by Mayor Pro-Tempore Brooks. A roll call vote was taken. The motion passed 5-0.

## **X. PROPERTY TAXES DEEMED UNCOLLECTABLE**

It was determined that this item will be discussed at a future Council meeting once Interim Town Manager Styons and Attorney Isenberg conducted more research on the matter.

## **XI. SURPLUS OF PROPERTY LOCATED ON SANDHILL ROAD**

Interim Town Manager Styons gave a background history on the property, located on Sandhill Road, reporting that the Town owned the property. Mr. Frank Arrants came forward to show interest in purchase of the property. Interim Town Manager Styons asked that the Town declare the property surplus and sold by sealed bid with a minimum bid of \$5,000.00. Mayor Pro-Tempore Brooks made a motion to declare the property surplus and sell it by sealed bid with a minimum bid of \$5,000.00 with a second by Councilman Tharps. A roll call vote was taken. The motion passed 5-0.

Interim Town Manager Styons reported that the liens have not been put on these properties; however, he has been working with Attorney Isenberg on this matter and will report back to the Council once additional information has been gathered.

## **XII. AIRPORT LIFT STATION**

Public Works Director Wright reported that the County installed a lift station at the Airport; however, the County wants to give the Town the lift station. Interim Town Manager asked Attorney Isenberg to speak with Washington County Manager Curtis Potter. Attorney recapped the history of the shell building that is located on County property. She reported that the Town will collect revenue from sewer, should the Town take the lift station over. Attorney Isenberg confirmed Public Works Director Wright's statement in that the lift station has never been used, and that prior to the Town taking the lift station over, it will be tested and that there are no problems with it. She continued by reporting that if there are problems with the lift station, the County will be responsible for repairs

before the Town takes control. Interim Town Manager Styons asked that the County provide a written document stating that the lift station is operational before it is taken over by the Town, and that the cost for any repairs, if necessary, will be made by the County. Interim Town Manager Styons also discussed a proposed rate for operation. Finally, he reiterated that he, at one time had what would have been a conflict of interest with the company that purchased the shell building; however, he is no longer under contract with them, and the conflict no longer exists.

### **XIII. PLANNING BOARD APPLICATION – E. PRESTON MOORE**

Mayor Roth pointed out the difference between a Planning Board and a Board of Adjustments to the Council, which is what this application is actually for. A motion was made by Mayor Pro-Tempore Brooks to accept Mr. Moore's application with a second by Councilman Wobbleton. A roll call vote was taken. The motion passed 5-0.

### **XIV. COMMUNITY INPUT NIGHT UPDATE**

Town Clerk Wallace reported that she had secured a location for the meeting. It will be held at Trumps' Restaurant on US Hwy 64. The Council decided the date for the meeting, which will be Thursday, November 3, 2022 at 7:00: p.m. Councilman Wobbleton asked if any fees would be associated with the meeting, and Town Clerk Wallace thought that it would be fair to pay a nominal fee for anyone that might have to lock up or clean up. After receiving confirmation from the Council, Town Clerk Wallace reported that she would be in touch with the owners to confirm the date.

### **XV. CLOSED SESSION**

Interim Town Manager reported that he spoke with Attorney Isenberg before the meeting and was informed that some of the items he wanted to speak about in closed session were not permissible. Attorney Isenberg clarified the issues that can be addressed in closed session.

Once that determination was made, Interim Town Manager Styons discussed the Town's financial situation. He stated that we are not in dire conditions, however there are adjustments that need to be made, namely that there had been no increase in utility rates that matched the increase in interest rates over the last five years. The lack of increase in utility rates has had a negative impact on the Town's budget. Interim Town Manager Styons also addressed his suggestions from his 2017-2018 budget message that the Stormwater fees be added to taxes rather than the monthly utility bill. After his explanation, Interim Town Manager Styons recommended an immediate change in the utility bill rate structure from \$25.00 minimum for water to \$30.00 and from \$30.00 minimum for sewer to \$32.00. Interim Town Manager Styons also discussed the

Consumer Price Inflation charged by David's Trash, which is another item that the Town has not adjusted for. Interim Town Manager compared charges for surrounding areas, most of which are equal to or greater than the Town. He spoke of collecting the additional revenue and how it would offset the deficit that was approved in the Town's budget. Additional discussion took place regarding sanitation, the associated start-up costs, sending out RFPs, or negotiating a new contract. Interim Town Manager Styons received an email from County Manager Potter that explains their landfill charges. The letter will be distributed at a later date. After further discussion, a Councilman Wobbleton made a motion to adopt the 2022 rate increases for the water and sewer utilities effective with the next billing cycle with a second by Mayor Pro-Tempore Brooks. A roll call vote was taken. The motion passed 5-0.

Councilman Wobbleton made a motion to go into closed session under 143-318.11(a)(6) - To consider the qualifications, competence, performance, character, fitness, conditions of appointment, or conditions of initial employment of an individual public officer or employee or prospective public officer or employee; or to hear or investigate a complaint, charge, or grievance by or against an individual public officer or employee. General personnel policy issues may not be considered in a closed session. A public body may not consider the qualifications, competence, performance, character, fitness, appointment, or removal of a member of the public body or another body and may not consider or fill a vacancy among its own membership except in an open meeting. Final action making an appointment or discharge or removal by a public body having final authority for the appointment or discharge or removal shall be taken in an open meeting and,

(a)(3) To consult with an attorney employed or retained by the public body in order to preserve the attorney-client privilege between the attorney and the public body, which privilege is hereby acknowledged. General policy matters may not be discussed in a closed session, and nothing herein shall be construed to permit a public body to close a meeting that otherwise would be open merely because an attorney employed or retained by the public body is a participant. The public body may consider and give instructions to an attorney concerning the handling or settlement of a claim, judicial action, mediation, arbitration, or administrative procedure. If the public body has approved or considered a settlement, other than a malpractice settlement by or on behalf of a hospital, in closed session, the terms of that settlement shall be reported to the public body and entered into its minutes as soon as possible within a reasonable time after the settlement is concluded, with a second by Councilwoman Byers. During discussion, Mayor Pro-Tempore Brooks asked that the status of the advertisements be added. A roll call vote was taken. The motion passed 5-0.

**NOTE: COUNCILMAN GREGORY BOSTON ARRIVED AT 6:06 p.m.**

## **XVI. OPEN SESSION**

A motion was made by Mayor Pro-Tempore Brooks to return to open session with a second by Councilwoman Williams. A roll call vote was taken. The motion passed 6-0.

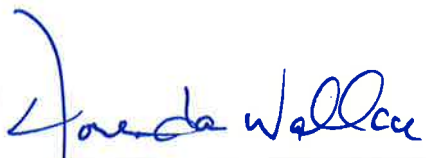
## **XVII. OPEN SESSION**

Attorney Isenberg reported that she and Trudy Respass have worked together on an agreement with the Town and the Port O' Plymouth Museum. Attorney confirmed that Trudy received final approval from her board for a lease agreement for 10 years that permits the museum to continue to use the space, does not include the grounds, and that the Town will maintain the deck subject to available funds. Councilman Boston made a motion to approve the lease with a second from Mayor Pro-Tempore Brooks. A roll call vote was taken. The motion was approved 6-0.

## **XVIII. ADJOURNMENT**

There being no further business, a motion was made by Mayor Pro-Tempore Brooks to adjourn the meeting with a second from Councilwoman William. A roll call vote was taken. The Motion passed 6-0.

Respectfully submitted,

  
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Dorenda Wallace  
Clerk  
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Brian Roth  
Mayor