

Yanceyville Town Council Meeting Minutes
Tuesday, November 9th, 2021
7:00pm

The meeting of the Town Council was held remotely in the Yanceyville Museum of Art at the Yanceyville Municipal Services Building and due to COVID-19 the meeting was also conducted electronically through WebEx on Tuesday, November 9th, 2021, at 7:00 pm.

Council Members present in person: Mayor- Alvin Foster, Keith Tatum, and Brian Massey

Council Member present electronically: Mayor Pro Tem- Odessa Gwynn

Council Members absent: Margie Badgett-Lampkin

Staff present in person: Kamara Barnett-Town Manager/Clerk, and Lee Farmer-Town Attorney

Staff present electronically: Bradley Davis, Planning and Zoning Services

Item 1: Call to Order

Mayor Alvin Foster called the Town Council Meeting to order at 7:00 PM. The meeting opened with a prayer. He asked all to stand for the pledge of allegiance. Mayor Foster also stated that the Yanceyville Town Council rules and procedures reflect the revisions of the North Carolina open meeting law of the North Carolina General Statutes, a copy of the Yanceyville Town Council rules and procedures are available upon request. Yanceyville Town Council also has rules and procedures for electronic meetings that reflect the revisions of the North Carolina open meeting law of the North Carolina General Statutes, a copy of the Yanceyville Town Council rules and procedures are available upon request.

Item 2: Review and Adoption of Agenda – Mayor & Council

Mayor Foster added Discussion of Veteran Groups Activities as Item 9b to the Agenda. After a short review Mayor Foster asked Town Council for a motion. Mayor Pro Tem Gwynn made a motion to adopt the Agenda with said changes. The motion was seconded by Councilman Massey and passed with a unanimous vote.

Item 3: Consent Agenda

- a.) Minutes from October 5th, 2021, Town Council Meeting

Mayor Foster asked Town Council to review the Consent Agenda. After a short review, Mayor Pro Tem Gwynn made a motion to adopt the Consent Agenda as presented. The motion was seconded by Councilman Massey and passed with a unanimous vote.

Item 4: Public Comments

Mayor Foster introduced Ms. Vashon Canty 464 Wall Street Ms. Canty announced that Pearson Chapel AME Church is hosting a COVID-19 Testing & Vaccine event on Saturday, November 20, 2021, from 10am – 4:30pm. The event is open to the public and FREE FOR ALL. Our hope is to educate the community on COVID-19, the importance of testing and facts regarding vaccination. Free COVID-19 testing, vaccination and educational awareness will be offered to ALL. In addition, local organizations will be onsite to provide information on various community resources that are available to assist families during this unprecedented time.

Mayor Foster thank Ms. Canty for presenting this information to Town Council and indicated that the Town would place the flyer with date and time of the event on the Town of Yanceyville bulletin board for residents to review.

Item 5: Inframark Update- Greg Ryland

Mayor Foster introduced Mr. Greg Ryland, Inframark. Mr. Ryland updated Town Council. Mr. Ryland presented the monthly update as follows:

Yanceyville Water Treatment Plant

- No excursions occurred for the month of October 2021
- Water flushing occurred for 16 hours this month on dead ends and MRT sites around Town
- New Media and Nozzles were installed on Filter # 3 and filter was returned to service
- Dustin Harrison passed his B-Surface exam

Yanceyville Wastewater Treatment Plant

- Pumped out Effluent Contact Chamber weekly to keep sludge down
- Wet Well was pumped out by Town Staff
- Cleaning Out and sprayed off Bar Screen Daily
- Elevated weekly ammonia: correctives to SBR timers performed, back in compliance.

Mayor Foster thanked Mr. Ryland for presenting a detailed report.

Item 6: Wi-Fi Project Update- Steve Brooks, Brooks Networking

Mayor Foster introduced Mr. Steve Brooks, Brooks Networking.

Mr. Brooks thanked Town Council for having him join the meeting. Mr. Brooks indicated that at this point we are seeing some progress with the Wi Fi project. He explained that Duke Energy's Subcontractors did get a final walk through on the pathway for the fiber on November 2nd, which means we can now start running fiber. He explained that they will start arranging crews and start placing the fiber on the Duke Energy Polls. He mentioned that underground boring has been completed for about a year ago to bypass the expensive polls from Duke. At his point we are waiting on authorization to start hanging fiber on to polls. He mentioned that the underground boring trimmed \$7,500 off the services, implementation component of the project. Mr. Brooks indicated that he would coordinate with Town and the Caswell County Sheriff department on scheduled dates and times to assist with traffic control. He indicated that the global pandemic

sure hasn't helped in getting this project deployed, but I think we're finally there. Mr. Brooks indicated that the Town should see road crews out the first week of December.

Mayor Foster asked if anyone had any questions for Mr. Brooks

Item 7: Town Manager Report- Kamara Barnett

Town Manager Barnett announced the Christmas in Caswell/ Tree Lighting Ceremony event scheduled for Friday December 3rd, 2021, at 6pm and the Christmas Parade Saturday December 4th, 2021, starting at 10am.

She also announced the Town of Yanceyville Comprehensive Land Use Development Plan “Open House” Tuesday, November 16th beginning at 5:15PM. The purpose is to provide residents an opportunity to express their views regarding future housing, recreation, transportation, economic development, and other small area plans. She explained that community engagement is important in preparing and creating the LUD plan

Town Manager Barnett indicated that she had received a request from the Caswell County Republican Party to utilize the Maud Gatewood meeting room on Thursday November 18th, 2021, at 7pm. She indicated as part of the Building Use Policy any requesting surround any political (affiliations) parties must be approved by Town Council.

Mayor Foster asked for a motion. Councilman Massey made a motion to allow the Caswell County Republican Party to utilize the Maud Gatewood meeting room on Thursday, November 18th, 2021, at 7pm. The motion was seconded by Councilman Tatum and passed with a unanimous vote.

Town Manager Barnett explained she attended the Yanceyville Water Treatment Plant (WTP) inspection on today that was performed by the North Carolina Department of Environmental Quality, Public Water Supply Section. She indicated that once she receives the summary from the inspection, she would share the updates with Town Council.

Item 8: Closed Session- G. S. 143-318.11 Personnel, Contractual, Economic Development, and Attorney Client Consultation

Mayor Foster asked Town Council for a motion. Councilman Massey made a motion to go into Closed Session General Statues 143-318.11 Personnel, Contractual, and Economic Development The motion was seconded by Councilman Tatum and passed with a unanimous vote.

After Town Council returned from Closed Session, Mayor Foster asked for a Town Council motion to come out of Closed Session. Mayor Pro Tem Gwynn made a motion to come out of Closed Session. The motion was seconded by Councilman Massey and passed with a unanimous vote.

Mayor Foster asked Town Council for a motion to go back into Regular Session. Mayor Pro Tem Gwynn made a motion to go back to into Regular Session. The motion was seconded by Councilman Massey and passed with a unanimous vote.

Mayor Foster noted that while in Closed Session there are a few items that must be address in Open Session.

McGill Associates to provide professional services for reevaluating the Water and Wastewater Treatment Plants in the amount of \$9,600

Mayor Foster asked Town Council for a motion. After a short review, Councilman Massey made a motion to approval the Proposal for the Treatment Plant Evaluations from McGill Associates in the amount of \$9,600. The motion was seconded by Councilman Tatum and passed with a unanimous vote.

Item 9 :Town Attorney Report- Lee Farmer

RESOLUTION GIVING PRELIMINARY APPROVAL TO ISSUANCE
OF MULTIFAMILY HOUSING REVENUE BONDS FOR DILLARD
SCHOOL APARTMENTS

WHEREAS, the Town Council (the “Town Council”) of the Town of Yanceyville, North Carolina (the “Town”) met in Yanceyville, North Carolina at 7:00pm on the 9th day of November, 2021; and

WHEREAS, pursuant to Section 160D-1311(b) of the General Statutes of North Carolina, the Town is granted the power to exercise directly the powers of a housing authority organized pursuant to the North Carolina Housing Authorities Law, Article 1 of Chapter 157 of the General Statutes of North Carolina, as amended (the “Act”); and

WHEREAS, the Act in N.C.G.S. §§ 157-9 gives the Town, acting as a housing authority, the power “to provide for the construction, reconstruction, improvement, alteration or repair of any housing project” and “to borrow money upon its bonds, notes, debentures or other evidences of indebtedness and to secure the same by pledges of its revenues”; and

WHEREAS, DreamKey Partners, Inc., a North Carolina nonprofit corporation, or an affiliated or related entity (the “Company”), intends to provide affordable housing in the Town; and

WHEREAS, the Company has requested that the Town assist it in financing the acquisition of the historic Dillard School buildings and the constructing, renovating and equipping therein of a 53-unit multifamily residential rental development for seniors to be known as Dillard School Apartments and located at 403 Dillard School Drive in the Town (the “Development”); and

WHEREAS, the Company has described to the Town the benefits of the Development to the Town and the State of North Carolina and has requested the Town to agree to issue its multifamily housing revenue bonds in such amounts as may be necessary to finance the costs of acquiring, constructing, renovating and equipping the Development; and

WHEREAS, the Town is of the opinion that the Development is a facility that can be financed under the Act and that the financing of the same will be in furtherance of the purposes of the Act;

WHEREAS, the Bonds will not be deemed to constitute a debt or a pledge of the faith and credit of the Town, the State of North Carolina or any political subdivision thereof and will be payable solely from the revenues and other funds provided for under the agreements related to the Bonds;

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF YANCEYVILLE, NORTH CAROLINA:

1. It is hereby found and determined that the Development will involve the acquisition, construction, renovation and equipping of a multifamily housing facility, and that therefore, pursuant to the terms and subject to the conditions hereinafter stated and the Act, the Town agrees to assist the Company in every reasonable way to issue bonds to finance the acquisition, construction, renovation and equipping of the Development, and, in particular, to undertake the issuance of the Town's multifamily housing revenue bonds (the "Bonds") in an amount now estimated not to exceed Fifteen Million Dollars (\$15,000,000) to provide all or part of the cost of the Development.

2. The Town intends that the adoption of this resolution be considered as "official action" toward the issuance of the Bonds within the meaning of the regulations issued by the Internal Revenue Service pursuant to Section 1.150-2 of the Treasury Regulations issued under the Internal Revenue Code of 1986, as amended (the "Code").

3. The Bonds shall be issued in such series and amounts and upon such terms and conditions as are mutually agreed upon between the Town and the Company. The Town and the Company shall enter into a "financing agreement" pursuant to the Act for a term and upon payments sufficient to pay the principal of, premium if any, and interest on the Bonds and to pay all of the expenses of the Town in connection with the Bonds and the Development. The Bonds will be issued pursuant to an indenture or security agreement between the Town and a trustee (the "Trustee") or the bondholder which will set forth the form and terms of the Bonds and will assign to the Trustee for the benefit of the holders of the Bonds, or directly to the bondholder, the Town's rights to payments under the financing agreement, except the Town's right to payment of fees and expenses and indemnification. The Bonds shall not be deemed to constitute a debt or a pledge of the faith and credit of the State of North Carolina or any political subdivision or agency thereof, including the Town, but shall be payable solely from the revenues and other funds provided under the proposed agreements with the Company.

4. The Town hereby authorizes the Company to proceed, upon the prior advice, consent and approval of bond counsel and the Town's counsel, to obtain approvals in connection with the issuance and sale of the Bonds and to obtain an allocation of a sufficient amount of the State of North Carolina's "private activity bond limit", as required by Section 146 of the Code and as defined in Section 146 of the Code, for the Bonds.

5. It having been represented to the Town that it is desirable to proceed with the acquisition, construction, renovation and equipping of the Development, the Town agrees that the Company may proceed with plans for such acquisition, construction, renovation and equipping, enter into contracts for the same, and take such other steps as it may deem appropriate in connection therewith, provided that nothing herein shall be deemed to authorize the Company to obligate the Town without its written consent in each instance to the payment of any monies or the performance of any act in connection with the Development and no such consent shall be implied from the Town's adoption of this resolution. The Town agrees that the Company may be reimbursed from the proceeds of the Bonds, if and when issued, for all qualifying costs so incurred as permitted by Treasury Regulations Section 1.150-2.

6. All obligations hereunder of the Town are subject to the further agreement of the Town and the Company to terms for the issuance, sale and delivery of the Bonds and the execution of a financing agreement, indenture or security agreement and other documents and agreements necessary or desirable for the issuance of the Bonds. The Town has not authorized and does not authorize the expenditure of any funds or monies of the Town from any source other than the proceeds of the Bonds. All costs and expenses in connection with the financing and the acquisition, construction, renovation and equipping of the Development, including the reasonable fees and expenses of the Town's counsel, bond counsel and the agent or underwriter for the sale of the Bonds, shall be paid from the proceeds of the Bonds or by the Company, but if for any reason the Bonds are not issued, all such expenses shall be paid by the Company and the Town shall have no responsibility therefor. It is understood and agreed by the Town and the Company that nothing contained in this resolution shall be construed or interpreted to create any personal liability of the officers or council members from time to time of the Town.

7. The officers of the Town are hereby authorized and directed to take all actions in furtherance of the resolution and the issuance of the Bonds.

8. The Town hereby approves McGuireWoods LLP, Raleigh, North Carolina, to act as bond counsel for the Bonds.

9. This resolution shall take effect immediately.

Mayor Foster asked for a motion to consider the resolution, Councilman Massey moved the passage of the foregoing resolution and Mayor Pro Tem Gwynn seconded the motion, and the resolution was passed by the following vote:

Ayes: Foster, Gwynn, Massey Tatum

Nays: None

Not voting: Badgett- Lampkin (Absent- Medical Illness)

Item 9 b. Veteran Activities - Mayor Foster

Mayor Foster made a motion to exempt any veteran group programs (American Legion, VFW, etc.) in Caswell County from securing liability insurance coverage and payment of security deposit for use of the Town's Pavilion Stage. The Town is a co-sponsor. The motion was seconded by Councilman Tatum and passed with a unanimous vote.

Item 10: Informal Discussion/Public Comment- Discussion & Comments must directly relate to agenda items.

None

Item 11: Adjournment

Mayor Foster asked Council for a motion to adjourn. After no further discussion, Councilman Tatum made a motion to adjourn. Councilman Massey seconded the motion that passed with a unanimous vote. Meeting ended at 9:20pm

Kamara Barnett, Town Clerk prepared the above minutes. They represent a brief description of those matters that were addressed at this meeting.

Respectively Submitted:

Alvin Foster, Mayor

Kamara Barnett, Town Clerk