

THE FOUR HUNDRED AND THIRTIETH SESSION OF THE BOARD OF ALDERMAN  
VILLAGE OF ALAMANCE  
MARCH 24, 2014 – 7:00 PM

Present: Mayor Bundren, Mayor Pro Tem Tichy, Alderman Clemmons, Alderman Sharpe, Alderman Crouse, Alderman Slaughter, and Clerk York.

Absent: Alderman Gregory

Alderman Crouse gave the invocation.

Mayor Pro Tem Tichy moved to approve the February 24, 2014 meeting minutes. Alderman Crouse seconded the motion. The motion passed unanimously.

**OLD BUSINESS**

**Report on Cabin Pump Station Project**

Mark Reich reported that they are completing the plan. The easements have been given to Attorney Bateman for review.

**ORC Report**

Arnold Allred began his report by distributing a timeline of events related to the recent power outage. There were overflows at the Cabin Pump Station and at the NC 62 Pump Station. Mr. Allred received the report about the power outage at 4:30am. He called Clerk York at 8:00am to let him know to contact the power company. At 1:00pm, he received the report of the overflow at the Cabin Pump Station. At 1:20pm, Clerk York had C & J Utilities on the scene. At 1:26pm, a generator was sent over. At 2:00pm, the overflow at the NC 62 Pump Station was reported. At 7:30pm, the Cabin Station overflow was stopped, with the installation of the generator. The station had to be rewired, and several trees had to be cut to get the generator down there. Mr. Allred came over the next morning at 4:00am to inspect everything. Everything was running fine on stand-by power and on the stand-by generator. At 6:00pm, the power was restored at the NC 62 Pump Station. C & J Utilities came over and removed the pump-around. At 3:11pm, the five day required reporting was reported to the State. This report is available online. On March 12<sup>th</sup>, at 9:00am, the power was back on at the Cabin Pump Station. The total overflow at the NC 62 Pump Station was 7,000 gallons; the total overflow at the Cabin Station was 18,000 gallons. All reports were made to the State. Clerk York did the 24 hour notice press release, while Mr. Allred completed the five day report. Mayor Bundren asked about the time lag between 4:30am and 8:00am. Mr. Allred replied that he knew that the power was out. Normally, the Village of Alamance has power restored pretty quickly. Mr. Allred was unable to travel due to weather and road conditions, and downed trees. When those stations go down at that time of the day, most people are not putting water into those stations. They were waiting to see what people were going to do in the area. When the Cabin Station is not pumping, there is not that flow going on over there either. By 8:00am, the power company stated they did not know when the power could be restored. That's when they knew they had to get things underway. Clerk York called King Electric to take care of the other pump station. Mayor Bundren asked if anything else could have been done to prevent the overflow. Mr. Allred affirmed that nothing else could have been done. He stated that by 8:00am the following day, he expected the power outage to go on for

several days. The overflow would have been longer at the Cabin Pump Station if C & J Utilities had not had the equipment needed on hand. They did a really good job. Mayor Bundren asked Mr. Reich to confirm that this overflow situation would not happen again, once the generators are in place. Mr. Reich stated there would still be a pump station at 62, but there would be an emergency generator. As long as there was an emergency generator, and it works, this should be okay. Graham actually had a situation where the generator didn't work. Generators can fail too. Mr. Allred pointed out that the Birch Station has a stand-by generator and there were no problems there at all. Mayor Bundren asked Mr. Allred about the possibility of a penalty. Mr. Allred replied that sometimes there are not penalties, when there are weather-related issues. Penalties are often issued when there is a failure to report.

Mr. Allred then proceeded with the Distribution report. The THMHA5 levels were very low. They were well pleased with that. The City of Burlington will be doing what they call a chlorine "burn-out." There are informational flyers that will be sent out. Beginning around April 14, 2014, they will begin sending out water without ammonia and do this for 21 days. Mr. Allred reported the Village will flush the number of gallons needed to do the testing, and then do it again in the 21 days or 30 days, or whatever it takes to get back on line. The burn-out is something the City of Burlington says they have to do, though it is not a regulation. They are recommending it. Burlington is doing it for the whole system. Mayor Bundren read information from the flyer and commented on the article in the newspaper. Mr. Reich commented on a link that Greensboro and Burlington have on their websites, to provide additional information. He suggested that Clerk York add this link to the Village of Alamance website. Mayor Bundren noted that there are special concerns for fish, aquariums, and dialysis patients. Mr. Reich asked Clerk York if he was aware of any dialysis patients residing in the Village. Clerk York said that he didn't know of any, directly. He stated that he would contact some of the elderly, to make sure they are informed and determine whether there are dialysis patients that would be impacted. The informational flyers will go out with the water bills mailed later this week.

### **Mowing Town Hall and Pump Stations**

Clerk York presented four quotes for the mowing of the Town Hall and pump stations: Floyd's Landscaping, Alamance Lawn Care, Byrd's, the current provider, and Apple's Lawn Service. Apple's Lawn Service quoted \$116.00 for the fertilizer, seed, lime, aeration. The quote for the labor to apply that was \$30.00, for a total of \$146.00. The mowing cost would be \$60.00 per mowing, for a total of \$1080.00 for 18 mowings, in addition to \$146.00. The other totals were pointed out on the document: Alamance Lawn Care \$2400.00; Byrd's \$2400.00; Floyd's quote was \$17,000.00. Byrd's has certification, while Alamance Lawn Services does not. Mr. Byrd added some to his quote for doing mulch: 2 yards of mulch for \$55.00, plus \$75.00 for labor. Byrd's quote then becomes \$2530.00. Alderman Sharpe moved to approve Byrd's Lawn Care for mowing at the Town Hall and pump stations. Mayor Pro Tem Tichy seconded. The motion passed unanimously.

There was no further Old Business.

### **NEW BUSINESS**

Mayor Bundren changed the order of the agenda to move the Phase 5 Heritage Glen item to the beginning of New Business.

### **Phase 5 Heritage Glen**

Clerk York distributed the preliminary plat for the fifth phase of Heritage Glen. The current owners are considering selling the land that would be involved in the fifth phase to McPherson Grading. Chris and Kristen Foust, owners of McPherson Grading, were present in the audience. Their company installed the sewer on Alamance Baptist Church Loop. Several years ago, the preliminary plats for all five phases of Heritage Glen were approved. They got as far as the phase of construction drawings, but not beyond that. The real estate market fell and the fifth phase of Heritage Glen was not completed. According to the Subdivision Ordinance, after one year, if something doesn't move forward, the preliminary plat must be approved again. The preliminary plat presented is the exact same plat that was approved before. Once the preliminary plat is approved, the next step is to move forward with construction drawings. Mayor Bundren asked if the plat had been approved by the Planning Board. Clerk York affirmed that the Planning Board had approved the preliminary plat. Mr. Reich stated that he would be glad to answer any questions. The construction zone has been reviewed. The developers hope to transfer the permits approved previously for water and sewer into their name. The only thing different that will come into play is that the Village adopted the Jordan Lake Buffer Rules. There is a stream that runs through there; this may result in a reduction in buildable area. Mr. Reich pointed out the numbers of the lots impacted. Mayor Bundren asked if the lots would need to be smaller. Mr. Reich answered the lot size will not change. You can't do anything in the first 30 feet, then in the next 20 feet, you can clear and grade, but cannot have an impervious area. Mayor Bundren asked if the lots in question could be utilized. Mr. Reich stated that once the top of the banks are located, they will be able to determine this, based on that information. This will need to be shown on the construction drawings. This will need to be one of the requirements for approval. There will need to be erosion control measures, but no permanent storm water control. Mr. Foust addressed the Board, stating that he had told the Planning Board that the 50 foot buffer could make or break the deal. They will have to do some further study on this. If they had to do the new rules with the pond, they wouldn't be there at all. The development costs are getting astronomical because of the Jordan Lake Rules and the storm water projects. Alderman Clemmons raised a question about some of the rough lots. Mr. Foust answered that there are 9 lots that will be started right away. There are some very nice lots. The ones near the creek will be a little challenging. Alderman Clemmons asked if they would need to build a bridge over there. Mr. Foust replied that this would be a big culvert. Mr. Reich commented that he did not know if that had been approved by the Corps of Engineers. He has asked them to look into that. It will need to be approved by the Corps of Engineers and they will have to have a permit from the Corps for the stream impact. Mr. Reich is not sure what the process will be, as the Corps is different from the State. Mayor Bundren thanked the speakers and asked if there were any questions. Alderman Clemmons made the motion to approve the preliminary plat for Phase 5 of Heritage Glen, with the proviso that all storm water rules be done correctly. Alderman Crouse seconded the motion. The motion passed unanimously.

### **Debris Removal**

Mayor Bundren informed that she attended the recent meeting in Graham, along with Alderman Clemmons and Clerk York. A representative from FEMA and a representative from the State of North Carolina spoke about the contract for debris removal. Since the meeting, the Village of Alamance has learned that they can "piggyback" on the contract with the City of Burlington. The City of Burlington had worked on their contract last November and already had everything in place. Alderman Clemmons provided additional information. Haw River, Elon, and Mebane had

chosen to piggyback on the Burlington contract. There was some question at the meeting, because they weren't sure that FEMA would allow that. Mayor Bundren added that the Village has to expend the money upfront, and then be reimbursed by FEMA. Alderman Clemmons stated that the Village wants to make sure that everything is done correctly, so that there will be reimbursement. It was through an email from the County, that they learned that FEMA would allow the Village of Alamance to piggyback on the Burlington contract. Mayor Bundren shared information that the State will be responsible for debris clean-up along NC 62. This will save money as the Village will only contract for the outlying, non-State maintained roads. It may be that Highway 62, Ashe Drive and Birch Drive would be cleaned up first. It will be two different companies, basically, that do the debris removal, the State and another contractor. There had to be that much damage in Alamance County to be FEMA-declared. Clerk York stated that he doesn't think the declaration has yet been made. Mayor Bundren felt that Burlington would soon let their contract, to begin the debris pickup. Clerk York pointed out the bid information from the City of Burlington's bid packet. He introduced Ken Graham, from Phillips & Jordan. Mr. Graham has ridden through the Village and looked at the debris on city maintained roads. He is the contractor and can provide an estimate of what the cost may be. The Village will need to decide where to take the debris. Clerk York has talked with the City of Burlington. Burlington is not allowing others to use their sites. There are a couple of other potential sites that the Village could use. Mayor Bundren asked if these sites were approved. Clerk York responded that they are approved sites. At this point, Ken Graham addressed the Board. They are already working in Burlington, having been there for a week already. They are also already working in Mebane. They will begin working in Elon tomorrow morning. Elon was waiting on an available site to which to haul the debris. Haw River would also like to get going with their clean-up. If the Village of Alamance had waited this long to put out a contract, it would have ended up with the same contractor, but the bids would be a lot higher. When Burlington put the bid out, their estimate was approximately 150,000 cubic yards. There were 11 companies who bid on this; the bid is based on 150,000 yards. If other towns piggyback on this, which is legal in the State of North Carolina, that is why FEMA had to concede. The FEMA checklist says they do not recommend piggybacking—that's not the same thing as not allowing it. Normally, Burlington does have sufficient space, but the two spaces they are asking Phillips & Jordan to use have been used to wind row their leaf collection for the last 7-8 years. There simply is not much space available right now. Northfield Farms, owned by Carl Buckland, has just had another 5 acres approved on Friday. This is where debris from Elon will be hauled. The Martin Brothers, Phil and Larry, have the other property, Key Properties, as an approved site. It's all about location. Mr. Graham stated that the estimate is about 1,000 yards. They can do it with one or two trucks, whatever is the pleasure of the Board. Mr. Graham asked about Heritage Glen and whether it was considered private property. FEMA will not reimburse for private property. Mayor Bundren confirmed that this is all Village property. Mr. Graham summarized that they have been in business since 1952 and having been doing this work for a long time. They have worked at the World Trade Center; they moved 15 million yards after Katrina. They were in downtown New Orleans when it was still underwater. They will still do the smaller jobs, though some companies will not. They try to honor the contracts that they have. Mayor Bundren asked if the Village had a designated site. Clerk York said the options are to take the debris to the Landfill and pay the tipping fee; take it to the Buckland site on Glencoe Road, or to Key Properties on Sandy Cross Road. Clerk York addressed the two numbers that are important to the Village, item #1 and item #4. The cost of \$6.85 per cubic yard, multiplied times the estimate of 1000 cubic yards, totals \$6,850.00. Mr. Graham said that item #4 is the equivalent of a tipping fee of \$2.28 per yard for Key properties, and \$2.50 for Buckland. He said the Burlington contract is unusually specific in that it states 5.62 miles to the Indian Road site. For Elon, they are negotiating a slightly different price to make up the difference, for the site being a little further out. Northfield is still well within the parameter. This is just something to be considered. Mayor Bundren asked about the

Anthony Road site. Mr. Graham replied that this is a Burlington site, and cannot be used. Clerk York said that would have been ideal for the Village. Mr. Graham said his company has heavy equipment there now, and they can certainly move some of Burlington's existing piles. On an average day, now, between the Anthony Road site and the Indian site on Greenwood, by the Indian Valley Golf Course, they are hauling between 5,000-6,000 yards per day from Burlington. An extra 1,000-1,200 yards is not going to be noticeable. Mr. Graham stated that he would talk with Nolan Kirkman about this tomorrow. Clerk York asked about item #4, if the Village was able to use the Burlington site. Mr. Graham responded that this is all dependent on FEMA. South Carolina did get a full blown disaster declaration the week before last. This was a Category A, the one that covers debris. That likely means that this will happen here too. The percentage of the population impacted by the storm is one factor, among three. There is a high likelihood that North Carolina will have this same declaration, though it has not happened yet. The advantage is that Phillips & Jordan has all the forms, so that for all the Village puts out, it is reimbursed. The monitoring is incumbent upon the Village of Alamance. This means a couple of people watch the trucks as they go around. Clerk York suggested that he could do the monitoring while Judy covers the office, or Rob could do the monitoring on the weekend. There are companies that do monitoring, so someone could be hired. Mr. Graham said other municipalities hire through a temp agency. It should only take 3 or 4 days, not very long. The contract is 7 days per week. When you stop hauling, FEMA no longer deems it an emergency. Under the Hurricane Sandy Recovery Improvement Act, there has been a change in the cost share from 75-25 (Federal government reimbursement 75% to State/Municipality cost of 25%) to 85-80-75. For the first 30 days the federal government reimburses 85%, then it drops to 80% for the next 30 days, and after the 60<sup>th</sup> day, it drops to 75-25. The urgency is there. In the old days, the clock did not start ticking until the first stick was picked up. Under the Improvement Act, it's from the date of declaration. In this case, this will probably be March 7, 2014, since this is the date the event occurred. A question was asked about picking up on private property. Mr. Graham restated that they will not pick up on private property. It is right-of-way pickup only. Debris has to be out at the right-of-way. The estimate of 1,000 yards is a pretty good estimate. The DOT will probably not start their pickup until April 1, 2014. There will be coordination. Clerk York provided the estimate cost of around \$11,000.00. Mayor Bundren asked if they needed to designate a site. Alderman Clemmons asked Mr. Graham about a start time for the work. Mr. Graham answered that they have quite a few trucks and equipment on site now. They are starting in Elon tomorrow. The ideal thing would be to pull a truck or two from the other areas and bring in a couple of smaller pieces. It may be three days at the most. When the Board makes the decision and notifies Mr. Graham, he will be better able to tell a start date. Clerk York asked about the next steps he needs to take. In North Carolina, the towns do a MAA, a Mutual Aid agreement. Mayor Pro Tem Tichy made the motion to approve the contract for debris removal. Alderman Crouse seconded the motion. The motion passed unanimously. Clerk York asked about lengths for limbs. Mr. Graham replied that bigger is better, for the equipment.

Alderman Clemmons noted that Heritage Glen's power was restored much more quickly, compared to the older part of the Village, following the recent ice storm. He introduced discussion of ways to help others, in the event of another scenario like this one. He would like for the Village to have a generator at the Town Hall. Alderman Crouse spoke about the school being open in the event of a tornado. Alderman Clemmons suggested establishing a way of reaching out to people in the event of a power outage. Mayor Bundren added it would be great if everyone could check on a neighbor. Clerk York reported that he had received a suggestion about "adopting" a neighbor or a family, in the event of something happening, such as the ice storm. Everyone would have someone that would check on them. He also stated that he could get prices for a generator. Mayor Bundren commented that if one of the church kitchens was open, and had power from a generator, people could bring food to cook there. Alderman

Clemmons suggested a working committee. Mayor Bundren discussed using a questionnaire to determine whether residents wished to be contacted or had special needs. It would be good to know, if a generator were installed at the Town Hall, whether residents would use services. If trees were down, it would be helpful to know if residents needed assistance with clean-up. Are there individuals who would be willing to be part of a clean-up crew? Clerk York offered to compose a questionnaire that would accompany the water bills to be mailed later in the week. Mayor Bundren summarized that she would like to have some means of knowing that everyone in the Village is okay, following an event like the ice storm. The good part is that the Village is not so big, that this cannot be done. It was the consensus of the Board for Clerk York to move forward with developing the questionnaire for mailing.

### **Budget Amendment**

Clerk York addressed the cost incurred from the pump station. The total cost was \$11,154.62. The generator cost \$2000.00, and the Councilman pump station costs were \$4000.00. A way had to be cleared at the Councilman station and a backhoe had to be used to walk the generator down there. At the Highway 62 pump station, a pump-around system was set up, which was a great benefit. Until the power was restored, there was refueling of the generator twice a day. There is about \$12,000.00 remaining in the budget line for sewer maintenance. There needs to be funding available for the rest of the year, in case something happens. The budget amendment adds \$9000.00 to that line item. Usually, Clerk York cuts from one line item and adds to another. This time, he estimated an additional \$9000.00 in income, in the Miscellaneous Income line. Under Operating Revenues for Water and Sewer, the Village does not budget for impact fees, connection fees, etc. Basically, the Village budgets \$100.00, not knowing exactly how much miscellaneous income will be received. So far, the Village has received \$17,000.00 that was not anticipated. Clerk York indicated he felt comfortable raising this miscellaneous income estimate to an additional \$9,000.00. Included in the additional \$9,000.00 is a \$5000.00 assessment on Ashe Drive that was paid, in a judgment. Also, the line that Mr. Christmas paid for, on his property at Birch Lane, is included. Alderman Clemmons made the motion to approve the budget amendment. Alderman Slaughter seconded. The motion passed unanimously.

Clerk York reported on his meeting with FEMA representatives last Wednesday. This was a preliminary meeting that included riding around the Village and looking at the debris. They also talked about the pump stations. Clerk York provided copies of bills and information about what the insurance agency would cover. He speculated that insurance would not cover costs related to the overflow, because the pump station itself did not malfunction. FEMA wants to make sure that insurance will not cover the costs. FEMA also asked how the Village went about selecting C & J Utilities, and whether or not a RFP was used. Clerk York explained there is a list to call if there is a problem with the pumps. In short, the Village will apply for FEMA reimbursement and go through the process to see if this is possible.

### **Budget Meeting**

Clerk York explained that the budget will be presented at the regular May meeting of the Board. The Board will vote on the budget at the June meeting. A date needs to be set for the working meeting for the budget. It was decided to determine the best date for the meeting by email communication.

**Finance Report**

Clerk York observed that there was not a Finance Report in the Board packet. He will renew a \$110,000.00 CD tomorrow at .55% for a year. Last year, the rate was .50%.

**OTHER BUSINESS**

There was no other business.

**PUBLIC COMMENT**

There was no public comment.

Alderman Crouse moved to adjourn and Mayor Pro Tem Tichy seconded. The motion passed unanimously and the meeting was adjourned.

\_\_\_\_\_ Cathera R. Bundren, Mayor

\_\_\_\_\_ Ben York, Village Clerk