



**LUCAMA BOARD OF COMMISSIONERS  
REGULAR MEETING  
MONDAY, MARCH 4, 2024  
LUCAMA TOWN HALL  
BOARD ROOM**

**MINUTES**

**1. Call to Order**

Mayor, Matthew Creech, (hereinafter “Mayor Creech”) called to order the regular meeting of the Town of Lucama Board of Commissioners (hereinafter “Board”) at 6 pm on March 4, 2024.

**2. Roll Call**

Mayor Creech conducted roll call – by use of sign-in. The following were present:

Commissioner, Michael Best (hereinafter “Comm. Best”)  
Commissioner, David Johnson (hereinafter “Comm. D. Johnson”)  
Commissioner, Jeff Johnson (hereinafter “Comm. J. Johnson”)  
Commissioner, Kim Joyner (hereinafter “Comm. Joyner”)  
Commissioner, Jody Teague (hereinafter “Comm. Teague”)  
Interim Town Administrator, Ralph Clark (hereinafter “Admin. Clark”)  
Town Clerk, Dena Owens (hereinafter “Clerk Owens”)  
Utility Billing Clerk, Ashleigh Hooks (hereinafter “Clerk Hooks”)  
Town Attorney, Gabe DuSablou (hereinafter “Attorney DuSablou”)

**3. Approval of Agenda**

Mayor Creech asked for a motion to approve the agenda.

*MOTION: Comm. Joyner made motion to approve the agenda; seconded by Comm. J. Johnson. Motion passed by unanimous vote.*

Mayor Creech made additions to the agenda to include information regarding Greenlight. These items would be inserted in the Old Business section.

*MOTION: Comm. Best made a motion to accept the amended agenda; seconded by Comm. Joyner. Motion carried by unanimous vote.*

#### **4. Approval of Minutes of Last Meetings**

Mayor Creech gave the Board an opportunity to review the proposed minutes from the February 5, 2024, meeting and monthly financial report.

*MOTION: Comm. J. Johnson made motion to approve the February 5, 2024, meeting minutes and financial report; seconded by Comm. Teague. Motion passed by unanimous vote.*

#### **5. Old Business**

Attorney DuSablón reminded the Board of the consideration as to whether to call the Town Board, Town Council versus Town Board of Commissioners. He mentioned that in terms of State Law it is something that the Town can choose. After having the opportunity to review the Town Ordinances for specification, he found that the Town Code of Ordinances does say that the governing Board is to be called the Board of Commissioners. He suggests that it be left as is. He mentioned that if the Board did want to make a change, it would require an ordinance to be referred as Town Council.

Mayor Creech asked for discussion. Comm. Joyner proposed that it remain the same. No vote is required.

Regarding the website update, Mayor Creech mentioned sending out an updated link. Notes regarding changes have been given to both him and Clerk Owens. He asked for approval to publish the website once the changes have been made. Comm. Joyner mentioned that the site is not currently ready as there are changes that need to be made. She doesn't feel it should be voted upon until it is ready to be published with changes in place.

Comm. Joyner asked about the pricing of the site, as to whether a decision had been made about which plan would be used, self-managed or the maintenance plan. Clerk Owens mentioned that she was unaware that the information had ever been brought to the Board. After much discussion, Clerk Owens will get answers to questions regarding monthly costs, cost for domain, etc. and bring it back to the Board.

#### **6. Public Comments**

Gladys Martinez, 306 Boulder Drive, commented that she enjoyed the previous month's meeting and how the mayor carried out the open floor comments after the departments had given their report. She would like to suggest that after department reports are given, citizens have the opportunity to ask questions. She

also suggested prayer and the pledge to the flag be brought back to the meetings. She feels the website is a good idea. She also thanked Admin. Clark for the idea about the light bills last month and stated that it was helpful. She also commended Mayor Creech on the job he is doing.

Victoria Medeiros, 413 Woodcrest Street, has been in discussion with Comm. Best about organizing a Town Yard Sale Day. This event would not be an official Town event. She stated that whoever was interested in taking part in the event would be welcomed. She will be responsible for advertising. She has also been in discussion with Comm. Joyner about the possibility of it coinciding with one of the food truck events.

Victoria also mentioned, regarding the Town's website, that there are plugins that could be put in place for Facebook feed updates.

Comm. Teague asked Victoria where the yard sale would take place. She stated that anyone interested in participating would have the yard sale in their respective yards.

## **7. New Items of Business**

Mayor Creech brought to the Board information regarding the Special Use Permit for alcohol sales. He mentioned the Ponderosa Steak House coming to the Town. Mayor Creech mentioned that this information is not to stifle alcohol sales. He stated that the owner of the Ponderosa also owned a prior night club by the name of The Alibi in Wilson. The Alibi was a significant problem for the City of Wilson. They lost their alcohol license and had a fight out front of the business. Mayor Creech has spoken with the manager of the ABC Board. There is nothing that can currently be done about the business coming in Town. There is no ordinance for sales of alcohol next to a place of worship. It is possible that more establishments of nature will follow. He is proposing two options. A special use permit could be created if any establishment wanted to come into the Town and have alcohol sales, they would have to apply for a special use permit. If the establishment became a problem and violated statutes of the special use permit, the Town would have the ability to revoke it, thus preventing the establishment from selling alcohol. Mayor Creech stated that counsel supported the permit and stated that it would have to be carefully tailored. Another long-term avenue would be to amend the ordinances. He stated that some are out of date and obsolete. Mayor Creech suggested that a special use permit be created due to amending the ordinances taking a fair amount of time.

Attorney DuSablón made a few clarifications. He stated that in order to undertake any regulations of businesses differently than they currently are, an ordinance

revision will need to be made. He suggested that the Town consider the scope of the ordinance revision. One could be specifically aimed at just addressing businesses that sell alcohol, such as night clubs, taverns, etc. The other idea is that the Town Ordinances are in great need of being overhauled in more ways than just businesses that sell alcohol. He stated that numerous issues in the past had inabilities to take action when things come up because the ordinances are out of date, they don't list businesses that want to come to town and are not listed in the use, there are a wide number of issues with the ordinances as they are currently written. Both could accomplish putting in place regulations that would regulate the businesses that sell alcohol. However, one would be more like fixing a leaking pipe versus replacing the full plumbing. In terms specifically with this issue, you can't just make a permit and only adopt that permit to correct the issue. It is more than that. You must create the framework for the permit. You must first define what the businesses are that you are attempting to regulate and require them to have a special use permit. You must define what taverns, bars, and nightclubs are. He mentioned that the Town is prohibited from regulating alcohol sales specifically. What can be done is regulate businesses that sell alcohol, put reasonable restrictions on their location and modes of operation. To create definitions of the types of businesses that you are looking to regulate to require a special use permit, they have to be defined, and then a definition would have to be made of related businesses that you wouldn't want there to be confusion as to whether a business is a night club or bar, or in example of the Ponderosa saying they are a restaurant, then the definition of restaurant making sure that it is defined in such a way as it doesn't include bars, taverns, nightclubs or similar uses. There is a great deal of work that needs to be undertaken to do any of the work. A more limited scope can be done just to regulate businesses that sell alcohol, or the Board can look at a broader revision of ordinances. If it is the latter, he suggested that resources be found where the work can be outsourced, versus being done in the office, which could be done more quickly.

Admin. Clark mentioned that it would be good to have both the zoning ordinances as well as the code of ordinances overhauled. Discussion was rendered and the following motion was made.

*MOTION: Comm. D. Johnson made a motion to get proposals for an overhaul of the Ordinances; seconded by Comm. Joyner. Motion passed by unanimous vote.*

Admin. Clark presented the funding offer from NCDEQ for the Town's Sanitary Sewer Line Replacement and Pump Station Rehabilitation in the amount of \$1,467,500, broken down at \$967,500 in loan and \$500,000 in principal forgiveness grant. The loan is at 0% per annum interest rate and has a loan term of 20 years. The estimated closing cost is \$29,350 and annual payment for the loan is \$48,375. A resolution for acceptance was presented.

*MOTION: Comm. D. Johnson made a motion to approve the resolution accepting the state revolving loan and grant offer in the amount of \$1,467,500; seconded by Comm. Teague. Motion passed by unanimous vote.*

Admin. Clark presented information from NCDEQ grant funding from the Viable Utility Reserve (VUR) of the American Rescue Plan (ARPA) for an Asset Inventory and Assessment (AIA) study for the sewer system. This is grant funding of \$476,400 with no payback. A resolution for acceptance was presented.

*MOTION: Comm. Teague made a motion to approve the resolution accepting the grant offer of \$476,400 for the Sewer AIA study; seconded by Comm. Joyner. Motion passed by unanimous vote.*

Admin. Clark presented information from NCDEQ grant funding from the Viable Utility Reserve (VUR) of the American Rescue Plan (ARPA) for an Asset Inventory and Assessment (AIA) study for the water system. This is grant funding of \$208,360 with no payback. A resolution for acceptance was presented.

*MOTION: Comm. D. Johnson made a motion to approve the resolution accepting the grant offer of \$208,360 for the Water AIA study; seconded by Comm. Joyner. Motion passed by unanimous vote.*

Admin. Clark presented to the Board an amended contract to audit the Town's accounts with Nunn, Brashear, and Uzzell, PA. The contract modifies the due date April 30, 2024, for the fiscal year 2021 audit. He mentioned that the audit should be completed within a few weeks.

*MOTION: Comm. Joyner made a motion to approve the amended contract; seconded by Comm. D. Johnson. Motion passed by unanimous vote.*

## **8. Departmental Reports**

Due to the transition to committees, there were no departmental reports presented.

## **9. Town Administrator's Report**

Admin. Clark mentioned that during the February Board meeting that he noted there were more issues that he would like to address as future topics. His plan was to begin the process at this meeting, but wanted to first make his intentions clear and what it would take to make them reality. Each will be reviewed by the respective committees for their input before they are brought to the full Board. He stated that to make the items successful, that the Board's full support is needed, each getting on the same page with each other and trusting the committees to

have fully reviewed the items or actions. He stated that there were needs that the Town must accomplish to become an efficient and effective organization in service to the citizens and customers. Without the accomplishments, the losers will be the citizens of Lucama, the customers served, and those that voted for the Board and put their trust in them. He stated the importance of the Board being on the same team, like a team of horses, pulling in the same direction, moving the cart down the road, likewise if pulling in different directions the cart goes nowhere.

#### Actions Needed:

- A complete review is needed of the electric cost (purchase power) from the Town's supplier be completed by an outside source to provide the Town with the projected cost for Fiscal Year 24/25. The three towns have in a collective agreement someone that does the projections. He mentioned alternative suppliers should be explored to determine if in the future there is a better option. He stated that the current contract expires in 2025 and that there may be a better alternative, realizing that it is not too early to begin the process. Such takes a great deal of amount of work and time.
- A complete review is needed of the rates that are being charged to the customers and should be conducted by someone qualified and experienced in retail rates.
- A comparison of the kilowatt hours that the Town purchases, as compared to the billing charges should be completed to determine the number of unaccounted for kilowatt hours. The number should not be greater than five percent of the purchase power. He stated that there will always be line losses, but as the cost of electricity continues to increase, the more important it becomes. The numbers should be done on a 12-month spreadsheet showing data so if something unusual happens, it can be noticed quickly. Some work being done is helping, but the number should continue to get as low as possible.
- An electric capital project budget should be started for several projects that have been identified by the Town's electric and director of public works, which needs addressing sooner rather than later. An engineering firm has reviewed the projects and has provided estimates on today's cost. Admin. Clark mentioned that he is currently talking to a utility pole inspection firm that is doing work in the City of Wilson, about the possibility of adding the Town to the project while crews are in the area. Urgency is extended because there are users of the poles that are not paying for use and should be. He stated that although the cost is not a significant amount of money, the Town owes it to the customers to offset any cost that should be paid by

others. Putting these needs into a capital project fund allows all projects to be in one bid package, having one contractor to complete all the work at one time rather than piecemeal work. The areas of work will improve the reliability of the service to the Town's customers and improve the operation of the system.

- A comparison of production of water versus gallons sold, and the treatment of wastewater versus gallons billed is needed. Even though there is a tremendous amount of inflow and infiltration, this comparison will give the Board some magnitude of how much of a problem there is. Admin. Clark mentioned that putting the information into a spreadsheet will allow the Town to monitor how the rates are performing against the cost of operation.

Both spreadsheets for electric and water/sewer could be created in house with minimum training.

- A rate study should be done for water and wastewater. Admin. Clark suggested requesting that the North Carolina Rural Water do an evaluation of the water and wastewater system, which would include rates, personnel, and operational procedures.
- A grant management administrative contact needs to be added to assure that the Town is managing grants and looking out for the best interest of the Town. Admin. Clark mentioned that he has ascertained that there are currently six grants/loans for the Town. Although the COG is handling the administration of most of the grants, there are items left that are the Town's responsibility, such as paying the bills and making sure the reimbursements come to the Town.

Each grant requires a tremendous amount of coordination with the grantee or loaning agency, the contractor, outside professionals participating in the projects and the Board, the responsible agency. He mentioned that there are financial responsibilities that must be monitored and adhered to as the projects progress. Admin. Clark mentioned that one concern is the amount of money that had been committed to as part of the grants, those parts being loans. The loans will impact the rate structures, which determine what the customer pays in their monthly bill.

- An organizational review is needed to right-size the workforce. Admin. Clark suggests that a serious look be taken at the entire organization to determine if there are too many or not enough personnel to perform the tasks the Town currently has, to perform them in a safe and efficient manner, while servicing the citizens and customers of the Town. An

example given was that the Town currently only has one certified person to oversee the water and wastewater operation. There is no back-up for sickness, vacation or even just daily operation duties.

The electric crew is also taking on additional work of the pole replacement program, along with some of the capital projects. Admin. Clark mentioned that it is estimated that when the pole inventory is complete, there will be a range of 250 – 300 poles that will be identified as needing to be replaced. With the current workforce, it is estimated that 10 can be replaced each month. He mentioned the need to develop a trained workforce for tomorrow.

In the grants management and budget preparation, the utility cost versus expenses comparison schedules / monitoring and bringing payroll back in house, could easily add another person.

- A personnel item review is needed. Admin. Clark recommended that the personnel policies and associated items be reviewed and brought up to date. The COG has indicated that they could provide assistance. Admin. Clark mentioned that in his review of current salaries, they appear to be in line, but without job classifications, it is difficult to be certain. Performance pay is nonexistent and will need to start from the beginning and a plan developed that can be implemented throughout the workforce not only in a fair manner but one designed to improve performance and the result in improved employee morale.

In summary, Admin. Clark mentioned that all items will be reviewed by the respective committees for guidance and input as they move forward to the full Board for approval.

## **10. Old Business Revisited**

Mayor Creech mentioned that he failed to report earlier regarding the work being done by Greenlight. He mentioned that in February of 2022, the previous Board voted on a project with Greenlight. He stated that the work started that day, installing fiber optics and equipment. Greenlight mentioned that it is a possibility when doing installation that yards could be damaged. They stated that they would repair any damage. Admin. Clark mentioned that if there was damage not repaired that it would need to be reported to the office, who in turn will work with Greenlight to ensure repairs.

Comm. Joyner mentioned that she was putting out feelers about food trucks. She is in hopes that the food events will begin soon.



Comm. Teague checked with Merimaids about cleaning the Community Building on an on-call basis. The cost is \$120 per hour but must be \$160 minimum. It should take two people for a regular cleaning, even if there for only an hour the minimum is \$160. Over an hour the cost will be \$120 per hour.

Comm. J. Johnson reported that the line crew had replaced 17 poles last month.

Comm. Best reminded the Board about the Easter event taking place at the park on Saturday, March 30<sup>th</sup> from 11 am to 1 pm.

Comm. Best also asked if there were any issues with the town-wide yard sale that Victoria Medeiros presented earlier in the meeting. There were no concerns.

## **11. Adjournment**

Mayor Creech adjourned the meeting at approximately 7:18 pm, March 4, 2024, upon motion of Board.

*MOTION: Motion was made to adjourn by Comm. D. Johnson; seconded by Comm. Joyner. Motion passed by unanimous vote.*

*Respectfully Submitted: Dena Owens, Town Clerk*