

MINUTES
Town of Marshall Board of Alderman
Regular Meeting
September 18, 2023
6:00 p.m.

In attendance were Mayor Nancy Allen, Aldermen Billie Jean Haynie, Thomas Jablonski, Aileen Payne, Christiaan Ramsey, and Laura Ponder Smith. Also in attendance were Town Administrator Forrest Gilliam and Town Attorney Jamie Stokes.

Mayor Allen called the meeting to order at 6:01 p.m.

Item 1

Upon motion by Alderman Payne, seconded by Alderman Ramsey, the Board voted 5-0 to approve the agenda as presented.

Item 2

Upon motion by Alderman Jablonski, seconded by Alderman Haynie, the Board voted 5-0 to approve the minutes from the August 21, 2023 Regular Meeting.

Item 3

Upon motion by Alderman Smith, seconded by Alderman Payne, the Board voted 5-0 to approve An Ordinance Declaring Road Closures for Halloween Safe Treat, Christmas Pageant, and Christmas Parade Special Events.

Item 4

Upon motion by Alderman Smith, seconded by Alderman Ramsey, the Board voted 5-0 to appoint Michael Wolfrey to fill the remainder of the unexpired term of Suzanne DuVall on the Board of Adjustment. The term will expire January 31, 2025.

Item 5

Discussion took place regarding the status of property adjacent to the City Cemetery through which the main access road to the cemetery from U.S. 25-70 currently runs. Attorney Stokes will research the matter and make contact with the owner of the property and report back to the Board at a future meeting.

Item 6

Forrest Gilliam, Town Administrator, shared information with the Board regarding proposed improvements to the Town's wastewater treatment plant as well as additional improvements to the Town's sewer system.

During a special meeting held on August 1, 2023, the Board authorized the Town Administrator to move forward with a grant application to the United States Department of Commerce Economic Development Administration (EDA) for necessary repairs and upgrades to the Town's wastewater treatment plant. The funding opportunity is part of an allocation of funds specific to counties impacted by Tropical Storm Fred in 2021, and requires a 20 percent non-federal match rather than the standard 50 percent match for EDA's regular grant cycle. Since that time, Mr. Gilliam and Mr. Jamie Chandler, Maintenance Supervisor, have worked with the town's consulting engineers as well as grant-writers with the Land of Sky

Regional Council to prepare the grant application and all necessary engineering reports needed for the application. Work is still underway on the application in order to submit it by a September 30 deadline. The proposed project will upgrade the treatment plant's clarifier and construct a new contact chamber for chlorination and de-chlorination. The project proposal will be for no more than \$2.5 million, with the 20 percent match being no more than \$500,000. The local match will come from Water and Sewer Fund reserves. The local match will only be expended if the additional \$2 million from EDA is funded. After the local match expense, funds remaining in Water and Sewer reserves are anticipated to exceed \$800,000, which is sufficient to cover more than one year's worth of Water and Sewer operating expenses.

Upon motion by Alderman Smith, seconded by Alderman Jablonski, the Board voted 5-0 to approve a resolution authorizing the Town Administrator to pursue United States Department of Commerce Economic Development Administration Grant for the purpose of improving the municipal wastewater treatment plant. The resolution authorizes the Town Administrator or his designee to partner with appropriate agencies to write and apply for the grant, and authorizes the Town Administrator or his designee to confirm the local match commitment from the Town of Marshall for an amount no greater than \$500,000.

Item 7

A report the Tax Collection and Water/Sewer collection rates for the month of August was presented to the Board.

The financial report for the month of August was presented to the Board.

Upon motion by Alderman Ramsey, seconded by Alderman Smith, the Board voted 5-0 to approve Budget Amendment #2024-001, which reduces the budget for unspent line items to cover increased expense line items for engineering services for the EDA application for the wastewater treatment plant application, sludge removal work, and immediate clarifier repair.

Upon motion by Alderman Haynie, seconded by Alderman Jablonski, the Board voted 5-0 to approve Budget Amendment #2024-001, which allocates funds from Water and Sewer Retained Earnings to provide the match for the Economic Development Administration grant for improvements at the wastewater treatment plant.

Mayor Allen updated the Board regarding scheduling for the Town's Memorial Day Observance in 2024. The Board had previously agreed to shift the time for the ceremony from 11:00 a.m. to 9:00 a.m. to accommodate a conflict the American Legion had with another ceremony they are participating in for the Town of Black Mountain. Black Mountain has now changed their time and representatives of the American Legion have asked for feedback from the Board regarding moving the Marshall ceremony to 2:00 p.m. After discussion, consensus was that a ceremony that late in the afternoon would likely have less attendance and should be avoided if possible. Mayor Allen will communicate with representatives of the American Legion and report back to the Board.

Mr. Gilliam provided an update to the Board regarding a pending request by Madison County for a \$15 million legislative appropriation to assist with sewer system improvements for the towns of Marshall and Mars Hill. Discussions with the County regarding the use of the funds would be to extend sewer service on NC 213 from each town. For the Marshall end, this would include an extension from the area of Hayes Run Plaza to the intersection of Silver Mill Road. The request includes funds to support improvements to the Town's existing sewer infrastructure that would be necessary to accommodate additional volume created by potential future development in the newly served area. There would be a similar extension on the other end of 213 from the end of Mars Hill's existing line to the area of Bull Creek Road. There is no proposal to connect the sewer systems of the two towns. Both towns emphasized to the county the necessity of having adequate upgrades to existing infrastructure that will see increased use from additional customers. The county was understanding of this necessity and included preliminary cost estimates from each town's engineers in coming up with the amount of funding requested from the General Assembly. It is not known at this time whether the request is funded, but it

will be known when the final draft of the budget agreed to by the House and Senate is passed and signed by the Governor. The conference budget is expected to become public in the coming days or weeks.

Reports from Boards and Community Organizations

- Downtown Marshall Association** – No report
- Board of Adjustment** – No meeting
- Planning Board** – No meeting
- Parks and Recreation** – No meeting

Department Reports

Fire Department – No report.

Police Department – Report in packet

Public Works Department – Jamie Chandler shared the Unaccountable Water Rate, monthly operating reports for wells, and the monthly maintenance report.

Zoning Department – Board of Adjustment will hold a special use hearing regarding a campground application for property located at the corner of Redmon and Frisby roads. Hearing will take place Monday, September 25th.

Public Comment

There was no public comment.

Upon motion by Alderman Haynie, seconded by Alderman Smith, the Board voted 5-0 to enter into closed session pursuant to North Carolina General Statute 143-318.11(a)(3), to consult with an attorney employed or retained by the Town in order to preserve the attorney-client privilege, which privilege is hereby acknowledged for the suit *Firley v. Town of Marshall*.

Upon motion by Alderman Ramsey, seconded by Alderman Jablonski, the Board voted 5-0 to return to open session.

Upon motion by Alderman Jablonski, seconded by Alderman Ramsey, the Board voted 5-0 to adjourn at 7:10 p.m.



Nancy Allen, Mayor



Forrest Gilliam, Town Administrator