

## TOWN OF LITTLETON

## LITTLETON, NORTH CAROLINA

Town Hall  
112 East South Main Street  
July 23, 2019

### BOARD MEETING B ROUNDTABLE SESSION

1. Call meeting to order
2. Motion to approve the agenda
3. Approval of bills from July, 2019
4. Update on lawsuit Layne Heavy Civil and Mack Gay & Associates
5. Commissioner Departments
6. Sterling Harris demolition agreement  
6 ½. Public Hearing for Police Cars
7. Advertising for Demolition
8. Food Truck Information
9. Adjourn

**The Board of Commissioners of the Town of Littleton held the regular monthly Roundtable Session, Tuesday, July 23<sup>rd</sup>, 2019, at 6:30 p.m. at the Littleton Town Hall. Present were Commissioners Bonita Knight, Gerleen Pitchford, Ophelia Gould-Faison, Donald Spragins, Stephen Barcelo, and seven members of the public. Mayor K. Owen Scott presided over the meeting.**

Mayor Scott called the meeting to order at 6:30 p.m. Commissioner Pitchford noted that an additional item needed to be added to the agenda. Commissioner Barcelo made a motion; seconded by Commissioner Knight to approve the agenda with the addition of “Public Hearing for Police Cars” added between items 6 and 7. Motion voted and carried unanimously.

**Approval of the bills from July, 2019** – The bills from the new fiscal year were presented. A number of bills were clarified as being yearly dues for the start of the fiscal year. Commissioner Barcelo made the motion; seconded by Commissioner Spragins to approve the bills as presented.

**Update on lawsuit Layne Heavy Civil and Mack Gay & Associates** – Mayor Scott read the statement as provided by Attorney Kris Gardner “As required by N.C. General Statutes § 143-318.11(a)(3), I am required to report a settlement to the Board of Commissioners involving litigation related to the Town’s wastewater collection system. As many of you know, the Town filed a lawsuit in 2016 against Layne Heavy Civil and Mack Gay & Associates (Halifax County Superior Court No. 16-CVS-30). The Town alleged that Layne failed to properly repair a substantial number of the Town’s sewer service lines. The Town further alleged that Mack Gay failed to properly supervise the work. Ultimately the court ruled that the Town did not timely file the lawsuit, and all claims were dismissed based on the statute of limitations. This decision

was affirmed by the state appellate courts. Thereafter, the Town considered legal action against a former town attorney. The attorney denied liability. However, the attorney's insurance carrier agreed to a settlement in the amount of \$875,000 in exchange for a full release by the Town. The Town has agreed to accept the settlement. This matter is now closed." No motion was needed but the note was made from a previous motion that the funds would be deposited in a separate account to be used to repair the sewer infrastructure specified in the lawsuit.

**Commissioner Departments** – Commissioner Gould-Faison stated that she would like to step into the Water & Sewer Commission. She had intended to do so as she applied to replace Water & Sewer Commissioner Debnam. Commissioner Gould-Faison also stated she was signed up for a course on August 5<sup>th</sup> on applying for grants for Wastewater and Drinking Water. Commissioner Barcelo stated that he supported her plan and would be happy to help Commissioner Gould-Faison whenever she needs his prior knowledge or experience. Commissioner Spragins made the motion; seconded by Commissioner Knight that Commissioner Gould-Faison's commission would be Water & Sewer and Commissioner Barcelo's commission would remain Streets. The motion voted and carried unanimously.

**Sterling Harris demolition agreement** – The Commissioners tabled this until Town Clerk Eller returned to give more details on this agreement.

**Public Hearing for police cars** – Commissioner Pitchford stated a public hearing is needed before the money can be granted to the Town. She stated that the public hearing needs to be advertised 1 time in 1 newspaper 10 days before the hearing and she requested that the Public Hearing date be August 13<sup>th</sup> at 6:15pm before the next Town meeting.

**Advertising for demolition** – Commissioner Pitchford stated that she would like to advertise for bids for the demolition of 9 dilapidated properties. She stated that the bid opening would be at August 1<sup>st</sup> at 2pm. Commissioner Pitchford explained that all of the people on this list had been notified and given a 90 day time frame to fix or demolish the house and for all 9 properties the 90 days had passed. Attorney Kris Gardener stated that the next step for the Town is to adopt an ordinance authorizing the demolition for each property. Each ordinance needs to be filed with Halifax County and the cost incurred by the Town would act as a lien against the property. If the property was ever sold the cost would need to be paid before the conveyance could be made. Commissioner Gould-Faison asked if the separate owners would be notified of the cost of demolition. Attorney Kris Gardner stated that once the Ordinance for Demolition is advertised it would be up to the owners. Commissioner Spragins made the motion; seconded by Commissioner Pitchford to advertise for bids in the paper and have the bids be opened on August 1<sup>st</sup> at 2:00pm.

**Food Truck information** – Mayor Scott stated he has gathered a number of Food Truck regulations that other Towns have and is working on creating a general Food Truck policy. Kris Gardner did recommend that the Town require Food Trucks register with the Town for liability and informational purposes. Commissioner Gould-Faison stated that the Halifax County health department does not have specific food truck regulations, but food trucks must be certified by the state. The county does issue event specific permits, and non-profits do not need the permits.

Commissioner Knight mentioned that Enfield charges \$10 per vendor at any time for Town hosted events. There was further discussion about vendor fees but no motion was made.

Commissioner Knight made a motion; seconded by Commissioner Barcelo to adjourn. Motion voted and carried unanimously.

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Holly Barcelo, Assistant Town Clerk