



Town of Pilot Mountain
Town Hall 124 West Main Street Pilot Mountain, NC 27041
Monday, July 13, 2020, 7:00 PM
Meeting will be available via Facebook Live

BOARD OF COMMISSIONERS REGULAR MEETING AGENDA

Call to Order/Moment of Silence/Pledge of Allegiance

Adoption of Agenda

Public Comment

Anyone may speak on any issue. Before speaking, please state your name and address. Please limit comments to three minutes. Comments may also be submitted via email to publiccomment@pilotmountainnc.org.

Consent Agenda

1. Approval of Minutes
2. Appointment of ABC Board Member

Board & Committee Reports

3. ABC Board Report

Unfinished Business

4. Animal Ordinance Amendments

New Business

5. Cemetery Maintenance Discussion
6. Solid Waste Ordinance Amendment
7. Water/Sewer Tap Discussion

Administrative Reports

8. Town Manager & Staff Reports

Mayor and Commissioners Comments

Other Business

Adjourn

**Town of Pilot Mountain
Board of Commissioners Work Session
Tuesday, June 2, 2020 at 6:00 PM**

Members Present: Mayor Evan Cockerham, Commissioner Kimberly Quinn, Commissioner Donna Kiger and Commissioner Scott Needham

Staff Present: Town Manager, Michael Boaz and Town Clerk, Holly Utt

The following items were discussed: Fiscal Year 2020-2021 Budget

Mr. Boaz review the proposed budget. He noted that the budget was balanced with no tax increase. There will be an increase to the base rate of water and sewer of \$1.00 each and a volumetric increase of 2%. There will also be a no increase in the solid waste fee. Mr. Boaz noted that the budget was balanced with estimated ABC store profits of \$90K. There will be no salary increases for staff and no additional employees budgeted.

Expenditures:

10-4110 – Governing Body

- Total of 63% decrease compared to current FY due to easements being paid out in the current year

10-4120 – Administration

- Total of 9% decrease compared to current FY

10-4490 – Community & Economic Development

- Money has been budgeted for the land use plan but that can be put off. It was the consensus of the Board to leave the budgeted amount and wait until later in the fiscal year to select a vendor.

10-4495 – Downtown Revitalization

- Total of 22% decrease compared to current FY
- Consider using staff for code enforcement

10-4510 – Public Safety

- No change from current FY
- It was the consensus of the Board to only budget for 1 vehicle instead of 2 to complete the take home vehicle program
- Body cameras and radios are budgeted but there is a possibility of receiving a grant to cover the cost of that equipment

10-4560 – Streets

- No major changes

10-4570 – Powell Bill

- No increase
- Plan to sell the large dump truck and salt spreader and possibly purchase a brine system and smaller salt spreader since the town will take over maintenance on Main Street.

10-4580 – Sanitation

- No major changes

10-4620- Pilot Center

- No changes

10-4630 – Library

- No major changes

10-9100 – Debt Service

- This department covers debt service for the following: Pilot Center Loan, Backhoe/Dump truck and truck payment

60-7000 – Non Departmental

- Includes debt service payments on the following: Dump truck, WS GO Bonds, Water Lines & Plant, Water Meters and tractor
- No new debt service – the Sunset Sewer Project debt service will begin May *after* the project is complete

60-7700 – Water Administration

- No change

60-7810 – Production

- No change

60-7815 – Waste Water Treatment

- Small increase due to ORC working both water and waste water

60-7820 – Line Maintenance

- Increase of 9% compared to current FY

95-7000 – Capital Reserve

- No change

Respectfully Submitted:

Attest:

Holly Utt
Town Clerk

Evan Cockerham
Mayor

**Town of Pilot Mountain
Board of Commissioners Meeting
Monday, June 8, 2020
Regular Meeting 7:00 PM**

Members Present: Mayor Evan Cockerham, Commissioner Donna Kiger, Commissioner Hilda Willis, Commissioner Kim Quinn and Commissioner Scott Needham

Staff Present: Town Manager, Michael Boaz and Town Clerk, Holly Utt via Facebook Live

Call to order 7:00 PM

Mayor Cockerham called the meeting to order at 7:00 PM. Mayor Cockerham led the pledge of allegiance and held a moment of silence.

Adoption of Agenda

Mr. Boaz stated that the ABC Board has asked that the Board re-appoint Elton Crutchfield through August 2022. Commissioner Quinn made a motion to add discussion of the ABC Board member to the agenda and it was unanimous. Commissioner Quinn made a motion to adopt the agenda as amended and it was unanimous.

Public Hearing on FY 2020-2021 Budget

Mayor Cockerham opened the public hearing for the proposed FY 2020-2021 budget.

No comments from the public.

Mayor Cockerham closed the public hearing.

Public Comment

The following public comments were read by Mr. Boaz:

Chad Motsinger, 211 Stone Drive, Pilot Mountain, NC 27041

Town of Pilot Mountain Board of Commissioners,

While it is imperative that the Commissioners of Pilot Mountain meet to discuss and debate issues regarding the people they represent, it is just as important that their constituents' voices are also heard and taken into consideration when making impactful decisions largely affecting their lives. Because of the hectic times in which we live, a decision regarding the rezoning of property on Golf Course Rd to make way for a large apartment complex is largely unfair to those that the decision will affect.

Due to the coronavirus, it has been proposed that these meetings should be broadcasted via Facebook Live to ensure that all who want to participate can participate. This solution to the problem is largely out-of-touch with the affected constituents, as many of those who are affected are senior citizens. Most in this demographic have very little experience using social media at all, and likely do not have a Facebook account. This alone would hold back a large portion of the affected population from making their voices heard, and would place a dampener on the larger voice of the people.

Another proposal was to push the meeting date back to July 1st. This would also be very unfair to the constituents, as the date falls on the week of Independence Day. Many of the constituents have vacation plans over this week due to the holiday, and a large amount of those affected would be unable to voice their opinions.

Both of these proposed solution already make a largely unfair situation even more one-sided, as the vast majority of those affected have no vote in the election of the commissioners despite the commissioners having jurisdiction over them. Please, level the playing field and accommodate every member of the community, especially those who are affected the most.

Karrie Tilley, 609 Highgrove Drive, Chapel Hill, NC, Golf Course Road, Land Owner

To whom it may concern,

A meeting developed to help our community deepen conversation about housing, offset from the town in a rural neighborhood, should possibly wait until the neighborhood voices can be heard. I don't believe Facebook is acceptable.

Chelsea Wheeler, 135 Heidi Court, Pilot Mountain, NC

I am dumbfounded. As a life-long resident of the Golf Course Road area, I don't understand why the board would pursue conducting a meeting of this extreme importance using a platform that alienates the very target audience they're trying to reach. The closest property owners you seek to involve in this decision do not have Facebook, and do not participate in online services. Furthermore, they nor the rest of the residents (where the demographic is older post retirement age) in close proximity to the proposed commissioner job being responsible to the voters? It's hardly fair to make an everyday life changing decision for people who are unable to vote for you.

The sole beneficiary of pushing this re-zoning forward in these trying times is the developer who stands to profit. I urge you to table this re-zoning to foster a sense of inclusion for the community that is being affected.

Small communities such as ours, are built on years of trust and strong relationships. You should be offering more flexibility or tabling the discussion to a time when we are not being affected by a worldwide pandemic. Let's do the right thing and strive to let all voices be heard in a way that works for the entire audience. Please postpone this rezoning. Thank you for your consideration.

Aric Bullington, 150 Deer Trace Lane, Pilot Mountain, NC

First, I still think the town should make a better effort to keep the citizens informed in a timely manner as to the agenda of these meetings. The agenda for a Monday meeting was not posted until around lunch time on the Friday before. It doesn't have to be the entire agenda packet, but a summary could surely be posted by mid-week before the Monday meeting.

Secondly, I realize that this is not the forum to address the rezoning on Golf Course Road that is on everyone's mind. I do not intend to address that rezoning directly, but from a general ETJ standpoint. While this board may currently have legal authority to hear a matter in the ETJ, I don't feel that it has the moral authority. I don't think this board should be making decisions that GREATLY affect property owners that cannot vote for them and to which this board has no accountability. I asked over a year ago

that you consider a policy that follows Mount Airy's lead and return the zoning power in the ETJ back to the county government. To my knowledge, there has been exactly zero discussion on that. If the county was to approve a rezoning request adjacent to the town limits, the owner is likely going to ask to be voluntarily annexed anyway and you would have control over it at that point. I would submit that this board has a moral obligation to table any requests in the ETJ and move to returning that authority back to the county in an expeditious manner.

Lastly, if you choose to press forward with the rezoning hearing, I would also respectfully advise caution in the rules that have been proposed and/or adopted for the June 29th public hearing. Ground rules may certainly be established for public hearings, but this should respect the First Amendment rights of the citizens and said restrictions should only apply to time, place and manner of the speech but not the content. Both positive and negative comments must be permitted. There are numerous legal precedents that would apply. Thanks.

Consent Agenda

- May 11, 2020 Regular Meeting Minutes

Commissioner Needham made a motion to approve the consent agenda and it was unanimous.

ABC Board Report

Mr. Boaz stated that sales for the month of May 2020 were \$167,640. This is a 45.7% increase over May 2019 sales of \$115,031.

Unfinished Business

Set Public Hearing for Rezoning Request

Mr. Boaz explained that staff has recommended that the Board adopt the resolution that sets the rules and time and date for the public hearing on the re-zoning of 10 acres on Golf Course Road. The hearing will be scheduled for June 29, 2020 at 6:00 PM. The meeting will be live and in person with social distancing. There will only be one person allowed to speak at a time due to social distancing guidelines. Comments will also be accepted by email. Mr. Boaz addressed the comments regarding postponing the public. He explained that the Board is required to give the applicant due process which includes a public hearing in a timely manner. The applicant has a deadline of July 10th – 15th to submit their information to the state for tax credits. There is not an option to postponing the hearing indefinitely. Mayor Cockerham stated that the original hearing had been scheduled for March and was postponed due to concerns of COVID-19. Discussion ensued about the location to hold the public hearing due to social distancing guidelines regarding social gatherings. Commissioner Needham made a motion to adopt Resolution R2020-10 with the following changes: change meeting place to the Pilot Center, remove voicemail comments and add a PA speaker in the lobby for the meeting, and it was unanimous.

Bullington Lane Discussion

Mr. Boaz explained that the Board had received complaints over large trucks on Bullington Lane. The major concern is the width and the capacity to support two-way traffic. After review by staff, it was recommended to make Bullington Lane one way with traffic flowing from Old Highway 52 bypass to E. Main Street. The first ordinance would make Bullington Lane one-way and the second ordinance would prohibit left turns off of Hamlin Street. Commissioner Kiger made a motion to adopt Ordinances O2020-05 and O2020-06 and it was unanimous.

New Business

FY 2020-2021 Rate Schedule Approval

Mr. Boaz explained that the rate schedule is adopted every year and it contains the new water and sewer rates and also rate changes to the planning and zoning fees with all other fees remaining the same. Commissioner Willis made a motion to approve the 2020-2021 rate schedule and it was unanimous.

FY 2020-2021 Budget Ordinance Approval

Mr. Boaz presented the budget ordinance for FY 2021. This budget projects a 14% loss in sales tax revenue and a 1% loss in property tax revenue. There are no changes to the property tax rate or sanitation fee. There will be an increase to the water/sewer minimum and an increase to the per gallon charge. The budget does not represent any increases to employee compensation, no new staff and no significant changes to capital or operations. Commissioner Needham made a motion to approve the budget ordinance for FY 2020-2021 and it was unanimous.

Animal Ordinance Discussion

Mr. Boaz explained that the Board had received public comments in past meetings about the animal ordinance and keeping chickens inside the city limits. He asked the Board for direction on if and how they want to proceed. Commissioner Needham stated that many municipalities much larger than ours do allow citizens to have chickens. He has done some research and the municipalities do permitting for chickens to make sure citizens are in compliance with the regulation that they have set forth. He stated that with the pandemic people are looking to gardening and doing more activities to self-sustain. Commissioner Kiger asked that they get feed-back from other municipalities that had reported issues with citizens owning chickens, just to see the whole picture. Commissioner Quinn asked who would act as code enforcement for this, due to not having staff to enforce compliance. It was the consensus of the Board to reach out to other municipalities to see what negative effects they have had before the Board gives it consideration.

Administrative Reports

Town Manager's Report

- Mr. Boaz stated that the smoke testing of sewer lines would begin the week of June 15th. This is part of the Asset Inventory and Assessment project. This testing will show any breaks in the lines or unauthorized connections. The smoke is color-less, odor-less and is completely safe.
- Mr. Boaz encouraged customers to continue to pay their utility bill. Even if they whole amount cannot be paid, just pay what you can to avoid a large bill and possible disconnection after the governor's order has expired. At that time, the full bill will be due. If there is anyone that cannot pay their bill in full, call the office and set up a payment plan.
- Planning Board - There are two in Town seats and one out of Town seat that either has expired or will expire in the next few months. Applications are currently being accepted and those are available on the website www.pilotmountainnc.org.
- A special meeting will be held on June 29th prior to the public hearing to discuss final year end budget amendments to the FY 2019-2020 budget.
- He reminded everyone to fill out the census paperwork that has been sent out

Commissioner Kiger asked when the stream bank restoration would begin. Mr. Boaz stated that it has to be completed by November so he is guessing no later than August or September.

Commissioner Kiger asked about the timeline for the local street paving project. Mr. Boaz stated that the funding has been approved and secured. The issues are having the LGC approve the debt and NC DOT give the go ahead on the project. The process has been slowed due to the Covid-19 and

some of the projects are running behind. He hopes to be able to do some of the streets this year but is unsure of the DOT's ability to enter into contracts.

ABC Board Member Discussion

Commissioner Quinn suggested taking applications for the spot on the ABC Board and taking it up at the next meeting.

Mayor and Commissioners Comments

Commissioner Needham: He noted things that had happened so far in 2020. It has been a very scary time both emotionally and financially. But as a person there are two pandemics happening in the country and one of them is under a year old and one is over 400 years old. He has been uplifted by the peaceful protests in our area and the police in our area have participated. There are a lot of things that have been taken for granted. He feels that we are lucky in this area that we have good police officers that treat people with respect and are very supportive. He commended all law enforcement for their service. He stated that it was horrific the way people of color had been treated in certain areas of the country. Racism has mutated over the years and the underlying problems were not taught in school. He encouraged people to keep an open mind and see that other people are hurting. He asked that people be kind, loving and respectful to one another and when they see injustice, be able to speak out against it.

Commissioner Kiger: She agreed with the other Board members. The nation is hurting and she hopes we can heal this divide. She stated with all the negativity she is glad to hear that the town did not have to furlough employees because it is important to keep moving forward. She also mentioned having the police department check on E. Main due to people speeding up and down the street.

Commissioner Quinn: Commented that she supports the Black Lives Matter movement and she was proud of the police departments that had participated in the peaceful protests.

Commissioner Willis: No comment. She acknowledged the comments that had been made and thanked them for those.

Mayor Cockerham: Commended Commissioner Needham for his comments. He stated that it was very encouraging to see the country come together in response to George Floyd's murder. He is glad to see people calling on others to make changes and create a more just society and live in. He is thankful for the community that we live in.

Adjourn or Recess

Commissioner Kiger made a motion to adjourn and it was unanimous.

Respectfully Submitted:

Attest:

Holly Utt
Town Clerk

Evan Cockerham
Mayor



APPLICATION FOR APPOINTMENT TO A BOARD/COMMITTEE

The Town of Pilot Mountain appreciates your interests in serving on a Board/Committee and requests that you complete the following application. This application requests general information based on your interest in applying for a Board or Committee and assists in determining eligibility for appointment.

Contact Information:

Name: ELTON CRUTCHFIELD Date of Application: 6/30/20
Mailing Address: P.O. Box 532 PILOT MOUNTAIN NC 27041
Physical Address: 345 STONE HAVEN DR. PILOT MOUNTAIN, NC 27041
Phone Number: 336 3684814 Alternate Phone Number: 336 374 0402
E-mail address: EKCRUTCH@EMBARQ MAIL.COM

Residency

Do you reside in: ☐ Town Limits ☐ ETJ N/A Length of residence in Pilot Mountain: 42 Years
10 Months

Interest

Please indicate below the Boards or Committees you are interested in serving on:

☐ Planning & Zoning Board ☐ Board of Adjustment ☐ Tourism Development Authority ☒ Other ABC BOARD
Questionnaire (Please attach additional sheets if needed)

Why do you want to serve on this board/committee? TO CONTINUE MY SERVICE AS A CURRENT BOARD MEMBER.

Why do you think you would be an asset to this board/committee? EXPERIENCE AND DUTIES AS SECRETARY ON CURRENT BOARD.

What do you feel are your qualifications for serving on the board/committee requested? MY SIX YEARS EXPERIENCE.

What areas of concern would you like to see the board/committee address? ADDITIONAL FULL TIME EMPLOYEES.

Prior Public Service Experience (Boards/Committees/Civic groups - Please include dates of service): WINSTON SALEM JAYCEES 1968-1971, KING JAYCEES 1976-1977, PLFD BOARD 4 2012-2020. PILOT MOUNTAIN PLANNING BOARD 2010-2012 (SEE BELOW)

Has any formal charge of professional misconduct ever been sustained against you? If yes, please explain. NO

Is there any possible conflict of interest or other matter that would create problems or prevent you from fairly and impartially discharging your duties as an appointee of the Board of Commissioners? If yes, please explain. NO

Additional Comments:

FIRST PRESBYTERIAN CHURCH SESSION. PILOT MOUNTAIN ABC BOARD 2013 - 2019 (2014-2020)

Ethics Guidelines for Town Boards

(Please check if you agree)

☐ Yes, if appointed, I pledge to comply with the following ethics guidelines for boards as adopted by the Town of Pilot Mountain.

Members of boards shall not discuss, advocate, or vote on any matters in which they have a conflict of interest or an interest which reasonably might appear to be in conflict with the concept of fairness in dealing with public business. A conflict of interest or a potential conflict occurs if a member has a separate, private, or monetary interest, either direct or indirect, in any issue or transaction under consideration. Any member who violates this provision may be subject to removal from the board.

If the board believes he/she has a conflict of interest, then the member should ask the board to be excused from voting. The board should then vote on the question on whether or not to excuse the member making the request. In cases where the individual member or the board establishes a conflict of interest, then the board member shall remove themselves from the voting area.

Any board member may seek the counsel of the Town Attorney on questions regarding the interpretation of these ethics guidelines or other conflict of interest matters. The interpretation may include a recommendation on whether or not the board should excuse himself/herself from voting. The board may request the Town Attorney to respond in writing. I understand that is application is a public document. Additionally, I understand that some committee appointments require a criminal background check.

ELTON CRUTCHFIELD
Print Name


Signature of Applicant

6/30/20
Date



TOWN OF PILOT MOUNTAIN
BOARD OF COMMISSIONERS MEETING

ABC Board Report	
<u>Background Information:</u>	
ABC Board Chairman Billy Pell will give the monthly ABC report. Sales for May 2020 \$167,640 Increase of 45.7% over May 2019 sales of \$115,031	
<u>Staff Recommendation:</u>	Information only
<u>Possible Board of Commissioner Actions</u>	
• Take no action	
<u>Attachments</u>	
• None	



TOWN OF PILOT MOUNTAIN
BOARD OF COMMISSIONERS MEETING

Animal Ordinance Amendments	
<u>Background Information:</u>	
The Town has been contacted about the possibility of allowing property owners to keep chickens under certain conditions. The Board asked that staff conduct some research on what other municipalities in the State allow and to report back. In the meantime, staff was also contacted about the possibility of allowing potbellied pigs to be kept inside the Town limits, and so staff added this to the research. Attached is a memo concerning staff's findings on what other municipalities allow.	
<u>Staff Recommendation:</u>	For information only
<u>Possible Board of Commissioner Actions</u>	
• Direct staff to prepare ordinance amendment regarding chickens, potbellied pigs, or both. • Take no action	
<u>Attachments</u>	
• Staff Report	

North Wilkesboro

4-18. - Keeping livestock, fowl and swine.

No person may keep within the town any permissible livestock, swine, and/or fowl except in accordance with this section.

- (a) There shall be one and one-half acres of cleared land for each cattle, or horse kept.
- (b) There shall be a minimum one and one-half acres of cleared land where goats are kept with a maximum of ten goats per acre of cleared land.
- (c) Each cattle, horse, goat or other livestock animal must be located on said cleared land.
- (d) It shall be unlawful for any person to maintain, keep, house or stable any horse, mule, pony, cow, sheep, goat, or other livestock within one hundred feet of any residential or commercial building, school, church, or other establishment.
- (e) The keeping of hogs, pigs, or swine in any building, pen, enclosure or other place is hereby declared a nuisance and injurious to adjoining property owners and to the public, and the keeping of hogs, pigs or swine, for the protection of the public health, is prohibited; provided, however:
 - (1) One and only one pig may be kept as a family pet, provided that such pig shall not weigh more than one hundred pounds and be of that strain or type of pig known as Sus, species scrofa, variety f. domestica (popularly known as Vietnamese pot-bellied pig). Any stable or other structure in which the pig is kept shall be maintained in a clean and sanitary condition and that the stable or shelter shall not be located nearer than one hundred feet from any residence other than the residence of the owners of the pig. The conditions and surroundings where the pig is kept shall be maintained in a manner approved by the Wilkes County health department and shall further be kept in such a manner that no odors from such pig shall be offensive or disturbing to residents of surrounding or adjoining properties.
- (f) It shall be unlawful for any person to maintain, keep or house any fowl within one hundred feet of any residential or commercial building, school, church, or other establishment.
- (g) It shall be unlawful to permit any fowl, including but not limited to chickens, ducks, geese, turkeys, guineas, or other fowl to run at large.
- (h) Any fowl kept within the corporate limits of the town must be contained by a fence, building, or other enclosure that will ensure that the fowl will not run at large.
- (i) Any fowl found running at large may be taken into possession and/or destroyed by the police department or Wilkes County animal control department.
- (j) No more than three fowls, including but not limited to chickens, ducks, geese, turkeys, guineas, or other fowl may be kept on a lot containing less than one acre.
- (k) No more than six fowls, including but not limited to chickens, ducks, geese, turkeys, guineas, or other fowl may be kept on a lot containing one acre or greater.

(6-29-04, § 5 (part).)

Chapter 6 - ANIMALS AND FOWL¹¹

Footnotes:

--- (1) ---

Cross reference— Fishing, hunting, etc., in cemeteries, § 14-31(9); animal waste, § 26-15; riding animals, driving animal drawn vehicles, § 42-6; sanitation, ch. 62; horse drawn vehicles, § 78-291 et seq.

State Law reference— Dogs generally, G.S. 67-1 et seq.; confinement of certain dogs, G.S. 106-378, 106-380, 106-381; abuse of animals, G.S. 160A-182; regulation of domestic animals, G.S. 160A-186; possession or harboring of wild animals, G.S. 160A-187; authority of city to levy tax on keeping of domestic animal, G.S. 160A-212.

Sec. 6-1. - Enforcement of chapter; penalties.

- (a) Violations of the provisions of this chapter, except sections 6-8, 6-9, 6-10, 6-11, 6-12(b), 6-15 and 6-17, shall not constitute a misdemeanor or infraction punishable under G.S. 14-4, but instead shall be subject to a civil penalty of \$20.00 for each day that the violation continues beyond the fifth day and the civil remedies provided in G.S. 160A-175. Where there is reasonable cause to believe that any person has violated any provision of this chapter, except sections 6-8, 6-9, 6-10, 6-11, 6-12(b), 6-15 and 6-17, a notice of violation may be issued, requiring the violation to be abated within five days of the date of the notice. Failure to abate the violation within five days shall subject the violator to a civil penalty of \$20.00 per day for each day the violation continues after the fifth day. A violation of the provisions of this chapter, except sections 6-8, 6-9, 6-10, 6-11, 6-12(b), 6-15 and 6-17 shall constitute a nuisance. If the city abates the nuisance in accordance with the procedures set out in chapter 62, the costs of abatement, a lien in accordance with subsection 62-3(d), and the civil penalty shall be assessed against the property owner. If a violator fails to pay the civil penalty within ten days after being notified of the amount due, the city shall seek to recover the penalty, together with all costs, by filing a civil action in the general court of justice in the nature of a suit to collect a debt.
- (b) A violation of section 6-8, 6-9, 6-10, 6-11, 6-12(b) 6-15 or 6-17, or any part thereof, shall constitute a class 3 misdemeanor and shall subject the offender to a fine of not more than \$500.00.

(Code 1975, § 3-20; Ord. No. 4567, § 1, 1-16-07; Ord. No. 4622, § 1, 5-19-08; Ord. No. 4642, § 1, 1-26-09; Ord. No. 4657, § 4, 6-15-09; Ord. No. 4819, § 1, 5-19-14)

Sec. 6-2. - Running at large prohibited.

It shall be unlawful for any owner to permit any animal belonging to him to run at large upon the streets of the city.

(Code 1975, § 3-1)

Sec. 6-3. - Keeping pigs prohibited.

It shall be unlawful for any person to keep pigs within the corporate limits of the city.

(Code 1975, § 3-3; Ord. No. 4456, § 1, 6-16-03)

Charter reference— Authority of city to regulate or prohibit the keeping of hog pens within the city limits, § 37(12).

Sec. 6-4. - Keeping horses, mules, donkeys, goats, sheep, or cattle.

- (a) *Shelter and sanitation.* Any person who keeps, feeds or maintains horses, mules, donkeys, goats, sheep, or cattle in the corporate limits of the city shall maintain an adequate fence within which they are kept and an appropriate shelter therefor, and maintain the same in a clean and sanitary condition. There shall be provided a bin or pit which shall be watertight and so arranged that it is fly-proof, or a watertight barrel with a close-fitting lid. Manure accumulating shall be placed in the bin, pit or barrel each day, and the manure shall be removed at intervals not longer than five days beginning on March 15 and continuing until September 15 of each year, and at intervals of one week from September 16 to March 14 of each year.
- (b) *Location of shelter.* It shall be unlawful for any person who keeps, feeds or maintains in the city any horse, mule, donkey, goat, sheep or cattle to place the shelter, housing or fencing for said animals within 50 feet of the property line of any adjoining lots or parcels of land unless a special use permit has been obtained pursuant to Section 6-1.4 of the Unified Development Ordinance.

(Code 1975, §§ 3-2, 3-4; Ord. No. 4456, § 1, 6-16-03; Ord. No. 4535, § 1, 10-24-05; Ord. No. 4613, § 1, 3-3-08; Ord. No. 4622, § 1, 5-19-08; Ord. No. 4768, § 1, 11-5-12)

Cross reference— Sanitation, ch. 62; horse drawn vehicles, § 78-291 et seq.

Sec. 6-5. - Keeping ponies.

- (a) *Fencing and housing.* Ponies may be kept within the corporate limits of the city, provided they are safely and securely enclosed by fences, and provided they are properly housed. Such housing shall be not nearer than 20 feet to any property line and in no event nearer than 50 feet to the principal building on any adjoining property.
- (b) *Sanitation.* At all times the housing and the premises shall be maintained in a sanitary manner. There shall be provided a bin or pit which shall be watertight and so arranged that it is flyproof, or a watertight barrel with a close-fitting lid. Manure accumulating on the premises shall be placed in the bin, pit or barrel each day, and the manure shall be removed from the premises at intervals not longer than five days beginning on March 15 and continuing until September 15 of each year, and at intervals of one week from September 16 to March 14 of each year.
- (c) *Definition.* For the purpose of this section, any animal called a colt, horse or pony should be considered as a pony if it measures 14½ hands or less at the withers.

(Code 1975, § 3-5)

Sec. 6-6. - Keeping chickens or other fowl and pigeons.

- (a) *Sanitation for chickens or other fowl and pigeons.* Any person who keeps, feeds or maintains chickens or other fowl and pigeons in the corporate limits of the city shall provide a bin or pit which shall be watertight and so arranged that it is fly-proof, or a watertight barrel with a close-fitting lid. Manure accumulating shall be placed in the bin, pit or barrel each day, and the manure shall be removed at intervals not longer than five days beginning from March 15 until September 15 of each year, and at intervals of one week from September 16 to March 14 of each year. Likewise, uneaten feed shall be placed in the bin, pit or barrel each day, and removed at the intervals specified above

for manure. The slaughter of chickens or other fowl for personal use is allowed only on the property where the chickens or fowl are kept. The slaughter shall not be visible from public areas, the public right-of-way or any adjacent property. The slaughter must be performed in a sanitary manner with the proper disposal of all waste materials.

(b) *Sheltering and limits on the number and type of chickens or other fowl:*

- (1) *Enclosed run.* Chickens or other fowl shall be kept in an enclosed run. Said enclosure shall be a minimum of four feet in height and must be enclosed on all sides and the top with wire mesh fencing. The enclosed run shall provide at least ten square feet of run area per chicken or other fowl. Any access gates or other access openings into the enclosed run shall be self-closing, self-latching and lockable.
- (2) *Coop.* The coop shall be constructed of solid material and shall be located within the enclosed run or constructed and located so as only to provide ingress/egress for the chickens or other fowl into the enclosed run. The coop shall provide a minimum of three square feet of floor area per chicken and shall be a minimum of two feet in height per floor or level where chickens or other fowl are housed.
- (3) *Number and type.* The maximum number of chickens or other fowl that can be kept on any residentially zoned property within the corporate limits of the city shall be five. All chickens shall be hens; no roosters are permitted.
- (4) *Enclosed run and coop materials.* The enclosed run and coop shall be maintained in a clean and sanitary condition. All solid materials and fencing used in conjunction with the construction of the coop and enclosed run shall be suitable for exposure to moisture without deterioration and shall be conducive to regular cleaning and sanitation. Without limiting the materials that can be used, examples meeting this requirement are pressure treated wood, painted wood, wood frame with metal or vinyl siding, asphalt shingle roofing and metal roofing for the coop and galvanized or vinyl mesh fencing and fencing supports for the enclosed run.

(c) *Sheltering of pigeons.* The coop for the keeping of pigeons shall be maintained in a clean and sanitary condition. All solid materials and fencing used in conjunction with the construction of the coop shall be suitable for exposure to moisture without deterioration and shall be conducive to regular cleaning and sanitation. Without limiting what can be used, examples meeting this requirement are pressure treated wood, painted wood, wood frame with metal or vinyl siding, asphalt shingle roofing and metal roofing for the coop and galvanized or vinyl mesh fencing and fencing supports for the enclosure. No enclosed area around the pigeon coop is required, but if such enclosure is provided it shall also be constructed of materials suitable for exposure to moisture without deterioration and shall be conducive to regular cleaning and sanitation.

(d) *Setbacks for the keeping of chickens or other fowl and pigeons.* The enclosed run for the keeping of chickens or other fowl and/or the enclosed run or coop for the keeping of pigeons shall be located in the rear yard and shall be no closer to the street than the rear yard of the dwelling or principal structure and at no time may be closer than 25 feet from any adjacent property line. If the enclosed run for the keeping of chickens or other fowl and/or the enclosed run or coop for the keeping of pigeons is at least 100 feet from all adjacent property lines (excluding the front property line) approval from adjoining neighbors is not required. When proposing to place the enclosed run and/or coop for the keeping of chickens or other fowl and pigeons greater than 25 feet but less than 100 feet from any adjacent property line(s), the property owner must have the notarized signature from the impacted adjacent property owner(s) on a statement indicating that the adjacent property owner(s) approve(s) of the location of the enclosed run and/or coop prior to applying for and receiving a permit for placement.

(e) *Permit required for the keeping of chickens or other fowl and pigeons.* A zoning permit issued by the inspections division is necessary prior to constructing and/or erecting the enclosed run and/or coop. Submittal requirements shall include, but may not be limited to, a scaled site plan showing all property lines and existing structures, the proposed enclosure and/or coop, the distance from the property lines to the proposed enclosure and/or coop, as well as a sketch or elevation(s) of the planned enclosure and/or coop design and a materials list indicating what the enclosure and/or coop

will be constructed of. When the proposed enclosure and/or coop for the keeping of chickens or other fowl and pigeons is located closer to the adjacent property owner(s) than 100 feet, the notarized statement outlined in section 6-6(d) must be provided. Additional information may be necessary to ensure compliance with these and other requirements.

- (f) *Permit renewal and revocation.* The zoning permit shall automatically renew annually. Should two confirmed/sustained notices of violations (NOVs) concerning violations of the provisions of this section (section 6-6) be issued within a two-year period, the permit shall automatically be revoked. Upon permit revocation, the property owner shall be prohibited from keeping or applying for a permit to keep chickens or other fowl and pigeons for a period of two years. Following the two-year period, the property owner may re-apply for a permit.
- (g) *Impact on previously issued special use permits for the keeping of chickens or other fowl and pigeons.* Special use permits (SUPs) previously issued for the keeping of chickens or other fowl and pigeons shall remain valid and are not subject to the provisions of section 6-6(b)—(f) but are subject to the provisions of section 6-6(a) and the site plan and SUP conditions approved by the zoning board of adjustment.

(Ord. No. 4768, § 1, 11-5-12)

Sec. 6-7. - Keeping rabbits.

- (a) *Housing.* It shall be unlawful for any person within the corporate limits of the city to keep rabbits, except within sanitary hutches, which shall not be nearer than 20 feet to any property line and in no event nearer than 50 feet to the principal building on any adjoining property. Such hutches shall be so constructed that they can be easily cleaned, and they shall be so constructed as to be a minimum of 24 inches from the ground.
- (b) *Sanitation.* At all times the hutches and the premises shall be maintained in a sanitary manner. There shall be provided a bin or pit which shall be watertight and so arranged that it is flyproof, or a watertight barrel with a close-fitting lid. Manure accumulating in the hutches or on the premises shall be placed in the bin, pit or barrel each day, and the manure shall be removed from the hutches and premises at intervals not longer than five days beginning on March 15 and continuing until September 15 of each year, and at intervals of one week from September 16 to March 14 of each year.
- (c) *Number of animals.*
 - (1) It shall be unlawful for any person to keep more than ten rabbits of breeding age within the corporate limits of the city.
 - (2) The provisions of this subsection (c) shall not apply to keeping or breeding of rabbits by hospitals, medical schools and laboratories.

(Code 1975, §§ 3-7, 3-8)

Sec. 6-8. - Noisy fowl.

Any person keeping within the corporate limits of the city, or within one mile thereof, one or more flocks of fowl which habitually crow or cackle for at least 15 minutes during the nighttime or before or after daybreak in such a manner as to result in serious annoyance to neighboring residents and as to interfere with the reasonable use and enjoyment of the premises occupied by such residents shall be guilty of maintaining a nuisance.

(Code 1975, § 3-9)

Sec. 6-9. - Noisy dogs.

Any person keeping within the corporate limits of the city, or within one mile thereof, one or more dogs which habitually and regularly bark, howl or whine for at least 15 minutes so as to result in serious annoyance to neighboring residents and as to interfere with the reasonable use and enjoyment of the premises occupied by such residents shall be guilty of maintaining a nuisance.

(Code 1975, § 3-10)

Sec. 6-10. - Complaint of violation of section 6-8 or 6-9; abatement of nuisance.

Upon complaint being made to the police department of a violation of section 6-8 or 6-9, a representative of the police department shall notify such person maintaining the nuisance set out in such sections that a complaint has been made, and thereupon such person shall abate such nuisance within 24 hours.

(Code 1975, § 3-11)

Sec. 6-11. - Applicability of section 6-9 to commercial dog kennels.

The provisions of section 6-9 shall apply to premises lawfully used and maintained by veterinarians and operators of commercial dog kennels only if such premises and the dogs thereon are used and kept in a negligent or unreasonable manner.

(Code 1975, § 3-12)

Sec. 6-12. - Sanitation requirements for dogs.

- (a) *On premises of owner.* At all times, the housing and the premises for dogs kept within the corporate limits of the city shall be maintained in a sanitary manner. There shall be provided a bin or pit which shall be watertight and so arranged that it is flyproof, or a watertight barrel with a close-fitting lid. Feces accumulating on the premises shall be placed in the bin, pit or barrel each day, and the feces shall be removed from the premises at intervals not longer than five days beginning on March 15 and continuing until September 15 of each year, and at intervals of one week from September 16 to March 14 of each year.
- (b) *Off premises of owner (private property).* It shall be unlawful for the owner of any dog to permit the dog to leave its feces on the property of another.
- (c) *On city property or in a street.* It shall be unlawful for the owner of a dog to permit the dog to leave its feces on city property or in a city street as defined in section 2-1. When the identity and contact information of the violator can be reasonably ascertained by the city, then the city may issue a notice of violation and take enforcement action against the violator sending all notices and invoices required by section 62-3 to the violator. A violation of this section shall constitute a nuisance, which nuisance shall be abated in accordance with section 62-3.

(Code 1975, § 3-13; Ord. No. 4819, § 2, 5-19-14)

Sec. 6-13. - Food for animals to be stored in ratproof containers or rooms.

All food and feed kept for feeding chickens, cows, pigs, horses and other animals shall be kept and stored in rat-free and ratproof containers, compartments or rooms unless kept in a ratproof building.

(Code 1975, § 3-14)

Sec. 6-14. - Removal and disposal of dead animals.

- (a) *Large animals.* It shall be unlawful for any person who is the owner of, or may have the custody of, any horse, mule, cow or other large animal which dies on the street to permit the carcass of such animal to remain in the street longer than two hours after notice or knowledge of its presence. Either the city, or an employee of the department of public works authorized by the assistant city manager/public works, or the owner or person having the custody of such dead animal, may remove the animal in a properly covered and leakproof vehicle. The expense of such removal shall be borne by the owner of the animal. In case removal is made by the city, or by any person so authorized by the city, the charge therefor shall be \$50.00 for each animal. It shall be the duty of any person on whose premises any such animal dies to dispose of the animal in accordance with G.S. 106-403.
- (b) *Small animals.* A small dead animal such as a dog or a cat placed near a city street by the owner or person having custody of the animal shall be removed and disposed of by the city or an authorized employee of the department of public works at no expense to the owner of the animal.

(Code 1975, § 3-15)

Sec. 6-15. - Riding horses on public property.

It shall be unlawful for any person to ride, lead or drive any horse, mule, donkey, pony or like animal in or upon any public park, public recreation area, public schoolgrounds or other publicly owned property within the corporate limits of the city; provided, however, that this prohibition shall not apply to the riding, leading, driving or use of such animals:

- (1) In connection with the building, alteration or maintenance of such public properties; or
- (2) At specific locations under the jurisdiction of and designated by the city recreation and parks commission for such use, in accordance with rules and regulations governing the use of such animals for recreation purposes, at such location promulgated by the recreation and parks commission.

(Code 1975, § 3-16)

Sec. 6-16. - Applicability of regulations of county board of health and county animal control ordinance.

The regulations of the county board of health and the county animal control ordinance are applicable within the corporate limits of the city. Where the county animal control ordinance and the county board of health provide for animal control regulations beyond those provided by this chapter, they shall be enforced in accordance with the terms of each. Copies of such regulations are on file and available for inspection in the county animal control office.

(Code 1975, § 3-17)

Sec. 6-17. - Restraint of dogs.

- (a) *On premises of owner.* No dog shall be left unattended outdoors unless it is restrained and restricted to the owner's property by a tether, rope, chain, fence or other device. Fencing as required in this section shall be adequate in height, construction and placement to keep resident dogs on the lot and keep other dogs and children from accessing the lot. One or more secured gates to the lot shall be provided.

- (b) *Off premises of owner.* In addition to all other penalties prescribed by law, a dog is subject to impoundment and all other applicable provisions of the county animal control ordinance if the dog is found off the premises of the person owning or having possession, charge, care, custody or control of such dog and is not under the control of a competent person and restrained by a leash, chain, rope or other means of adequate physical control.
- (c) *Penalties established.* The penalties for violation of this section shall be as follows:
 - (1) First violation \$ 50.00
 - (2) Second violation 75.00
 - (3) Third and subsequent violations 100.00
- (d) *Collection of penalty.* The animal control department is authorized to collect, at the time of redemption, an appropriate penalty if the animal was in violation of this section.
- (e) *Determination of number of violations.* For the purpose of determining how many offenses have been committed and for determining the appropriate penalty, each offense shall remain on the books of the animal control office for a period of three years. Subsequent to three years' expiration, the offenses shall be removed from the books.

(Code 1975, § 3-18)

Sec. 6-18. - Keeping domesticated animals in historic districts.

The provisions of this chapter shall not apply to the keeping of domesticated animals, with the exception of dogs, in any historic district, when such domesticated animals were historically kept in such historic districts and the present-day keeping of such domesticated animals is similar and consistent with such historical activities, and is for the purpose of reproducing, with historical accuracy, the conditions and atmosphere of such historical activities in the district.

(Code 1975, § 3-19)

Graham NC

Sec. 4-5. - Hogs; keeping hogs and pigs in the corporate limits prohibited, exception.

- (a) It shall be unlawful to keep hogs and pigs within the corporate limits of the city, except as provided in subsection (b) of this section.
- (b) Domesticated pot-belly pigs shall be allowed within the corporate limits of the city, and shall be limited to one per lot. Domesticated pot-belly pigs shall not be kept in the front or side yard nor within 15 feet of an adjoining property line. It shall be unlawful for anyone to let domesticated pot-belly pigs to run at large at any time.
- (c) All pens for domesticated pot belly pigs shall be kept in a clean and sanitary condition at all times.

(Code 1978, ch. L, art. V, § 8; Code 1983, § 3-6; Ord. of 2-4-1997)

Erwin NC

Sec. 4-5. - Keeping chickens (hens).

- (a) A maximum of six hens (*Gallus gallus domesticus*) will be allowed per household.
- (b) No roosters or other poultry breeds will be permitted.
- (c) No free-ranging permitted, hens must be kept in a chicken coop or enclosed runs at all times and are not permitted to roam freely on the owner's lot.
- (d) The location of the coop and enclosed run must be in the rear of the owner's lot as determined by the line projected along the rear of the dwelling to each sideline and be 20 feet away from the adjoining lots.
- (e) The coop and enclosed run must be a minimum of ten feet in length and ten feet in width and a maximum of 16 feet in length and 16 feet in width.
- (f) Coop design should provide ample ventilation to avoid odors and be made predator proof.
- (g) All manure and wood shavings from the coop must be disposed of properly by removing off-site by the owner or professional removal service.
- (h) Prior to beginning coop and enclosure construction, a land use application shall be submitted and approved by the zoning administrator, for all coop and run designs.
- (i) The code enforcement officer, and its designees, has the right to enter onto a property for the purpose of inspecting coop and run to ensure compliance with these requirements. The home owner will be notified no less than three days prior to the inspection date and has the right to be present during the inspection.
- (j) Owners who are determined to be in violation may be allowed to correct the violation and/or be subject to a fine, as per the town's code. Daily penalties will be assessed in the event that the violation continue. The town may revoke this privilege if an owner has had three or more violations during one calendar year.

(Ord. of 11-18-2013, § XXIV)

Sec. 4-10. - Keeping of chickens.

It shall be unlawful for any person to keep or maintain any roosters or male chickens, and hens or female chickens may only be kept within the corporate limits of the town in accordance with the following:

- (1) Chickens may not be allowed to run at large and must be kept within a proper enclosure, which must be located as follows:
 - a. In the backyard of a residence and/or in such a manner that the enclosure is not visible from the road or street on which the residence is located, and for vacant lots, in such a manner that the enclosure is not visible from the street at the front of the lot;
 - b. More than 50 feet from any well, spring, stream, or other water source;
 - c. More than 50 feet from any drain, sewer, gutter, or similar feature which collects surface water run-off;
 - d. More than 50 feet from the boundary of any adjoining property unless under common ownership; and
 - e. More than 100 feet from any dwelling or residence other than that of the owner of the property on which the enclosure is located.
- (2) No more than four hens may be kept on any lot, and no roosters may be kept.
- (3) No outside slaughtering of chickens is permitted.
- (4) The proper enclosure in which the chickens are kept must be maintained in a neat and clean condition, with all waste regularly and properly disposed of in such a manner to prevent offensive odors.

([Ord. No. 11-18, 12-6-2017](#))

King NC

Sec. 4-12. - Keeping of fowl.

Any person who owns or maintains pens, coops or shelters in which chickens, turkeys, ducks or other fowl are kept shall maintain such pens, coops or shelters in a sanitary condition. No fowl shall be allowed to run loose at any time. Manure accumulating in such pens, coops or shelters shall be placed in bin which shall be watertight and so constructed that it is fly-proof, or in a watertight barrel with a tight-fitting lid, every five days. No foul or offensive odors shall emanate from the coop/shelter so as to bother adjoining property owners. No person shall keep any fowl which by causing frequent or long continued noise shall disturb the comfort or repose of any person of ordinary sensibilities in the vicinity.

(Amend. of 7-6-09; Ord. No. 2015-04, 11-2-15)

Sec. 4-13. - Location of fowl.

Fowl of any kind and their pens/coops/shelters shall be a minimum of 150 feet from the property line of any adjoining lot or parcels of land.

Exception: Residents with existing shelters/coops/pens shall not have to comply with this section unless the structure is moved or damaged so as to cause the need for replacement.

(Amend. of 7-6-09)



MEMORANDUM

TO: Mayor and Board of Commissioners
FROM: Michael Boaz, Town Manager
DATE: July 8, 2020
RE: Research on Animal Ordinances

The Board asked that I conduct some research into what is allowed by other NC municipalities regarding the keeping of chickens inside the Town limits. During the course of this research, I had another resident ask me about the possibility of having a potbellied pig inside the Town limits. I decided to include this in my research as well.

As it stands now, it is unlawful to keep chickens and potbellied pigs inside of the Town limits. I will first address my findings about chickens and then address the issue of potbellied pigs. Over the past several years, it has become much more common for municipalities to allow homeowners to keep a small number of hens on their property, with certain restrictions. First, all of the municipalities that I looked at only allow homeowners to keep hens...no roosters. Second, all of the municipalities that I looked at limit the number of hens to somewhere between 3 and 12. Third, all of the ordinances I looked at require that the area where the hens are kept be kept clean and that there be no smell. Many municipalities have some restrictions on the types of enclosures that the hens may be kept in. This requirements range from fully enclosed to allowing some forms of free range. All of the ordinances had a requirement that the birds be kept a specified distance from the property line as well as from other properties that are being used as residences. Several of the ordinances required that a permit be obtained from the Planning Department prior to the enclosure being built and one required annual inspections and fees to keep the birds.

If the Board wanted to move forward with allowing single-family residences to keep chickens, I would recommend that it do so only under the following conditions:

1. Only hens be allowed, no roosters.
2. That no more than five hens be allowed.
3. That the birds be kept in fully enclosed cages.
4. That the enclosures be cleaned out on a regular basis and the waste removed from the property. Most ordinances that I reviewed required that this be done once every five days.
5. That the enclosures be a minimum of 30 feet from any property line, only be constructed in the rear yard, and be at least 50 feet away from any occupied residential structure.
6. That the enclosure have a minimum of 4 square feet per bird.
7. That the property owner submit an application to the Planning department and that the planning department review the plans for the enclosure and its location before construction.
8. That the property owner allow Town staff to inspect the bird enclosures at any reasonable time to insure compliance with this ordinance.

I have attached copies of some of the ordinances that I looked at to this memo.

The situation with potbellied pigs is much more divided on what other local governments allow. Most of the ordinances that I reviewed did not make any distinction between potbellied pigs and other types of pigs. The few that did differentiate between potbellied pigs and other pigs, did allow the potbellied pigs under certain

restrictions. I think that if the Board wanted to allow residents to keep potbellied pigs, it should do so under some or all of the following restrictions:

1. Only one pig may be kept and it must be under 100 lbs.
2. The stable or other structure must be kept in a clean and sanitary condition and no odors shall be offensive to the neighbors or adjoining properties.
3. The Stable shall not be nearer than 100 feet from other any other residence.

If the Board would like me to prepare an ordinance that addresses one or both of these issues, I am happy to do so. I do have a concern that making these changes may cause a number of unintended consequences, not the least of which will be a rise in requests for enforcement actions. For example, if I have chickens at my house and my neighbors either don't like that or we don't get along, I see the chickens (or potbellied pigs) and the smell associated with them as being used as a way to get the Town to take action. I think it puts our staff more in the crosshairs and creates a risk that we get pulled into squabbles between neighbors. In addition, I am also concerned that our average lot size is pretty small and that small lots are not as accommodating for keeping of chickens, potbellied pigs, etc. In talking with some of the other municipalities in the area they have had some level of complaints about chickens. These complaints are usually about smell or the perceived mistreatment of the animals. The staff members that I talked with did not indicate that they had been overwhelmed by complaints, but that there had been some.

I look forward to discussing this issue with you further and working with you to develop a policy for the Town.



TOWN OF PILOT MOUNTAIN
BOARD OF COMMISSIONERS MEETING

Cemetery Maintenance Discussion

Background Information:

Darian, Jenny, and I have been discussing the maintenance worker position that the Board approved adding to the FY 2020 budget. We were not able to locate a candidate for this job before the COVID-19 pandemic forced us to shut down events. We have included some money in the FY 2021 budget for this position, with a plan to hire someone to take on this job in the spring in time for our events. The three of us have been discussing what other options we have for filling this role and have come up with a potential solution that I want to present to the Board for its consideration and input.

In the past, we have contracted out the maintenance of our cemetery to outside contractors. Two years ago, the Board decided to bring this service back in house in an effort to save money. We have been handling this work since that time. In this year's budget we have planned to purchase a replacement mower to help with this work because the one we have is nearing the end of its useful life. The staff has discussed the possibility of having public works take on the Main Street maintenance tasks with its existing staff. The main concern that we have with this plan is the 3 days, every other week, that we spend working on the cemetery. After much discussion, we decided to reach out to a landscaping contractor to see what the price would be for taking over cemetery maintenance.

The price that we got is less than we would spend on the maintenance worker if we had budgeted for a full event season. The total for this position during FY 2020 was just over \$18,000. In FY 2021 it is about \$10,000 but combined with the money budgeted for the replacement mower we have enough money to cover the contract for the remainder of this mowing season and the spring mowing season.

At this point we only have the one quote, but it seems like this could be a viable alternative and staff wanted to get input from the Board about whether or not we should continue to pursue this option.

Staff Recommendation: For discussion only.

Possible Board of Commissioner Actions

- Provide direction to staff.

Attachments

- None



TOWN OF PILOT MOUNTAIN
BOARD OF COMMISSIONERS MEETING

Solid Waste Ordinance Amendment	
<u>Background Information:</u>	
I have been contacted several times recently about residents leaving their trash and recycling bins at the street after the day of pickup. After reviewing our Solid Waste Ordinance, there does not appear to be a provision in the ordinance that requires that these bins be moved away from the curb after pickup. I have prepared the attached amendment to the solid waste ordinance to require that this be done.	
<u>Staff Recommendation:</u>	Staff recommends that the Board approve the ordinance amendment.
<u>Possible Board of Commissioner Actions</u>	
• Approve the ordinance as written. • Deny approval of the ordinance. • Make changes to the ordinance and approve. • Table until a later date. • Take no action.	
<u>Attachments</u>	
• Ordinance 2020-07 Trash Containers	

ORDINANCE NO: 2020-07
ORDINANCE TO AMEND CHAPTER 34 OF THE TOWN OF PILOT MOUNTAIN
CODE OF ORDINANCES: SOLID WASTE

WHEREAS, the Town is empowered to establish regulations the collection and removal of solid waste; and

WHEREAS, the Town of Pilot Board of Commissioners has received complaints that some residents are leaving trash and recycling containers at the street at all times; and

WHEREAS, the Board of Commissioners has determined that leaving the containers at the street blocks the sidewalk, could impede vehicular traffic, is unsightly, and is not in the best interests of the health, safety, and welfare of the citizens of Pilot Mountain.

NOW, THEREFORE, be it ordained by the Board of Commissioners of Town of Pilot Mountain, that the Code of Ordinances be amended as follows:

Section 1. That a Section 34-23 of the Code of Ordinances of the Town of Pilot Mountain be amended by adding the following language:

(d) Containers shall be placed at the curb for collection by 7:00 AM on the day of collection. Containers shall be removed from the curb no later than 5:00 PM the day after collection. This applies to both recycling and trash containers.

Section 2. All laws and clauses of laws in conflict herewith are repealed to the extent of any such conflict.

Section 3. This ordinance is effective upon adoption.

Adopted this the 13th day of July, 2020.

Evan J. Cockerham, Mayor

Holly Utt, Town Clerk



TOWN OF PILOT MOUNTAIN
BOARD OF COMMISSIONERS MEETING

Water/Sewer Tap Discussion

Background Information:

As a part of the budget for FY 2021, we eliminated an additional position in Public Works. This position was fully funded by the water/sewer fund. As a part of this process, Darian and I have been discussing the restructuring of how we do our work and any needed changes to our processes for getting work completed. One suggestion that Darian had was to follow the lead of some other local municipalities (Dobson and Mt. Airy) and develop a list of qualified contractors that those who need new taps can contract with to get this work completed. The Town would continue to charge for the meter, but we would no longer charge the \$1300 tap fee. The customer would contract directly with the provider, pay them directly, and schedule the work with them. The Town would be taken out of this process.

While we do not do a lot of taps every year, Darian and I believe that this process would be better for several reasons. First, the customer will likely have to wait less to get the work done because our crews will not have to fit the job in amongst their other work. Two, it keep us from having to make these taps which should give us more time to conduct other work. Three, it will allow us to sell off some of our tap making equipment that should generate some one time revenue that could be used for other projects. Fourth, it will prevent us from having to keep the supplies and materials on hand to have to make taps which will free up space in our building. Finally, it removes the necessity for us to have to dig around other utilities to make taps. We would not be responsible for making repairs to fiber lines that could be hit during the tap making process.

We have talked with a few local contractors that have indicated an interest in being on this list. We have not however gone very far down that road as we wanted to get the Board's input first.

<u>Staff Recommendation:</u>	For discussion only.
-------------------------------------	----------------------

Possible Board of Commissioner Actions

- Provide direction to staff.

Attachments

- None

**Pilot Mountain Town Hall
124 West Main St.
Pilot Mountain, NC 27041**



**(Phone) - 336.368.2247
(Fax) - 336.368.9532
www.pilotmountainnc.org**

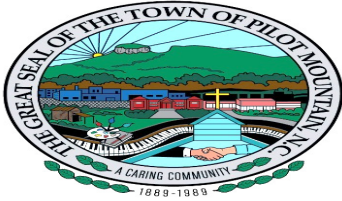
MEMORANDUM

TO: Mayor and Board of Commissioners
FROM: Michael Boaz, Town Manager/Finance Officer
DATE: July 8, 2020
RE: July 2020 Manager's Report

- As of right now, the Governor's Executive Order concerning utility disconnections, late fees, and other charges is set to expire at the end of July. If it is not extended, the staff intends to restart disconnections and late fees in August. This means that bills that have not been paid will be charged a late fee on August 16 and will be subject to disconnection and additional fees on August 26. The vast majority of our customers have been continuing to make payments during the COVID-19 pandemic and we greatly appreciate that. For those that have been unable to pay, I encourage them to contact us and setup a payment plan. We can established payment plans that allow the past due balance to be paid over a 6 month period as long as the current charges are paid in full each month.
- We have two in Town and one out of Town seat on the Planning and Zoning Board that have or will be expiring in the next few months. We are taking applications form those who may be interested in serving. The application can be found on the Town's website.
- I have asked one of our PT police officers to take on the additional responsibilities of serving as our general code enforcement officer. We included money in the budget to expand our code enforcement efforts to be more proactive. That new model is just getting started, but we will be sending out quite a few notices in the next week or so.
- We have been informed that we did receive a grant of \$25,000 from the NC Governor's Crime Commission. This will be used to complete rehabilitate our radios and purchase some other much needed equipment. I want to say that this would not have been possible without the work of Officer Mike Horn.

PROJECT UPDATES

1. Depot Street Stream Restoration Project: All easements have been collected and design/build is underway. We should get this completed by the end of the year.
2. Main Street National Register District: We are working with some property owners in the downtown area to possibly make some changes to their buildings to increase the number of contributing properties.
3. Street Paving Project: The funding has been approved by USDA, but we are working on getting LGC approval and on clarification from the NC DOT about whether or not they will be able to move forward.
4. Sunset Sewer Sub-Basin Project: All easements have been secured, the project has been awarded, and we have signed the promissory note for the loan on this project. We expect construction to kick off in the near future. We will plan to have a meeting with area residents before construction begins.
5. Water Treatment Upgrade: Plans have been approved by DEQ. We are working to secure the necessary easements.
6. Streetscape Project: Duke Energy has started the design process for moving the power lines. WR is completing the design and developing cost estimates.
7. WWTP & Pump Station Project: The PER has been approved and McGill has started work on the design phase of this project.
8. Asset Inventory & Assessment Project: We are working with WR to get the smoke testing scheduled. This should happen in the next several weeks.



TOWN OF PILOT MOUNTAIN

Monthly Financial Dashboard
FISCAL YEAR ENDING June 30, 2020

Reporting Period: June 1-June 30 2020

OUR CASH AND INVESTMENTS

Balances on June 30 2020, in whole dollars

CASH & INVESTMENTS BY FUND

GENERAL FUND

	June 2019	June 2020
Central Depository	\$ 518,042	\$ 370,326
NCCMT	2,264	(3,664)
NCCMT-Powell Bill	701	710
NCCMT-Term Account	35,076	21
Police Drug Forfeiture	2,195	2,196
Centura Bank CD	25,031	25,031
Fiduciary Funds	64,180	68,569
TOTAL GENERAL FUND	\$ 647,491	\$ 463,188

OTHER FUNDS

	June 2019	June 2020
Water & Sewer Fund	\$ (3,070)	\$ 10,144
NCCMT-Water/Sewer	\$ 3,541	\$ 4,359
Water & Sewer AIA	\$ 9,059	\$ (29,980)
Interconnection CP	\$ (3,900)	\$ 7,000
WWTP Upgrade	\$ (64,551)	\$ (52,606)
Lola Lane CP	\$ 3,286	\$ 0
Water Treatment Upgrade	\$ (196,400)	\$ (299,480)
Streetscape Project	\$ 34,503	\$ 5,104
Sunset Sewer Project	\$ (214,834)	\$ 45,663
Street Resurfacing	\$ 18,404	\$ 6,019
Capital Reserve	\$ 3,385	\$ 58,506
TOTAL OTHER FUNDS	\$ (410,576)	\$ (245,269)

TOTAL CASH & INVESTMENTS TOWN-WIDE

	June 2019	June 2020
ALL FUNDS	\$ 236,914	\$ 217,919

OUR CASH FLOWS...

GENERAL FUND REVENUES & EXPENDITURES	Comparison of FYTD %	
	Prior FYTD %	Current FYTD %
Fiscal Year Budget	\$ 1,892,090	\$ 2,075,850
Revenues Fiscal Year to Date	92.00%	91.00%
Expenses Fiscal Year to Date	99.78%	97.96%
WATER & SEWER ENTERPRISE FUND		
Fiscal Year Budget	\$ 935,190	\$ 906,480
Revenues Fiscal Year to Date	\$ - 95.35%	96.30%
Expenses Fiscal Year to Date	\$ 1 98.44%	94.29%
WWTP & PUMP STATION REHAB PROJECT		
Project Budget	N/A	\$ 1,374,500
Revenues Project to Date	\$ 52,606 N/A	3.83%
Expenses Project to Date	\$ 52,606 N/A	3.83%
Water Treatment Upgrade Project		
Project Budget	\$ 3,978,000	\$ 3,978,000
Revenues Project to Date	\$ 306,530 0.00%	7.71%
Expenses Project to Date	\$ 306,530 3.05%	7.71%
Sunset Sewer Rehabilitation Project		
Project Budget	\$ 2,573,038	\$ 2,573,038
Revenues Project to Date	\$ 31,297 0.00%	1.22%
Expenses Project to Date	\$ 320,676 5.95%	12.46%
WATER & SEWER AIA PROJECT		
Project Budget	NA	\$ 305,000
Revenues Project to Date	\$ 162,245 0%	53%
Expenses Project to Date	\$ 162,245 0%	53%

SPECIFIC REVENUE COLLECTIONS AT A GLANCE...

Comparison of FY %				Comparison of Monthly Expenses			
		Prior FY %	Current FY %	GENERAL FUND DEPARTMENTS	Fiscal Year 2020 Budget	YTD Expenses	
AD VALOREM PROPERTY TAX						Prior FY	Current FY
Fiscal Year Budget	\$	812,500	\$ 864,490	Governing Body	\$ 171,280	\$ 85,871	\$ 228,263
Revenues this Month	\$ 1,510	1.03%	0.17%	Administration	359,345	268,204	302,074
Revenues FYTD	\$ 793,600	101.68%	91.80%	Community & Economic D	122,500	25,304	133,200
SALES & USE TAX				Downtown Revitalization	156,791	110,431	146,091
Fiscal Year Budget	\$	440,000	\$ 615,790	Police Dept	776,740	720,173	775,741
Revenues this Month	\$ 41,309	9.72%	6.71%	Street Dept	113,627	147,406	113,627
Revenues FYTD	\$ 487,324	103.03%	79.14%	Powell Bill	43,420	141,506	4,786
UTILITY FRANCHISE TAX				Sanitation	222,340	218,837	222,341
Fiscal Year Budget	\$	117,500	\$ 110,020	Pilot Center	21,127	24,074	17,530
Revenues this Month	\$ 31,321	30.93%	28.47%	Library	39,060	40,175	42,658
Revenues FYTD	\$ 113,637	107.25%	103.29%	Debt Service	49,620	49,614	47,137
REFUSE COLLECTION FEES				Non Departmental	-	33,882	-
Fiscal Year Budget	\$	66,150	\$ 73,240		\$ 2,075,850	\$ 1,865,476	\$ 2,033,448
Revenues this Month	\$ 7,208	8.31%	9.84%	Fiscal Year Budget		\$ 1,892,090	\$ 2,075,850
Revenues FYTD	\$ 74,910	102.41%	102.28%	YTD % of Annual Budget Expended		98.59%	97.96%
SALES & SERVICES				WATER & SEWER ENTERPRISE FUND			
Fiscal Year Budget	\$	27,700	\$ 41,500	General	\$ 137,720	\$ 132,713	\$ 123,421
Revenues this Month	\$ 5,220	34.21%	12.58%	Water/Sewer Administration	135,560	123,849	136,630
Revenues FYTD	\$ 43,717	144.03%	105.34%	Production	218,510	221,105	196,509
WATER & SEWER ENTERPRISE FUND REVENUES				WWTP	206,800	198,318	216,917
Fiscal Year Budget	\$	972,770	\$ 906,480	Line Maintenance	206,890	244,651	181,248
Revenues this Month	\$ 77,893	9.04%	8.59%		\$ 905,480	\$ 920,636	\$ 854,724
Revenues FYTD	\$ 872,900	95.35%	96.30%	Fiscal Year Budget		\$ 935,190	\$ 906,480
				YTD% of Annual Budget Expended		98.44%	94.29%

**MONTHLY STATUS REPORT OF
OPERATION FOR THE PILOT MOUNTAIN
WATER TREATMENT PLANT**

MONTH: June

YEAR: 2020

OPERATIONS:

MILLION GALLONS OF RAW WATER TREATED	9.31	DAILY AVERAGE RAW WATER TREATED (MGD)	.310
MILLION GALLONS WATER FILTERED	8.95	DAILY AVERAGE WATER FILTERED (MGD)	.298
MILLION GALLONS PUMPED TO SYSTEM	6.687	DAILY AVERAGE WATER PUMPED TO SYSTEM (MGD)	.222

CHEMICALS USED:

ALUMINUM SULFATE	1087 LBS.
SODA ASH	952 LBS.
CHLORINE	203 LBS.
HEXAMETAPHOSFATE	75 LBS.

OPERATIONS SUMMARY:

All monthly drinking water laboratory tests were in compliance and the monthly report (eMOR) was submitted to NCDENR on July, 7, 2020.

TOWN OF PILOT MOUNTAIN WATER TREATMENT PLANT ANNUAL PERFORMANCE REVIEW

I. General Information

Facility/System Name: Pilot Mountain WTP

Responsible Entity: Town of Pilot Mountain

Person in Charge/Contact: Kent Scott, ORC/ (336)368-4041

Applicable Permit(s): NPDES No. NC0068365

Description of Treatment Process:

The Town of Pilot Mountain Water Treatment Plant facility consists of a track vac system, sand drying beds and lagoon. The plant is located at 953 West Hwy.52 Bypass here in Pilot Mountain.

II. Performance

Summary of Plant Performance for Fiscal Year July 1, 2019 – June 30, 2020.

The Pilot Mountain WTP treated a total of 2.419 million gallons during this fiscal year, an average of .007 million gallons per day.

Listed below are any monthly violations of permit conditions or other environmental regulations, the environmental impact of those violations and corrective measures taken to address the violations.

No violations occurred this year.

III. Notification

Copies of this report are available at the Pilot Mountain Town Hall located 124 West Main Street, Box 1 Pilot Mountain, N.C. 27041

IV. Certification

I certify under penalty of law that this report is complete and accurate to the best of my knowledge. I further certify that this report has been made available to the users or customers of the named system and that those users have been notified of its availability.

Responsible Person: Kent Scott
Title: ORC
Entity: Town of Pilot Mountain

Date

**MONTHLY STATUS REPORT OF
OPERATION FOR THE PILOT MOUNTAIN
WASTEWATER TREATMENT PLANT**

MONTH: May

YEAR: 2020

OPERATIONS:

MILLION GALLONS OF WATER TREATED	6.138	PERMIT LIMIT MGD	.500
AVERAGE DAILY VOLUME TREATED	.198		
TOTAL RAINFALL INCHES	7.25		

CHEMICALS USED:

CHLORINE/BLEACH	80 Gallons
POLYMER	0 Gallons

CHEMICAL ANALYSIS:

Parameter	Permit Limits	Monthly Results
BOD	30 max. avg. monthly	2.02
TSS	30 max. avg. monthly	5.14
D.O.	5 minimum avg. daily eff.	6.52
Fecal Coliform	200 max. avg. monthly	1.00
Ammonia-Nitrogen	28.6 max. avg. monthly	1.35

We are in compliance with all permit requirements.

TOWN OF PILOT MOUNTAIN WASTEWATER TREATMENT PLANT ANNUAL PERFORMANCE REVIEW

I. General Information

Facility/System Name: Pilot Mountain WWTP

Responsible Entity: Town of Pilot Mountain

Person in Charge/Contact: Kent Scott, ORC/ (336)368-4041

Applicable Permit(s): NPDES No. NC0026646

Description of Treatment Process:

The Town of Pilot Mountain Wastewater Plant has a permitted flow of .5 million gallons per day the facility consists of, extended aeration ditch two clarifiers and chlorine contact chambers. The plant is located on Lynchburg Road here in Pilot Mountain.

II. Performance

Summary of Plant Performance for Fiscal Year July 1, 2019 – June 30, 2020.

The Pilot Mountain WWTP treated a total of 72.77 million gallons during this fiscal year, an average of .199 million gallons per day.

Listed below are any monthly violations of permit conditions or other environmental regulations, the environmental impact of those violations and corrective measures taken to address the violations.

No violations occurred this year.

III. Notification

Copies of this report are available at the Pilot Mountain Town Hall located 124 West Main Street, Box 1 Pilot Mountain, N.C. 27041

IV. Certification

I certify under penalty of law that this report is complete and accurate to the best of my knowledge. I further certify that this report has been made available to the users or customers of the named system and that those users have been notified of its availability.

Responsible Person: Kent Scott
Title: ORC
Entity: Town of Pilot Mountain

Date

Work Order #	Title	WO Status	Priority	Origin	Source Asset
01678	Roadside Cleanup	Completed	Medium	Non-PM	
01664	Main Street Trash/Recycle	Completed	Low	PM	
01665	Dog Waste Stations	Completed	Low	PM	
01651	Tuesday Brush Collection	Completed	High	PM	
01640	ROAD REPAIR POT HOLE BIG POT HOLE IN FROM OF 91	Completed	Medium	Non-PM	
01633	Monday Brush Route	New Work Order		PM	
01605	Friday's Brush Route	New Work Order		PM	
01594	Thursday's Brush Route	Completed		PM	
01583	Main Street Trash/Recycle	Completed	Low	PM	
01584	Dog Waste Stations	Completed	Low	PM	
01581	Wednesday Brush Collection	Completed		PM	
01509	Main Street Trash/Recycle	Completed	Low	PM	
01510	Dog Waste Stations	Completed	Low	PM	
01497	Bullington Lane/Hamlin Sign Installations	New Work Order	Medium	Non-PM	
01496	Concrete Trash Can Storage Area	Completed	Medium	Non-PM	
01495	Tires	New Work Order	High	Non-PM	
01493	Tuesday Brush Collection	Completed	High	PM	
01483	US Flags on Main Street	Completed	Medium	Non-PM	
01482	Dog Waste	Completed	High	Non-PM	
01481	Dog Waste Stations	Completed	Medium	Non-PM	
01480	Main Street Trash/Recycle	Completed	High	Non-PM	
01478	Monday Brush Route	Completed	High	PM	
01453	128 NORTHVIEW DR HAS BRUSH TO PICKUP 2ND CALL	Declined	Medium	Non-PM	
01451	Friday's Brush Route	New Work Order		PM	
01441	Replace Sidewalk Grates	Completed	Medium	Non-PM	
01440	Right of Way Mowing	Completed	Medium	Non-PM	
01438	Thursday's Brush Route	Completed		PM	
01427	108 NELSON ST BRUSH PICK UP	Declined	Medium	Non-PM	
01424	Wednesday Brush Collection	Completed		PM	
01396	109 JOYCE DRIVE BRUSH PICKUP	Declined	Medium	Non-PM	

Source User	Assigned	Expected
Darian Goins	06/25/2020 08:26:00 AM	06/26/2020 04:00:00 PM
Brandon Cooke	06/24/2020 08:05:00 AM	06/24/2020 05:05:00 PM
Brandon Cooke	06/24/2020 08:05:00 AM	06/24/2020 04:05:00 PM
Tim Ward	06/23/2020 04:04:00 AM	06/24/2020 07:59:00 PM
Darian Goins	06/25/2020 08:23:00 AM	
Tim Ward	06/22/2020 08:04:00 AM	06/23/2020 11:59:00 PM
Tim Ward	06/19/2020 08:04:00 AM	06/20/2020 11:59:00 PM
Tim Ward	06/18/2020 08:04:00 AM	06/19/2020 11:59:00 PM
Brandon Cooke	06/17/2020 08:05:00 AM	06/17/2020 05:05:00 PM
Brandon Cooke	06/17/2020 08:05:00 AM	06/17/2020 04:05:00 PM
Tim Ward	06/17/2020 08:04:00 AM	06/18/2020 11:59:00 PM
Brandon Cooke	06/10/2020 08:04:00 AM	06/10/2020 05:04:00 PM
Brandon Cooke	06/10/2020 08:04:00 AM	06/10/2020 04:04:00 PM
Darian Goins	06/09/2020 10:27:00 AM	
Darian Goins	06/09/2020 09:10:00 AM	
Darian Goins	06/09/2020 08:49:00 AM	
Tim Ward	06/09/2020 04:04:00 AM	06/10/2020 07:59:00 PM
Darian Goins	06/08/2020 09:54:00 AM	06/12/2020 04:00:00 PM
Darian Goins	06/08/2020 08:16:00 AM	06/08/2020 02:59:00 PM
Brandon Cooke	06/08/2020 08:13:00 AM	06/08/2020 05:00:00 PM
Brandon Cooke	06/08/2020 08:09:00 AM	06/08/2020 10:00:00 AM
Tim Ward	06/08/2020 04:05:00 AM	06/09/2020 07:59:00 PM
Holly Utt		
Tim Ward	06/05/2020 08:04:00 AM	06/06/2020 11:59:00 PM
Darian Goins	06/04/2020 09:04:00 AM	
Brandon Cooke	06/04/2020 08:28:00 AM	
Tim Ward	06/04/2020 08:04:00 AM	06/05/2020 11:59:00 PM
Holly Utt		
Tim Ward	06/03/2020 08:04:00 AM	06/04/2020 11:59:00 PM
Holly Utt		

**Pilot Mountain Police Department
Monthly Report for June 2020**

Accidents

6/19/2020 731 S Key St
6/23/2020 644 S Key St
6/30/2020 Thompson Ln//Old Hwy 52 Byp (PI)

	<u>TOTAL</u>	<u>AMOUNT</u>	<u>RECOVERED</u>
Police Service	160		
Wrecks Investigated	3	\$ 29,500.00	
Assaults	0		
Larcenies	4	\$ 15,412.10	\$15,030.00
Disturbances/Domestic	10		
Burglar Alarms	10		
Breaking & Entering	0		
MIP & Property Damage	1	\$ 700.00	
Traffic Citations	18		
Intoxicated Drivers	1		
Intoxicated Pedestrians	0		
Forgery/Fraud	0		
Armed Robbery	0		
Drug Charges	4		
Other Crimes	3		
Total Arrests	<u>5</u>		
Totals:	219	\$ 45,612.10	\$ 15,030.00

OTHER:

6/2/2020 Chief Jackson & Capt Easter attended the LEPC conference call
6/5/2020 Ptl Livengood spoke with kids at Mt Pilot Child Enrichment Center
6/9/2020 Chief Jackson & Capt Easter attended the LEPC conference call
6/16/2020 Chief Jackson & Capt Easter attended the LEPC conference call
6/20/2020 Ptl Monteith assisted Elkin PD with protest march in their city
6/29/2020 PMPD Officers assisted with public hearing meeting at the Pilot Center
06/29 thru 07/05/2020 PMPD officers participated in the NCGHSP Booze it & Loose it Campaign