

**MINUTES OF THE EASTOVER SANITARY DISTRICT**  
**April 22, 2014**  
**Regular Meeting**

Chairman Johnson called the regular meeting of the Eastover Sanitary District to order on Tuesday, April 22, 2014 at 5:30 p.m.

**BOARD MEMBERS PRESENT**

Chairman Morgan Johnson, Vice Chairman Liz Reeser, Secretary Helen Crumpler

**STAFF PRESENT**

District Manager Connie Spell, Attorney Neil Yarborough, Bob Tucker County Finance, David Strum Envirolink, Jill Weatherly Clerk to the Board.

**INVOCATION AND PLEDGE OF ALLEGIANCE**

The invocation was rendered by Mrs. Marilyn Johnson, followed by the Pledge of Allegiance.

**1. APPROVAL OF AGENDA – ADDITIONS OR DELETIONS**

*Motion was made by Reeser, seconded by Crumpler and carried unanimously to approve the agenda as presented.*

**2. PUBLIC FORUM – None**

**3. APPROVAL OF CONSENT AGENDA**

*Motion was made by Reeser, seconded by Crumpler and carried unanimously to approve the following consent agenda as presented:*

- a. Minutes of the March 25, 2014 Regular Meeting
- b. Approval of the Financial Statement ending March 31, 2014
- c. Cashier-Receptionist Job Description

**4. NEW BUSINESS/DISCUSSION ITEMS**

- a. Collection of Unpaid Availability Fees

District Manager mentioned that at the last meeting Chairman Johnson asked if the customers not paying the availability fees could be submitted to Debt Setoff. She explained we submit delinquent accounts if we have a social security number. Most of these accounts we do not have a social security number because they never made application; therefore, they are not submitted to Debt Setoff. She stated she met with Attorney Yarborough and he said the District could proceed with suing these customers in court.

District Manager confirmed there are approximately 35 customers not paying the availability fees that could be sent to Debt Setoff because we have their social security numbers on file.

Attorney Yarborough discussed several options for the District in order to hold all customers accountable for their debts. In his opinion, small claims court is too lengthy of a process and very time consuming wherein judgments and appeals could and in many times take place.

The District should exercise authority to enforce collection of unpaid fees, as we have an obligation and a legal duty to protect the paying customers.

The process of enforcement would start with a demand letter sent by the attorney on the District's behalf stating a date to pay. If no response from the customer, attorney will then file a lawsuit in which District Court costs and owed availability fees would be charged to the customer and paid through a judgment or be attached to owned property in the form of a lien.

Further discussion will take place at a later board meeting.

Attorney Yarborough suggested establishing an ordinance allowing interest to be charged on those accounts with only water and sewer availability fees. Currently those accounts are not being charged late fees or charged interest because of General Statute restrictions.

*Motion was made by Johnson, seconded by Reeser to develop a policy and create an ordinance to charge 1% monthly or 12% annually to the delinquent accounts being charged only water and sewer availability fees.*

b. Envirolink's Report

Envirolink presented written Activity Reports for the month ending March 2014.

*(A copy of the Monthly Activity Report is hereby attached as Exhibit "A" and part of the official minutes).*

**5. CLOSED SESSION**

*Motion was made by Johnson, seconded by Crumpler and carried unanimously to go into Closed Session Pursuant to NCGS 143-318-11 (a) (6) for Personnel.*

The Regular meeting was reconvened at 6:45 p.m. and adjourned at 6:47 p.m.

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Morgan Johnson, Chairman

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Jill K. Weatherly, Clerk to the Board