

MINUTES OF THE MEETING OF
THE TOWN BOARD OF COMMISSIONERS
TOWN OF WILLIAMSTON, NC

January 4, 2021

The Board of Commissioners of the Town of Williamston met in regular session on Monday, January 4, 2021 at 5:30 p.m. in the NC Telecenter located at 415 East Blvd #130, Williamston, NC.

PRESENT Mayor Joyce Whichard-Brown
Commissioners: Mayor Pro Tem Ronell Rodgers, Jerry Knox, Alton, Moore Al Chesson, and William Coffield
Town Administrator: John O’Daniel
Town Clerk: Christina Craft
Finance Officer: Linda Harrison
Police Chief: Travis Cowan
Recreation Director: Allen Overby
Planner and Downtown Marketing Coordinator: Zach Dickerson
Town Attorney: Daniel Manning
Fire Chief: Michael Peaks
Public Works Director: Kerry Spivey

ABSENT None

CALL TO ORDER AND INVOCATION

The Mayor called the meeting to order and welcomed everyone to include Tina Brown, Robersonville Mayor. Commissioner Chesson led the pledge of allegiance. Commissioner Rodgers offered the invocation, after a moment of silence for the pandemic and our country.

AGENDA APPROVED

The Mayor asked if there were any adjustments to the Regular Agenda or if the Board wished any items to be removed or added the Regular Agenda. Commissioner Knox requested a discussion of the speeding issue on W. Woodlawn Drive to New Business. The Mayor requested the addition of a Closed Session under Attorney/Client Privilege per NCGS 143-318-11(a)(6). *It was moved by Commissioner Chesson, seconded by Commissioner Moore, and unanimously passed to approve the regular agenda as presented.*

The Mayor asked if there were any adjustments to the Consent Agenda or if the Board wished any items to be removed or added to the Consent Agenda. *It was moved by Commissioner Moore, seconded by Commissioner Coffield, and unanimously passed to approve the consent agenda as presented.*

Items approved in the Consent Agenda are as follows:

- (1) Minutes of the December 7, 2020 meeting
- (2) Williamston Planning/Adjustment Board Appointment – Wayne Fox
- (3) Approval of Budget Amendment - Additional Funds for Police Relocation Project
General Fund
Transfer to Capital Projects \$100,000
The purpose of this amendment is to budget additional funds for the Police Department Project. \$100,000 was approved to be allocated from Fund Balance to increase the contingency line in the project.
- (4) Approval of Budget Amendment - Salary Cost for Vacation Payout
General Fund
Salaries \$3,040
The purpose of this amendment is to appropriate funds to cover salary costs for vacation payout when Finance Director retires. The Board approved these funds at the Monday, December 7, 2020 Board meeting.

PUBLIC HEARING

Proposed Zoning Text Change – Conversion of Residences

The Mayor opened the public hearing to receive input from citizens on the proposed Zoning Ordinance text change regarding conversion of residences. Zach Dickerson reported the public hearing is in regards to the amendment of the zoning ordinance of the conversion of single-family residences into multiple dwelling units in zones R8, R15 and R20

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to require a special use permit and Planning Board approval. No public comments were received prior to or during the hearing. With no comments, the Mayor closed the Public Hearing.

PUBLIC COMMENT

None

INTRODUCTION OF NEW EMPLOYEES

Chief Cowan introduced Evan Phifer, Daniel Bullock and Brandon Raynor as new patrol officers for the Williamston Police Department. All three have lived and were raised in Martin County. Officer Phifer's father also worked for the Williamston Police Department in the past and are excited for him to follow in his father's footsteps. Officer Bullock interned with the department in the past and expressed interest in joining law enforcement. Brandon Raynor is also local and attended the BLET in Williamston. All three will be sworn in the next few weeks and begin their field training process. Kerry Spivey introduced Helen Tucker as the new administrative assistant in the Public Works department. Ms. Tucker is a citizen on Williamston. Debbie Savage is retiring after 22 years of service with the Town of Williamston. The Mayor and Board welcomed the newly hired officers and staff.

OLD BUSINESS**COVID-19 OPERATIONS UPDATE**

Vickie Manning, MTW Health Department Supervisor, updated the Board on the COVID-19 statewide and local statistics. There are 414 active cases in Martin County. There are 22 active cases in Tyrell County. There are 90 active cases in Washington County. 65.2% of the population of Martin County has been tested. One of the biggest and newest thing is the COVID vaccine. It is available in this district for those in Phase 1A which includes health care workers and long-term care staff and residents. Phase 2 will include adults 75 years or older and frontline essential workers 50 years old and older per the healthcare matrix. The vaccine has not been approved for anyone under the age of 16. She reported she feels the Town is following the guidelines. Commissioner Rodgers reported hearing of false negatives and false positives and questioned if this has been a problem in Martin County. She reported one case that came back inconclusive but felt this was due to test technique. The Mayor questioned the number of reinfections. Ms. Manning warned to remain diligent wearing the mask and following the other guidelines as this virus is still new. Take all precautions regardless of whether previously infected. Testing at the Scout Hut in Williamston has been extended at least to the end of the month. Chief Peaks expressed how the staff at the MTW Health Department have been a tremendous help to the Town of Williamston to navigate through the pandemic.

NEW BUSINESS**Approval of the 2019/2020 Financial Audit**

James Overton, with Carr Riggs & Ingram, presented the 2019/2020 audit draft prior to sending to the Local Government Commissioner. The Town of Williamston received an unmodified opinion for the fiscal year ended June 30, 2020 which is the best opinion that could be given as there were no material errors in the financial statements. The total net position is \$23,437,245. The largest part of the net position is the investment capital assets which include items such as water/sewer lines, streets, storm drains, equipment, land and buildings. There is \$448,460 that is restricted by state statute due to not being able to spend until it is received. Powell Bill funds, totaling \$408,110, is restricted to street activities. Funds totaling \$3,968,240 are restricted for public safety. These funds include monies received from federal drug forfeitures and the Controlled Substance tax which can only be used by the police department. The rest of the funds are related to the Police and Fire Department projects as only one payment to the contractors had been paid by June 30th. The money borrowed was construction loans and will be refinanced this year by a permanent USDA loans. USDA will pay the construction loan in full once construction is completed and the Town will begin payment on the permanent loan in the next year. The reason the unrestricted fund balance is negative in the governmental funds is because the borrowed money is restricted. After the construction is completed, the unrestricted funds balance should go back to positive in the upcoming year. Unrestricted in the water/sewer and stormwater is \$7.1 million.

There is \$6.2 million in revenues and \$6.4 in expenses. Property tax collections were down this year. There was one major retailer that did not pay their taxes of approximately \$100,000 until July, after yearend. The liability for the pension plan and Other Retiree Benefits increased also contributed to this loss. The interest earnings with OPEB decreased. The water fund had a net loss of \$244,459 for a total loss of \$478,475. The total unassigned funds are \$3,509,550. The General Fund balance available is \$4,052,242 which is 67% or 8 months of expenses. This is down from the prior year. The General Fund revenues are down which is due to the one large retailer paying just after the yearend. Interest income is also down. Sales and franchise tax did increase in the year. Total revenues is down by \$11,193 from the previous year. Expenses were down from previous year by \$131,553.

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The Water & Sewer Fund revenues were \$4,005,860 and operating expenses were \$4,183,470 increased due to pension and liability increase and the price for water purchased increased. The Storm Water Fund revenues remained the same with an increase in expenses due to debt service payments for a total decrease in net position of \$30,350 for a total ending net position of \$1,120,178.

The tax collection percentage went from 93% to 90% this year due to the one major retailer's late payment. The Local Government Commission wants to the rate to be at least 93%. The state average is 98%. One caution is in the 2021 budget, you assume a tax collection rate of 92% in the budget which must be the same as the actual percentage. This should correct itself in the current year. Within the second year of collections, the Town is usually at 98%. The Town has 10 years to collect.

Changes in long-term liabilities include the \$2,308,944 loan for the Police Department and \$2,042,595 for the Fire Station Capital Projects. Other Post Employment Benefits increased by \$716,146 and the LGERS pension liabilities increased by \$157,724 and \$23,366 for Law Enforcement Officers Separation Allowance. No money was borrowed for water/sewer but the increase of the OPEB and pension liabilities did increase.

The Town has paid \$963,186 towards the Other Post Employment Benefit (OPEB) net liability of \$4.5 million. This plan was closed to new employees in 2013. Each year, the Town contributes approximately \$100,000 to this liability. He recommends continuing the annual contributions.

He reviewed the Fire Department Capital project budget to includes all budget amendments. \$195,443 was spent in the year which leaves \$1.8 million in the project of the \$2,042,000 borrowed. The Police Department Capital Project Fund borrowed \$2.3 million for construction. \$359,620 was spent on this project in the year with an ending balance of \$2,5543,217. The Gaylord Perry Park PARTF Grant Project has authorized \$262,525 in funds. No expenditures have been spent on this project during the year.

The Town Administrator reported the Board has committed \$800,000 of the General Fund balance which will drop the fund balance by 25 to 30% as the Town was unable to finance the additional loan volume. Commissioner Chesson reported the LGC requires 8 months of fund balance. Mr. Overton reported the LGC requires 8% which is equivalent of one month's expenses. The LGC wants to see the Town at the average amount for towns of equal size which the Town is below that amount. The 8% is not a recommended amount and is considered bad as the LGC will step in and run the Town for you. Mr. Jordan reported the recommendation is to sustain at 8 to 9 months as most collections are not realized until after the first quarter. What COVID has taught us is to be very cost conscience as money is scarce. COVID only affected the last quarter revenues and may have a greater impact on the upcoming year.

The Mayor reported not seeing where the Martin County ABC Board funds totaling \$16,017 have been deposited or any mention of it. The Town Administrator reported these funds are listed in the annual budget. Approximately \$20,000 was included in the budget. The Finance Director reported these funds are grouped with other funds received but is singled out in the General Ledger. Many funds are received and included in the General Fund. The Mayor reported the letter she received stated these funds were drops in May and June and was curious how many others the Board is not aware of. The Finance Director reported she believes the funds are received twice annually. The Mayor reported the letter stated the funds are not restricted on how it was spent and was concerned as the Board was told there was no funds available for Commissioners to go on conferences. She also reported she had purchased door magnets and had to pay the Town back as the Town didn't have the funds. The Finance Officer reported restricted funds are like the Powell Bill funds that must be used only for streets. Unrestricted funds include hold harmless funds and property taxes which is included in the overall budget to cover all expenses. One unrestricted revenue is not set aside for a specific expense. The Mayor reported there was no breakdown of where revenues came from. The Town Administrator reported the entire budget is over \$11.5 million and the funds are included but are such a small amount, it is not high-lighted. The Town Clerk reported the ABC Distribution is listed under the Local Shared Revenues in the current budget. The Town Administrator reported this would be reviewed further at the budget retreat. The Mayor reported this hit her hard as she was asked to reimburse a couple expenditures on her credit card. Commissioner Rodgers reported being told prior by the Town Administrator that the Town doesn't receive ABC funds. The Town Administrator reported no knowledge of the conversation. The Mayor questioned if this was a private conversation or in a meeting as she didn't recall the conversation. He stated it was a private conversation. *Commissioner Chesson motioned, seconded by Commissioner Knox, and was unanimously passed to approve the 2019/2020 Audit as presented.*

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Approval of Ordinance 2020-16 Amending the Zoning Ordinance to Allow the Conversion of Residential Structures

The Planning and Downtown Marketing Coordinator presented an amended to the zoning ordinance which will allow the conversion of residential structures in the R-8, R-15 and R-20 by special use request. This means an application will be presented to the Planning Board for approval. The conversion of any residential structure in order to provide additional units will be allowed as special use provided each dwelling unit has a minimum of 450 square feet of usable floor area with adequate sanitary facilities, the area and bulk regulations of Section 6-2.3 can be satisfied and minimum parking requirements of Section 9-5.23 or Section 9-5.1 be met (two spaces for each unit) and the character of the structure and neighborhood are maintained. Commissioner Chesson questioned what precipitate the change. The Planning and Downtown Marketing Coordinator reported one of the Planning Board members brought the problem to their attention as a home in the R-10 district was converted in the historical district. The house only had parking for possibly two cars and now has the possibility of up to eight cars. The Mayor questioned the locations of R15 and R20. The Planning and Downtown Marketing Coordinator reported R15 and R20 are mostly out of the city limits as the Town has zoning jurisdiction over the ETJ area. *A motion was made by Commissioner Chesson to approve the Ordinance 2020-16 Amending the Zoning Ordinance to Allow the Conversion of Residential Structures in Order to Provide Additional Living Units as a Special Use in R-8, R-15 and R-20 Residential Districts. Commissioner Moore seconded the motion and the motion was passed unanimously. The ordinance is hereby attached with the minutes of this meeting and incorporated in the Town's Ordinance Book for future reference.*

Speed Limit on W. Woodlawn Drive

The Police Chief reported W. Woodlawn Drive is basically a curve. In a discussion with Commissioner Knox, he was questioned if there was an issue with reducing the speed limit. He sees no issue with reducing the speed limit to 25 mph from Lee Street to School Drive on Woodlawn Drive. An ordinance will have to be presented and approved by the Board for the reduction in speed if the Board so desires. He requested if there were any other areas of complaint received by the Board. The Mayor reported receiving complaints about Grace Street. She reported Warren Street speed limit was reduced to 25 mph but people seem to drive even faster. The Chief reported officers have to be there to see it and will try to give all of the areas extra attention. He recently received complaints about Wildcat Road also. The Chief reported he is developing a list for review and requested the Board to call him directly if there are any other streets that need to be reviewed. He is hopeful the new radars for the police cars will help reduce the speeding issue. Commissioner Moore reported Main Street is a highly trafficked and the speed limit is 25 mph for a section but the normal traffic speed is much higher than that. The Chief reported the speed limit is 35 mph within the city limits if there is no speed limit posted. Commissioner Moore reported understanding the NCDOT is responsible for the signage and a sign disappeared in the 20 mph section. The Chief reported there should be signs and would review and address.

COVID Leave

The Town Administrator reported the federal regulations stated to give up to 80 hours or equivalent of two weeks for COVID leave that does not go against employee's vacation or sick time. This will expire the first of this year and requested the Board to approve a six-month extension. The Town has currently spent \$33,000 which didn't cost additional funds as the Town is still paying for the hours. Until there are so many employees out at a time, then additional costs would be reflected in overtime costs. Commissioner Rodgers questioned if there were any stipulations requiring proof of testing. The Town Administrator reported the employees share the test results with the Town. When the testing first began, it took up to a week to obtain test results which resulted in employees using the COVID time quickly. The test results are returned in a couple of days now. *It was moved by Commissioner Chesson, seconded by Commissioner Moore and unanimously passed to extend the COVID leave for the next six months and to increase the amount of time for an additional week or up to 80 hours.*

DEPARTMENTAL REPORTS**Administration**

The Town Administrator provided the following report:

- The staff's 360 report, a blank evaluation form and instructional memo was distributed by the Town Clerk in preparation for his evaluation later in the month. He also requested the Board to forward any items that the Board would like additional information or clarification so information could be prepared prior to the retreat which is to be held on Friday, January 22, 2021 at 8:30 am.
- The Committee of 100 discussions continue regarding the building on Main Street.
- A financial update was distributed for review which includes the current property tax collection rate. The Town is currently trending as expected.

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Public Works

The Public Works Director provided the following report:

- The department is dealing with leaf season and the amount of rain has created issues with the sewer collection system and pumping stations. One of the pumps must be replaced.
- The knuckle boom truck is still down so the old street sweeper is still being used.
- The new street sweeper had a cable to break which is covered by warranty.
- The application to the State regarding the air curtain burner has been sent and additional items have been requested.

Planning

The Planner and Downtown Marketing Coordinator reported:

- The demolition of the Mitchell Building has been complete. The contractor has been paid and paperwork has been sent for reimbursement through the demolition grant. The area will be seeded once the land dries.
- The new Code Enforcement Officer has issued 22 abatement notices, 15 of which were completed by the Town and 7 completed by the property owner. She is shopping around to find lower cost lawncare contractors.
- The old Irving Law Firm building has been purchased and a pediatric office will open once their permits are completed.
- The Patriot House has requested an extension with the CDBG grant and was approved.
- The Christmas decoration contest will end this week and WDI, Inc will award first and second place winners.

Parks & Recreation

The Parks & Recreation director reported the following:

- The Athletic Program Supervisor position is still open. Due to COVID, it has been decided to wait until the first of the year to begin interviews.
- He is still waiting to hear from the LWCF grant for the Gaylord Perry Park.

Police

The Police Chief reported:

- All of the mandatory training has been completed and submitted for the Training and Standards Commission for the year 2020.
- Vendors for the interior to include flooring, lockers, furniture and IT have been selected.
- The working environment with COVID-19 is very difficult and praised Chief Peaks as the first phone call concerning COVID-19 situations from all departments is to him. It is very helpful to have him to lean on.
- December is historically a busy month and the staff has been able to make cases with crimes that are normally unsolvable. They have worked with other jurisdictions to be able to make cases. He is very happy with the professionalism and dedication of his staff.

Fire/Rescue

The Fire Chief provided the following report:

- The RRT had two state missions in December in Pantego and Rocky Mount. Both were small in nature and quickly remedied.
- Annual items have been completed and will be reported by no later than January 15, 2021.
- They visited the Stratus Solar site and do preplanning for possible situations. The same afternoon, there was a brush fire.
- The Christmas banquet was cancelled.
- Two staff members were sent to a conference.
- The Agape Center is also doing COVID testing on Tuesday and Thursday by appointment.
- COVID has created challenges with scheduling with no changes in services to citizens.
- Keep Chip Myers in your prayers as he has COVID-19 for the second time. He did well the first time but was airlifted to John Hopkins in Baltimore, MD today.

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CLOSED SESSION

It was moved by Commissioner Chesson, seconded by Commissioner Moore to go out of regular session into closed session to address Attorney/Client Issue per N.C.G.S. 143-318-11(a)(6). The motion passed unanimously.

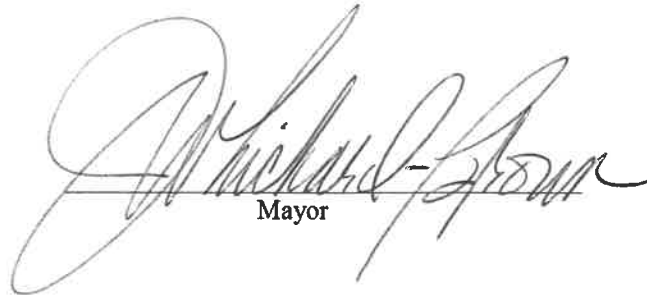
It was moved by Commissioner Chesson to go out of closed session and into regular session. The motion was seconded by Commissioner Moore and passed unanimously.

There being no further business, the Mayor declared the meeting adjourned at 8:04 p.m.

Submitted By:

Approved By:


Town Clerk


Mayor