

Town of Pinetops
Board of Commissioners
Regular Monthly Meeting (Also available via Zoom)
Public Hearing – NCGS 160D Zoning Ordinance Amendment
Minutes
June 1, 2021
Pinetops Town Hall

A. Call Meeting to Order

Mayor Harrell called the Meeting to Order.

B. Invocation

Invocation was given by Ada Morgan.

C. Pledge of Allegiance

Mayor Harrell led the Pledge of Allegiance.

D. Proposed Agenda

Commissioner Sugg asked for time to briefly discuss job descriptions under Items for Discussion. Commissioner Mabry stated he had a couple of items to discuss but he would just bring them up under Any Other Business. Commissioner Sugg made a motion to approve the proposed agenda as amended. Commissioner Taylor seconded the motion. Motion carried unanimously.

E. Consent Agenda

Commissioner Webb made a motion to approve the May 4, 2021 and May 11, 2021 minutes as written and submitted. Motion was seconded by Commissioner Taylor. Motion passed unanimously.

F. Public Hearing

Mayor Harrell called the public hearing to order. The public hearing was held to receive public comments pertaining to the consideration of amendments of the zoning ordinance and other land development ordinances to bring the same into compliance with NCGS 160D. Town Attorney, Brian

Pridgen was present to give a power point presentation. Planning Board member Ada Morgan was present for the presentation along with fellow Planning Board member David Manning who was present via zoom. The attorney explained that the changes had to be adopted by July 1st. These changes don't affect the zoning of any property in town. One of the main changes as a result of NCGS 160D is that administrative decisions will now have to be done in writing. The steps that had to be followed for the new changes to be implemented was (1) Planning Board votes to recommend approval of amendments, (2) Public Hearing, and (3) Town Board adopts NCGS 160D Zoning Ordinance Amendment. Mayor Harrell closed the Public Hearing. Commissioner Mabry made a motion to adopt an ordinance to consider amendments of the zoning ordinance and other land development ordinances to bring the same into compliance with NCGS 160D. Commissioner Sugg seconded the motion. Motion passed unanimously.

G. Public Comments

1. Jerry Abrams – Abrams BBQ

Mr. Abrams was present via zoom to voice some questions and concerns he had as it pertains to food trucks being allowed to operate in town. He recommended that if the Board is going to allow food trucks to operate in town then they should consider adopting a fee for allowing them to set-up. His reasoning was that since regular business owners had to pay utilities to operate their places then maybe the food truck owners should pay too. Mayor Harrell replied that the Board would take his suggestion under consideration. Before exiting the call, Mr. Abrams informed the Board that he is working on the drive thru/parking lot issue at Abrams. He stated that hopefully by the 3rd week of June he will be repaving the gravel lot so the drive thru can be relocated resulting in drivers entering off 4th street and not the main street. This should help alleviate most of the congestion and safety issues.

H. Departmental Reports

- 1. Police Department.** Chief Harrell read over the police report for the month of May. The total calls answered and/or initiated were 1216. Chief Harrell informed the Board that the best location for the speed humps on S. S A Gilliam Street has been evaluated and will be ordered. He will also keep the Board updated on any properties that are in violation of Town Code. A detailed copy of the police report is hereby attached to the minutes.
- 2. Public Works Department.** Phil Webb read over the water and sewer report for the month of May. The total water flow was 6.42 while the sewer was 3.90. The Public Works Director informed the Board that the town had received a certified letter imposing a sewer line

moratorium which means there can be no expansion of the wastewater system or any new construction without first obtaining all required permits. He also informed the Board that he had located a used sewer jet for \$26,750 which is a lot cheaper than a new one. A detail copy of the water/sewer report is hereby attached to the minutes.

3. **Fire Department:** Chief Burress presented the Fire report for the month of May. The total calls for the month was 6. He reported that the Medical Responders resumed answering calls again in town on May 17th. The Fire Department received the 2021 NC Dept. of Insurance Fire Grant for \$29,587.50. The grant is 75/25 with the 25% being paid out of equipment funds in the budget. Chief Burress presented the Cemetery report for the month of May. The total plots sold this month was 0. A detail copy of the Fire Report and Cemetery report is hereby attached to the minutes.
4. **Finance Officer:** Ms. Keesler gave the financial report for the month of May. The adjusted ending balance for the month was \$1,722,156.90. A detail copy of the Financial report is hereby attached to the minutes. She presented the Board with a Paid Check Report for the month of May along with a Revenue and Expenditure Report. Ms. Keesler told the Board she had to make another interfund transfer from the electric fund to the general fund in the amount of \$75,000. Commissioner Mabry made a motion to approve the interfund transfer of \$75,000 from the electric fund to the general fund. Commissioner Webb seconded the motion. Passed unanimously.

Commissioner Mabry made a motion to purchase the sewer jet for \$26,750 only after the Public Works Director has had the opportunity to inspect the equipment and determines the price to be acceptable based on its condition. Commissioner Taylor seconded the motion. Motion passed unanimously.

The Board asked that a maintenance position be added to the proposed budget based on the request of the Public Works Director. The position will be funded out of the water/sewer department and have a beginning salary range of \$25,000.

1. Items for Discussion

1. **NCGS 160D Zoning Ordinance Amendment.** This ordinance was adopted earlier in the meeting immediately following the public hearing.
2. **Present Proposed Budget & Budget Message for FY 2021-2022.** Ms. Keesler took a few moments to go over the highlights in the proposed budget for fiscal year 2021-2022. The current tax rate remains the same at \$.46 per \$100 of assessed valuation. The garbage and recycle rate are proposed to remain unchanged. There is no proposed increase in the electric rates at this time but may have to be revisited in the future. There is however a rate increase of 25% proposed for both the water and sewer. The town will renew its current employee medical coverage through BCBS which comes with a 21% rate hike. Other proposed employee benefits consisted of a 2.5% COLA for employees as well as the town contribution for general employees 401-k plan increasing by 1%. Additional items mentioned were debt payments and staffing. A copy of the budget message is hereby attached to the minutes.
3. **Set Public Hearing for Budget Approval.** The proposed budget will be made available to the public for inspection via the town office and town website. A copy of the proposed budget has also been made available to the local newspaper. The public hearing on the adoption of the budget for fiscal year 2021-2022 has been set for Tuesday, June 22, at 6:00 p.m. A public hearing notice will be advertised in the local paper.
4. **Resolution for receiving federal funds under the American Rescue Plan Act (ARPA).** Ms. Keesler explained that a Resolution needed to be adopted stating that the town is requesting ARP Act funding being distributed by the State and affirm that the revenue will only be used for the purposes prescribed in the ARP Act guidance. Commissioner Mabry made a motion to adopt the Resolution for receiving federal funds under the American Rescue Plan Act (ARPA). Commissioner Sugg seconded the motion. Motion passed unanimously. A copy of the Resolution is hereby attached to the minutes.
5. **Resolution amending the Town of Pinetops Personnel Policy.** The Town Attorney took a few moments to review the proposed resolution amending the Town of Pinetops personnel policy. He explained that this policy change will reduce the potential for a "dual-role conflict of interest" should a Town employee/representative win a public election for a seat on the Town Board. Commissioner Sugg made a motion to adopt the Resolution of the Board of

Commissioners of the Town of Pinetops amending the Town of Pinetops Personnel Policy. Commissioner Taylor seconded the motion. Commissioner Mabry opposed the motion. Commissioner Harrison originally didn't cast a vote until the Attorney explained that by not voting it would be counted as a yes vote. Commissioner Harrison then opposed the motion. There were 3 votes in favor and 2 votes opposed. The motion passed 3-2. A copy of the Resolution is hereby attached to the minutes.

6. **Any Other Business.** Commissioner Sugg handed out an employee job function title sheet to the Board for review. He stated that his hopes are that by September we can have job descriptions outlined plus salary ranges for said employee job functions.

Commissioner Mabry requested time be earmarked before the June 22nd public hearing to allow Bruce Naegelen from the NC Commerce to have the opportunity to give a presentation on the Economic Development Plan. The update will cover the economic development assessment plan which has now been finished. The Board agreed to call a special meeting at 5:00 p.m. on Tuesday, June 22nd to allow time for this presentation.

Commissioner Mabry wanted to discuss ways to interview and line up applicants for the Town Administrator position. He suggested allowing the School of Government to directly receive the applications for the position then they would in turn line up candidates they felt were the best fit for the town. The Board thought this could be a good idea. Commissioner Mabry made a motion to contact an independent company to vet job applications for the Town Administrator position. Commissioner Sugg seconded the motion. Motion passed.

J. Closed Session

1. **Personnel Matters.** Commissioner Webb made a motion to go into Closed Session to discuss personnel matters. Commissioner Sugg seconded the motion. Motion passed. Mayor Harrell excused herself prior to the Closed Session starting. She explained that the Mayor Pro-Tem, Commissioner Taylor will reside over the Executive Session. Commissioner Mabry then excused himself from the session. The Fire Chief was requested to remain for the Executive Session.

Commissioner Webb made a motion to go out of Closed Session and back into regular session. Commissioner Taylor seconded the motion. Passed unanimously.

Upon re-entering into Regular Session both Mayor Harrell and Commissioner Mabry came back into the room to take part in the remainder of the regular meeting.

Commissioner Webb made a motion to raise David Phillips rate of pay from \$25.00 per hour to \$30.00 per hour effective as of July 1, 2021. Commissioner Sugg seconded the motion. Motion passed.

K. Adjournment

Commissioner Webb made a motion to adjourn. Commissioner Sugg seconded the motion. Motion passed unanimously.

Date, 6/22/2021

Brenda Harrell

Mayor Brenda Harrell

ATTESTED,

Tammy Keesler

Finance Officer/Town Clerk Tammy Keesler