

**TOWN OF SELMA  
WORK SESSION MEETING  
JERNIGAN BUILDING  
MAY 4, 2015**

**PRESENT:** Mayor Cheryl Oliver, Councilmembers Eric Sellers, Tommy Holmes, and William Overby, Town Manager Jon Barlow, and Town Clerk Cynthia Richardson.

Mayor Pro-tem Jackie Lacy entered the meeting at 6:30 p.m.

**STAFF PRESENT:** Planning Director Julie Maybee, Public Works Director Alex Fuller, Police Chief Richard Cooper, Fire Chief Phillip McDaniel, Parks and Recreation Director Joe Carter, and Deputy Town Clerk Brenda Thorne.

Mayor Oliver called the meeting to order at 6:00 p.m. in the Selma Jernigan Building located at 110 East Anderson Street and, declared a quorum was present.

**ECONOMIC  
DEVELOPMENT  
STRATEGIC  
PLAN UPDATE  
FOCUS GROUP  
APPOINTMENTS:**

Town Manager Jon Barlow stated that Consultant, Mr. Rocky Lane of the Sanford Holshouser Group, was ready to start the Strategic Plan Update Project. He said that he needed from the Town enough names to form two focus groups to meet with to get their input on where the Town wanted to move forward with in economic development in regards to industry. Mr. Barlow presented names that he would recommend for the focus groups.

Councilmember Sellers asked if the groups were to be citizens or business owners.

Mr. Barlow stated that there were no guidelines regarding appointments to the focus groups. He said the focus groups could consist of both citizens and business owners, and that decision was strictly up to Council.

Mayor Oliver emphasized that the focus was economic development for industry.

Councilmember Sellers stated that he would like to include Mr. & Mrs. Wes Brown of Browe Construction. He said that he would also like to see minority business leaders included in a focus group.

Councilmember Holmes recommended including either Mr. Warren Stancil or Mr. Larry Stancil.

Councilmember Overby recommended Mr. Mike Parrish.

Councilmember Sellers stated that he would like to include someone from one of the antique shops to be included on a focus group.

Mayor Oliver recommended Albert Kensak as the antique business representative. She asked everyone to keep thinking and to call Town Manager Barlow by noon on May 5<sup>th</sup> with other additions to the focus group so that Mr. Lane could get this project underway.

**DISCUSSION OF  
LONGEVITY  
PAY PLAN:**

Town Manager Barlow stated that included in their material, as Council had requested, was Option Two (2) of the Longevity Pay Plan. He said that earlier, Council was presented three (3) options, which included various ways to modify the existing Longevity Pay Plan. Mr. Barlow stated that also included was the Ayden Plan that was recommended by Becky Veazy of the MAPS Group, Inc. in their pay classification study. He said that Council seemed to focus on Option Two (2) with the deletion of less than five (5) years regarding the Longevity Pay Plan. Mr. Barlow stated that there was a request to take a look at Option Three (3) again, which is the same as Option (2), but drops the percentage by one point.

Mayor Oliver stated that she thought Option Three (3) did more than reduce the percentage by one percent, but it does not. She said that she did not know if Council was aware of that, and wanted to revisit it. Mayor Oliver stated that they need to take a look at how the dollars come out. She said that it was a middle ground for what was presented in Option Two (2). Mayor Oliver stated that the grouping of the years are the same. She said that they are trying to make it a true “longevity pay” versus “bonus pay”. Mayor Oliver questioned if the percentage or flat rate should be considered. She said that there were two options to be considered, should it be a percentage, or Option Two (2) or Option Three (3).

Mayor Oliver recommended getting the first question taken care of, which was the thought of a percent of salary versus flat rate for this coming budget year.

Councilmember Overby stated that he preferred the Ayden Plan, which is the flat rate.

Councilmember Holmes stated that he agreed to offer a flat rate for longevity.

Councilmember Sellers stated that employees earning a flat rate do not make as much money, but is more meaningful. He said that if they are trying to reward longevity, this does not have to be the dollar amount. Councilmember Sellers stated that the dollar amounts could be tweaked, but he preferred the flat amount. He said that if an employee is not in a management position, but is steadily doing a good job, he or she should be rewarded.

Mayor Oliver stated that her conflict was do they go to a flat rate this upcoming fiscal year or do they do one more year on a reduced percentage rate so that it is not such a big jolt from what they have been doing in the

past. She asked if they should schedule the flat rate in the 2016/2017 budget year.

Councilmember Overby stated that if Council decided to go that way, they should go with Option Three (3) for this fiscal year and go to the flat rate during the next fiscal year.

Councilmember Sellers stated that would give Council the next fiscal year to look at what the flat rates should be.

Mayor Oliver stated that it would be Option Three (3) for fiscal year 2015/2016 and then the flat rate for the next fiscal year 2016/2017.

Town Manager Barlow stated that the draft budget would show Option Two (2), but further into the budget process he could incorporate Option Three (3) of the Longevity Pay Plan with the one percent rate decrease.

**TOWN COUNCIL  
RULES OF  
PROCEDURE:**

Town Manager Jon Barlow stated that the Town Council Rules of Procedure was something that they have been working on for some time. He presented suggestions made by Town Attorney Hewett.

Item 1, Page 2 – Recommended changing all meetings to either 6:00 p.m. or 6:30 p.m. Council recommended changing all meetings to 6:00 p.m.

Item 2, Page 2 – Attorney Hewett wanted to make it clear that no votes would be taken during work session meetings.

Mayor Oliver recommended that a section needed to be added for Work Session Meetings.

Councilmember Overby stated that the Special Meetings section needed more work. He said that most items could have action taken except for ordinance awareness, civic franchises, and selling of property.

Mayor Oliver asked Councilmember Overby to send the information that needed to be included under the Special Meeting section to Town Manager Barlow or Town Clerk Cynthia Richardson for inclusion in the draft for next week's Council Meeting.

Item 4, Page 3 – Mayor Oliver asked if Council was in agreement with items due a week in advance for the agenda.

Councilmember Overby asked Town Clerk Cynthia Richardson if she receives the information a week in advance, would she be able to get the information back out to Council? He said that he would like to get the Council package for the regular meeting no later than Thursday morning if possible.

Mr. Barlow stated that if there was a lot of work and research that needed to be done, it might not be included in the package, but most would be included.

Councilmember Overby stated that he knew the timeline constraints would be difficult for the Finance Department. He said that if anyone wanted to talk during the meeting, they should provide their paperwork for the package, especially if it was something that was being voted on that night. Councilmember Overby stated that it should not be handed out at the meeting.

Councilmember Sellers stated that if it was something that Council needed to think about, it could be tabled until the next meeting.

Item 17(g), Page 6 – The Call to the Previous Session and Procedural Motion. Mayor Oliver questioned giving ten (10) minutes for debate, who would be the time keeper?

Town Manager Barlow stated that it would be the Town Clerk.

Item 23(c), Page 8 – Town Manager stated that Attorney Hewett questioned if this item was necessary. Council agreed to delete item 23 (c).

Item 25, Page 9 – Mayor Oliver questioned if a quorum should be the majority of the actual membership of Council including the Mayor versus plus the Mayor. Council agreed that a quorum should include the membership of the Mayor, and asked for the Town Attorney to be consulted on this item.

Item 29, Page 10 – Councilmember Overby stated that phone participation should not be allowed. He said that if someone could not attend the meeting then they are not present.

Councilmember Sellers stated that it was a strain when you are away. He said that there was a problem with hearing what someone in the audience had to say or had to present. Councilmember Sellers stated that it was not the same as being at the meeting in person.

Councilmember Overby questioned that if he asked Council for a waiver, how would his vote count? He said that by what he had read, his waiver counts his vote as a yes. Councilmember Overby stated that he would like for Town Attorney Hewett to look into and provide an explanation.

Mayor Pro-Tem Lacy entered the meeting at 6:30 p.m.

Item 30, Page 11 – Mayor Oliver stated that the Town of Selma refers to its Zoning Board of Adjustment (ZBOA) as just the Board of Adjustment (BOA) and asked that the “Z” be removed and referred to as “BOA”. She said this is to be like a courtroom hearing, and questioned if the Town Attorney should conduct the quasi-judicial hearings from beginning to end.

Mayor Oliver requested getting the Town Attorney's opinion on this item due to legal ramifications.

Town Manager Barlow stated that he did not think that it was inappropriate for the Town Attorney to lead a quasi-judicial hearing. He said that during a quasi-judicial hearing, this would be the record that goes to court. Mr. Barlow stated that the Town Attorney was looking after Council's best interest.

Councilmember Overby stated that the Mayor would need to turn the meeting over to the Town Attorney, and once completed, it would be turned back over to the Mayor.

Mayor Oliver asked if there were any requested changes for pages 16 through 18.

With no further changes, Town Manager Barlow stated that the drafted changes would be made for Council's review for the May 12, 2015 agenda.

Council agreed that with all that is going on with the budget and other items that it could be presented at the June meeting.

**OPERATIONAL  
REPORTING  
REQUIREMENTS  
AND ONLINE  
REPORTING  
TOOLS:**

Mayor Oliver stated that they have talked about reporting requirements and online reporting tools on and off, and trying to get some regular reports that are good in several levels. She said that over the past few years, they have kept this discussion ongoing with what do they need. Mayor Oliver stated that they use to have a monthly package of operational results, which were very detailed on the departmental level; however, that is not getting the information that they need. She said that the package that was distributed were report ideas over the past two to three years that with some being familiar to Council. Mayor Oliver stated that the reasons for reporting are: 1) to enable and inform business decisions; 2) to measure, control, monitor, and improve performance; and 3) to improve communication among Council, staff, employees, and citizens. She said that there were levels of reporting. Mayor Oliver stated that the highest level was the public dashboards or citizen scorecards, which include the quality of life issues. Mayor Oliver stated that there were three levels of reporting, which included public dashboards or citizen scorecards, executive level reports, and detailed departmental reports.

Mayor Oliver asked Council to review the online reporting tool requirements that she presented. She said that they could revisit online reporting at the next Council Work Session.

Mayor Oliver stated that in the packet was information regarding Revelstone Labs. She said that they have been recommended by the North Carolina League of Municipalities as one of the easiest to use and with the lowest cost. Mayor Oliver asked Council to consider having Revelstone give a demonstration.

**SET DATE FOR  
MOCCASIN  
CREEK TOUR:**

There was no agreement between Councilmembers when to tour Moccasin Creek.

**DISCUSSION OF  
SOLID WASTE  
COLLECTION  
POLICY:**

Town Manager Barlow stated that he would be glad to answer any questions anyone had regarding solid waste. Mr. Barlow presented copies of the fee schedule and a section of the Town's Municipal Code that pertains to solid waste.

Councilmember Overby presented a Power Point presentation, which showed trash along the streets of Selma that is not being picked up by Waste Industries. He said that the Town pays approximately \$504,000 a year, and cannot get the garbage off the streets.

Mayor Pro-Tem Jackie Lacy stated that at the end of South Webb Street, there was water backing up on the property, and asked if it had something to do with the railroad.

Mr. Barlow stated that the drain under the railroad was stopped up. He said that they were trying to contact people with the railroad company to get them to unstop those drains.

Mr. Barlow stated that Council needed to consider that there is municipal solid waste (garbage), recyclables, yard waste, and bulk waste. He said that the Town does pay Waste Industries about \$17.42 per residence per month; however, the Town charges \$25.00 per month. He said the balance of that is used to take care of things that are not in the Waste Industries contract. Mr. Barlow stated that up to this week, the Waste Industries truck was picking up garbage and bulk waste at the same time. He said that Thursday afternoons and Fridays are for recycling. Mr. Barlow stated that they are having some issues with the new truck. He said that someone from Waste Industries would be present for the May 12, 2015 Council meeting to discuss those issues. Mr. Barlow stated that by contract, they are required to pick up the Town's bulk waste (one hopper per week). He said that if for some reason a resident did not want their bulk trash outside for a week, the Town could do a call back provision at a cost of \$25. He said that if the waste was an excessive amount, the cost would be \$150. Mr. Barlow stated that Public Works Director Alex Fuller had collected data

Councilmember Overby asked who approved these costs.

Town Manager Barlow stated that Council approved the costs, which is a part of the Town's budget.

Public Works Director Alex Fuller stated that he has requested from Waste Industries data for the past five years regarding tonnage of solid waste taken to the landfill. He said that Waste Industries was not equipped to turn that

type of information around very quickly, but had information of his own that he presented to Council for the past two years.

Municipal Solid Waste (Garbage) Annual Tonnage  
Contracted Service Through Waste Industries

	Quantity (Tons)	Tipping Fee	Total
2013	2217.41	\$35.00	\$77,609.35
2014	2098.36	\$35.00	\$73,442.60

Recyclables Annual Tonnage  
Contracted Service Through Waste Industries

	Quantity (Tons)	Tipping Fee	Total
2013	300.23	N/A	N/A
2014	276.14	N/A	N/A

Yard Waste Annual Tonnage  
YW Collected by PWD Crews and Hauled in Container by WI

	Quantity (Tons)	Tipping Fee	Total
2013	823.5	\$16.00	\$13,320.00
2014	1112.59	\$16.00	\$17,801.44

Construction and Demolition Annual Tonnage  
C&D Collected by PWD Crews and Hauled in Container by WI

	Quantity (Tons)	Tipping Fee	Total
2013	131	\$27.00	\$3,537.00
2014	185.99	\$27.00	\$5,021.73

Household/Bulky Items Annual Tonnage  
Collected by PWD Crews and Hauled to Landfill by PWD Crews

	Quantity (Tons)	Tipping Fee	Total
2013	187.77	\$35.00	\$6,571.95
2014	157.24	\$35.00	\$5,503.40
2015 *YTD	243.27	\$35.00	\$8,514.45

Mr. Fuller stated that Waste Industries is under contract to collect all bulk waste and the Town should not be picking it up. He said that if there is an excessive amount beyond the hopper full, then the Town would collect. Mr. Fuller stated that this would require a special pick up fee for the extra amount. He said that typically, it was above and beyond what is acceptable. Mr. Fuller stated that at some point in time, Waste Industries stopped picking up bulk items even though they were under contract, leaving the Town to pick up the bulk items.

Councilmember Overby stated that up until this year, the Town has not had this problem. He asked what had changed from last year until now.

Mr. Fuller stated that Waste Industries has not been picking up bulk waste. He said that the Town is holding Waste Industries to its contract, making them perform. Mr. Fuller stated that in the past, if Waste Industries did not pick up the bulk, the Town would.

Mr. Fuller stated that since the new garbage truck is unable to pick up bulk waste, an older rear loading Waste Industries truck would come through Selma on Wednesdays to pick up all bulk waste.

Mayor Oliver asked if Waste Industries had given the Town any other options other than the one day a week pick up option.

Public Works Director Fuller stated that they had not.

Councilmember Sellers stated that there was a big difference between the \$25 Town pick up charge and \$150. He said that since Council approves rates, he would like to understand the difference between the two.

Public Works Director Fuller stated that the \$150 was a quick analysis of two men, a backhoe, a dump truck, a trip to the landfill, and tipping fees; and making sure the Town's costs were recovered.

Councilmember Sellers stated that at \$504,000 a year, the Town could buy its own truck and put people to work.

Town Manager Barlow stated that the Town is under contract with Waste Industries until the year 2017.

Mayor Pro-Tem Jackie Lacy stated that this information needed to be published in the Town's newsletter.

Council agreed that once the date for solid waste pick up was determined and the rates were established, it would be published.

Mayor Oliver asked if there was anything else Council would like for Town Manager Barlow or Public Works Director Fuller to gather before revisiting this issue at a future meeting.

Councilmember Overby stated he wanted the damage made to containers by the new truck monitored. He said that he did not want citizens paying for new containers when the truck does the damage.

Public Works Director Fuller stated that Waste Industries has not been charging the Town for containers.

**WOODPILES ON  
RESIDENTIAL  
AND  
COMMERCIAL  
PROPERTIES:**

Town Manager Jon Barlow presented excerpts from several different sections from Selma's Municipal Code pertaining to nuisances and community appearance provisions. He said that they were looking at options, if they could, to remedy several situations regarding excessive woodpiles around Town. Mr. Barlow started that there was a woodpile near the Depot. He said that according to Attorney Hewett, there was no recourse due it predated the Town's Codes.

Councilmember Overby stated that he would disagree.

Mr. Barlow stated that he could have Town Attorney Hewett take a look at it again.

Councilmember Overby stated that the property is zoned I1 (Industrial).

Mr. Barlow stated that was correct, but it was predated and was grandfathered in.

Councilmember Overby stated that a nuisance was not under a grandfather provision. He also recommended that fencing be placed around the property to hide it from public view. Councilmember Overby stated that he would bring the issue back up with Town Attorney Hewett at Council's next meeting.

Town Manager Barlow stated that they have had some success on the property located at South Railroad Street. He said that old lawnmowers have been cleared from the property and woodpiles have been removed from the front yard.

Mayor Oliver stated that it was better, but the debris is building up again. She said that there needed to be something included regarding where the woodpiles need to be, and how it should be displayed.

Councilmember Holmes stated that the property owner has always heated his home with wood.

Mayor Oliver asked for input from Planning Director Maybee on how to proceed.

Ms. Maybee stated that it gets back into the discussion of what is excessive. She said that if was just neatly stacked. Ms. Maybee also recommended having the wood at least behind the house. She said that complaints could come from neighbors stating that this particular residence detracts from their property, and is a place for vermin to harbor. Ms. Maybee stated that she could make an argument for both parties. She said that she does respect a person's right to be able to heat with wood, but understood neighbors' complaints when things have been there for years. Ms. Maybee stated that she would be glad to come back to Council with ideas that addresses that complaint.

Mayor Oliver stated that she would like to see a policy for the Town.

**PRESENTATION  
OF PROPOSED  
HEALTH  
BENEFITS FOR  
FY 2015/2016:**

Town Manager Barlow stated that the Town recently solicited proposals for health benefits for fiscal year 2015/2016. He said that a new health benefits advisory firm, Pierce Group Benefits, was recently selected to help the Town perform the bidding process. Mr. Barlow stated that medical insurance bids were solicited from five firms, of which three submitted bids (BCBSNC, Aetna, and First Carolina). He said that Plan B with HRA that was submitted by Blue Cross/Blue Shield N.C. appeared to be a good option for Selma. Mr. Barlow stated that this Plan was nearly identical to our current Plan, except for a change in the prescription co-pay and is 2.4% less than last year's premium (2014/2015 cost per employee \$583.43; 2015/2016 cost per employee \$569.61). He said the difference in the prescription plan was the copay for generic medications, which would now be \$10 where employees use to pay \$4. Mr. Barlow stated that the maximum payout per prescription would be \$100.

Mr. Barlow stated that the medical and life insurance coverages for employees and some retirees are paid for by the Town. He said that the plan offered by Municipal Insurance Trust was the best option, and is currently our provider.

Mr. Barlow stated that voluntary benefits were bid as well. He said that those benefits include short-term disability, vision, and dental.

Mr. Barlow advised Council that the Blue Cross/Blue Shield Plan B Health Insurance Plan has been incorporated into the fiscal year 2015/2016 Town of Selma Budget.

Mayor Oliver questioned the increase in the Short Term Disability Insurance from \$780 to \$1,139, and what steered the decision to do that.

Town Clerk Cynthia Richardson stated that what Pierce Group was presenting was a bundle package. She said that even though there was an increase in the cost of the short-term disability, the total package would result in a savings of \$13,000 to the Town.

Mayor Oliver asked if employees were getting better benefits under the Dental Plan.

Town Clerk Cynthia Richardson stated that in the past, dental coverage maximum payout was \$1,000. She said that with this policy, maximum annual payout would increase to \$2,000 at nearly the same rate.

**INVESTIGATION  
RESULTS  
CONCERNING A  
WATER LEAK**

Town Manager Barlow stated that at the last Council meeting, he was asked to look into the specifics regarding a water leak near 507 Bennett Drive. He said that by reviewing previous e-mails, he was able to put together a timeline of events. Mr. Barlow stated that the concern was the possible

**AT 507 BENNETT  
DRIVE:**

rupture of a two inch waterline in that area. He said that the Water Department staff did find a pinhole leak in a 3/4” line. Mr. Barlow stated that the complaint was received on March 9, 2015 and was completed on March 31, 2015.

Councilmember Overby asked once the hole was dug, how long it took to make the repair?

Public Works Director Alex Fuller stated it took approximately two hours.

Councilmember Overby stated that there was another water leak on Second Avenue that began on Saturday, and asked when that leak would be fixed? He said that was taxpayer money going down the drain.

Mr. Fuller stated that North Carolina requires the area to be marked out by NC 811 prior to digging. He said the location request should clear by tomorrow, and the repair would be made on Wednesday.

Councilmember Overby stated that there was another water leak on Anderson Street located in front of the Water Plant.

Councilmember Holmes asked if they could call for an emergency locate when they had a water leak like the one on Second Avenue.

Mr. Fuller stated that they could not. He said that there was criteria for an emergency locate, and this leak did not meet that criteria. Mr. Fuller stated that a contractor hit and ruptured a 2” waterline this afternoon on Oak Tree Lane. He said that was called in as an emergency mark out, and was told that it did not qualify. Mr. Fuller stated that leak was putting out a lot more water than the two leaks on Bennett Drive and Second Avenue. He said the leak has been repaired.

Mayor Oliver asked if there were any more questions regarding the water leak at 507 Bennett Drive.

Councilmember Overby asked why the water leak on Bennett Drive took so long to repair.

Town Manager Barlow stated that he needed to look at the totality of the circumstances, but the circumstance of this situation did not reflect an emergency situation. He said that they needed to consider their resources and man power in this type of situation.

Mayor Oliver requested Town Manager Barlow to bring forward any concerns regarding manpower in any area as they go through the budget process.

**ROUNDTABLE  
DISCUSSION:**

Councilmember Sellers asked if the computer system that they have discussed would be worked into next year’s budget.

Town Manager Barlow stated that he had included it in the draft budget.

Mayor Pro-Tem Lacy asked if the Public Works Department could go into someone's yard that is disabled to dig up cement.

Town Manager Barlow stated that due to liability issues and being on private property, the Town could not do that particular work.

Mayor Oliver stated that a presentation was done by Ms. Susan Lassiter, and asked about doing a resolution of support for Concerned Citizens for Successful Schools. She said that she had received a copy of what would be introduced to the Smithfield Town Council. Mayor Oliver stated that this has been reviewed by the Concerned Citizens for Successful Schools Group and by the UNC School of Law. She said that the resolution would be added to the May 12, 2015 agenda.

Mayor Oliver stated Council was talking about the various utility billing issues with the rest stops, churches, and hotels, but it was never brought back to Council. She asked Town Manager Barlow to address this at an upcoming meeting for closure.

Councilmember Overby asked for an update on any cross-training that is in process. He said that could be presented at Council's next meeting.

Councilmember Sellers asked Town Manager Barlow if he knew what the timeframe was for the new office building.

Mr. Barlow stated that he met with the architect today. He said that the advertisement would be made next week with bids due in 30 days. Mr. Barlow stated that construction would take approximately 150 days, with work being completed sometime in December 2015.

Town Manager Barlow stated that he had met with Town Attorney Hewett regarding the asset sale of ElectriCities. He said that there were a few things that need to happen in a short order of time and staff is trying to get it done by June. Mr. Barlow stated that the legislation signed by Governor McCrory was only good for 90 days. He said that there was an ordinance that Council needed to adopt stating that they agree to all the new contracts. Mr. Barlow stated that the Town's Charter does not require a public hearing, but asked if Council would like to have a public hearing. He said that ElectriCities would be attending the May 12, 2015 Council meeting. Mr. Barlow stated that ElectriCities would also be at the June 9<sup>th</sup> Council meeting for the adoption of the ordinance. He said that June 15, 2015 was the final date given by ElectriCities for Towns to have their work complete.

Councilmember Sellers stated that he did not feel the need for a public hearing due to the public coming before Council time and time again with complaints regarding their electric bills.

Mr. Barlow advised that the ordinance would be presented to Council on June 9<sup>th</sup> for its approval. He said that at the May 12, 2015 Council meeting, he would be presenting a request for a cost of service study since the Town did not know how its rates would be affected until the financial package was put together at the end of June. He said that each Town would be affected individually based on its level of debt. Mr. Barlow stated that the Town knew its wholesale rate, but does not know what the retail rate would be.

Mayor Pro-Tem Jackie Lacy asked Police Chief Cooper if there was anything that could be done regarding noise coming from cars passing by. She said that she has had complaints regarding this issue.

Police Chief Cooper stated that there was not much that could be done about cars passing by; however, if the car is parked beside the street; they could.

**ADJOURNMENT:** A motion was made by Councilmember Eric Sellers and seconded by Mayor Pro-Tem Jackie Lacy to adjourn.

The meeting adjourned at 7:58 p.m.

---

Brenda W. Thorne, Deputy Clerk