

**TOWN OF SELMA
REGULAR COUNCIL MEETING
OCTOBER 11, 2016**

PRESENT: Mayor Cheryl Oliver, Mayor Pro-Tem Jackie Lacy, Councilmember Tommy Holmes, Councilmember William Overby, Councilmember Mark Petersen, Town Manager Jon Barlow, and Town Attorney Alan “Chip” Hewett.

OTHER STAFF PRESENT: Finance Director Karen Johnson, Planning/Economic Development Director Julie Maybee, Police Chief Richard Cooper, Fire Chief Phillip McDaniel, and Town Clerk Brenda Thorne.

CONVOCATION: Johnston County Commissioner Ted Godwin led in prayer.

PLEDGE TO FLAG: Mayor Pro-Tem Jackie Lacy led in the pledge of allegiance to the flag.

APPROVAL OF AGENDA: Mayor Oliver requested that item 10f be added under her section to set date of October work session. She asked that item 6a be removed at the request of Angela Lacey-Parrish.

A motion was made by Councilmember William Overby and seconded by Councilmember Mark Petersen to approve the agenda as amended. Motion carried unanimously.

CONSENT AGENDA:

Minutes

Regular Council Meeting – September 13, 2016
Closed Session Minutes – September 13, 2016

Mayor Oliver requested that the September 13, 2016 Regular Council Meeting minutes be deferred to the November meeting.

A motion was made by Councilmember Mark Petersen and seconded by Councilmember William Overby to approve the closed session minutes as presented. Motion carried unanimously.

**RECOGNITIONS/
PRESENTATIONS –
Sysco:**

Mayor Oliver recognized and presented the following resolution to Sysco Raleigh, LLC. Members of the Sysco staff that who were introduced were Roy Willard, Vice President of Operations; Toby McNeese, Vice President of Human Resources; Katie Nichols, Director of Merchandising; Pam Willow, Vice President of Finance; and Doug Faber, Senior Director of Customer Development and Marketing. Not present: Greg Weatherford, Vice President of Sales and Tom Propps, President.

**Resolution in Recognition and Appreciation of
Sysco Raleigh, LLC**

WHEREAS, the Selma Town Council takes pleasure in recognizing the outstanding achievements of local industries who have contributed significantly to improving the local economy; and

WHEREAS, it's Sysco's mission to market and deliver great products to its customers with exceptional service, and the Selma based operation excelled in honoring its' mission for more than ten years; and

WHEREAS, Sysco is a global leader in selling, marketing, and distributing food products to restaurants, healthcare, and educational facilities, lodging, establishments, and other customers who prepare meals from home. Its products also include equipment and supplies for food service and hospitality industries; and

WHEREAS, Sysco is actively involved in the community through various avenues including, but not limited to, hosting the Smithfield-Selma Chamber of Commerce's State of the Communities Luncheon and sponsoring other events.

NOW, THEREFORE BE IT RESOLVED, that I, Mayor Cheryl L. Oliver and the members of the Selma Town Council, do hereby express our sincere appreciation to Sysco Raleigh, LLC for its continued service and commitment to our community.

This the 11^h day of October, 2016

**Proclamation Declaring
Red Ribbon Week,
October 23 – 31, 2016:**

Mayor Oliver read the following proclamation declaring red ribbon week in Selma, North Carolina.

**PROCLAMATION DECLARING
RED RIBBON WEEK
IN SELMA, NORTH CAROLINA**

WHEREAS, alcohol and drug abuse in this Nation have reached epidemic stages; and

WHEREAS, it is imperative that visible, unified prevention education efforts by community members be launched to eliminate the demand for drugs; and

WHEREAS, the National Red Ribbon Campaign offers citizens the opportunity to demonstrate their commitment to drug-free lifestyles (no use of illegal drugs, no illegal use of legal drugs); and

WHEREAS, the National Red Ribbon campaign will be celebrated in every community in American during Red Ribbon Week, October 23 through 31; and

WHEREAS, businesses, Government, parents, law enforcement, media, medical institutions, religious institutions, schools, senior

citizens, service organizations, and youth will demonstrate their commitment to healthy, drug-free lifestyles by wearing and displaying red ribbons during this week-long campaign; and

WHEREAS, the Town of Selma, North Carolina joins the Capital City Young Marines and the Tar Heel Detachment #733 Marine Corps League in supporting the Red Ribbon Campaign and in offering citizens of North Carolina the opportunity to demonstrate their commitment to drug-free lifestyles.

NOW, THEREFORE, BE IT RESOLVED, I, Cheryl L. Oliver, Mayor of the Town of Selma, North Carolina, do hereby proclaim October 23 through 31, 2016 as

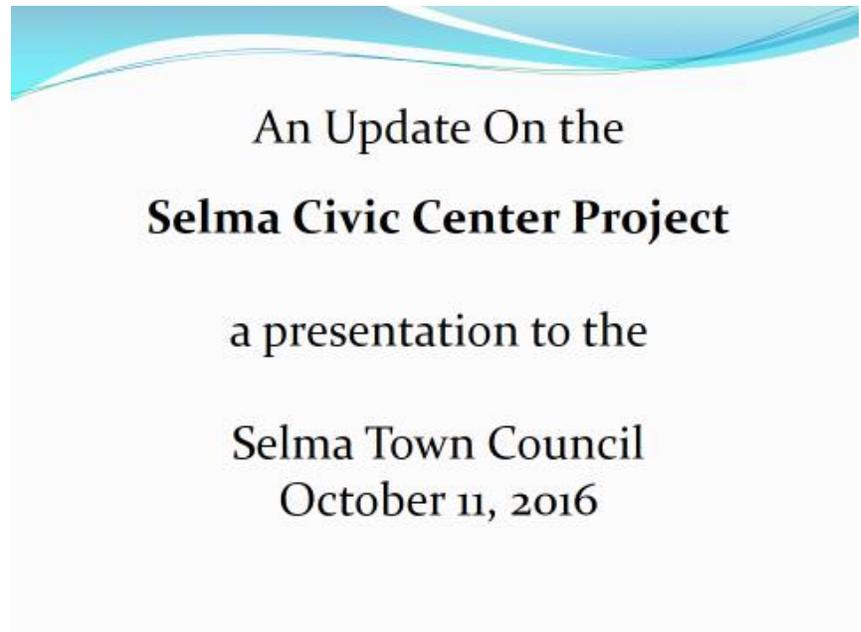
RED RIBBON WEEK

and encourage our citizens to participate in drug prevention education activities, not only during Red Ribbon Week, but all year long, making a visible statement that we are strongly committed to a drug-free community.

DULY ADOPTED THIS 11TH DAY OF OCTOBER 2016.

**Civic Center Update by
Ann Williams:**

Ann Williams reviewed the following PowerPoint presentation with Council.



Tonight the Civic Center Committee is requesting that the Town award contracts for engineering for the civic center project.

We need the plumbing, mechanical, and electrical (PM&E) engineering plans for several reasons:

First, we are planning on applying for several large grants that require that the plans be attached for their review. Although the applications for these grants are not yet available, we expect them to be released in December with a deadline for applications in February.

Second, we need the engineering plans so that we can approach contractors and businesses in order to get materials and possibly labor donated for the project. For instance, if we approach a plumbing contractor, he can look at the actual plans and see what materials have been specified and tell if he has something he can donate. Of course, that would also be true for electrical or HVAC contractors or even supply houses.

There are no PM&E engineering firms in Johnston County, so we contacted Larry Massengill in Benson who is very familiar with renovation work in the area. He recommended that we contact Randy Cruse in Dunn who had experience with buildings like this one.

Mr. Cruse met with us at the building, heard our description of the needs, and agreed to send us a proposal.

You have a copy of that proposal in tonight's documents. In my experience, fees for architecture and/or engineering can vary greatly depending on the size of the project, size of firm, and the work required.

Mr. Cruse wanted to work by the hour which we denied. He then asked to work on a percentage of the bids which we also denied since that was too much of an unknown in this kind of project where some things might be donated.

We told him we wanted a flat price and he agreed to that type of contract since our systems are very straight forward and confined to one room plus the restrooms.

As you can see, his price for plumbing, mechanical, electrical, fire alarm, sprinkler, and security is \$42,000.

I will have to say that we were surprised how high this quote was. We believe these systems will cost around \$250,000 so at the most we were expecting 10% or \$25,000, although we wanted 6% or not more than \$15,000.

At this point, I contacted Dr. Hank Hoomani. Hank has a Ph.D. in Mechanical Engineering and owned one of the largest PM&E engineering company in Raleigh – PDC – Progressive Design Collaborative.

I contacted him because through the years of working with numerous architects, PDC provided the engineering for numerous projects in Johnston County.

Some of these projects include engineering work at:

South Johnston High School
Wilson's Mills Elementary
Cooper Elementary
North Johnston High School
SSS
Clayton High School
West Clayton Elementary
Meadow Elementary
Pine Level Elementary
Smithfield Middle
Selma Elementary

Dr. Hoomani has retired from his company but still works as a consultant on special projects. He is a great friend of mine, and once he heard the whole story of the civic center project, he sent me the letter that you also have in tonight's documents.

He has agreed that PDC will provide the engineering for the civic center for a fixed price of \$15,000 – a difference of \$27,000 from our first quote. This price is, for all practical purposes, a gift to us.

In addition, yesterday, the town manager and mayor met with committee members Hubert Holt and John Wiggs to discuss the need for a site plan.

The Town Manager explained that he assumed that if we were going to ask for engineering, we would use those plans to procure building permits, and in order to get the building permits from the county, we would need a zoning permit from the town which would require the site plan.

Of course, we knew we would need a site plan and zoning permit but had not planned to spend that money at this time since building permits are only issued when
the plans are approved
the project is bid and
the contracts are awarded since the cost of the permit is based on the amount of the builder's contract.

So those parts of the project were certainly down the line.

However, since this was a request from the administration, I polled the members of the committee and then contacted Jerry Ball, a local surveyor who the Town hired to survey the civic center property prior to the purchase.

This morning, he sent me a written quote for creating the site work plan. His price for this design is \$450.

Therefore, tonight the Civic Center Committee is requesting two separate actions to be funded from the money that has been raised so far for the project:

1. The first request is for the Town Council to award a contract to Hank Hoomani as a engineering consultant in order that he provide, through Progressive Design Collaborative, sealed engineering plans for the Selma Civic Center.
2. The second request is for the Town Council to award a contract to Jerry Ball, Surveyor to create a site plan for the new civic center.

The committee has sufficient funds to cover both of these contracts and does not anticipate spending any further funds until there is enough money and/or materials and/or labor to proceed with the project.

Again, our need for the engineering is imperative in order for us to proceed in applying for major grants and approaching contractors and supply houses for the donation of materials.

Thank you.

Ann Williams stated that the Civic Center Committee was requesting two separate actions from the funds that have been raised so far for the project. She said that the first request was for approval of a contract with Hank Hoomani as an engineering consultant to provide sealed engineering plans, and she said that the second request is for the Town to award a contract to Jerry Ball to create the site plan for the Selma Civic Center. Ms. Williams stated that the Committee has sufficient funding to cover the two expenditures and did not expect to spend any further funds until there was enough money, materials, and/or labor available.

Councilmember Overby asked if there was a contract to review from Mr. Hoomani.

Town Manager Barlow stated that Council could enter into a contract to approve it contingent upon Council's review or Town Attorney Hewett's review.

Councilmember Overby stated that he would like Town Attorney Hewett to review the contract, and Council to look at it as well.

It was the consensus of Council for Mr. Hoomani to submit a contract to Town Attorney Chip Hewett for review, and he would advise Council for action at an upcoming special called meeting.

Ms. Williams asked if the \$450 contract with Jerry Ball was approved.

A motion was made by William Overby and seconded by Councilmember Mark Peterson to approve \$450 for a site design by Jerry Ball.

**OPEN FORUM/
CITIZEN'S REQUESTS:
Angela Lacey-Parrish,
411 Bennett Drive,**

Ms. Angela Lacey-Parrish was unable to attend tonight's meeting.

Selma, NC, Chicken Ordinance:

James Wise, 210 North Massey Street, Utility Bills:

Mr. Wise was unable to attend tonight's meeting.

Carlos Uln, (Mother) 602 Washington Street, Utility Deposit:

Mr. Uln was unable to attend tonight's meeting.

PUBLIC HEARINGS – Request to Schedule a Public Hearing for Kinder Morgan Southeast Terminals, LLC for 4384 Buffalo Road, Selma, NC:

Planning/Economic Development Director Julie Maybee stated that a request has been submitted by Kinder Morgan Southeast Terminals, LLC for a special use permit for the property located at 4384 Buffalo Road. She said that the expansion project was for one 80,000 barrel tank, one new covered truck lane, driveway improvements, improvements to the office, employee parking, increased dike capacity, expansion of the existing office, and modification of two tank roofs to store gasoline. Ms. Maybee requested that Town Council conduct a quasi-judicial public hearing on November 8, 2016 at 6:00 p.m. in the Jernigan Building located at 110 East Anderson Street, Selma, NC.

A motion was made by Councilmember William Overby and seconded by Councilmember Tommy Holmes to conduct a quasi-judicial public hearing on November 8, 2016, for Kinder Morgan Southeast Terminal, LLC to up-fit and expand its facilities at 4384 Buffalo Road. Motion carried unanimously.

Request to Schedule a Public Hearing for Kinder Morgan Southeast Terminals, LLC for 4086 Buffalo Road, Selma, NC:

Planning/Economic Development Director Julie Maybee stated that another request has been submitted by Kinder Morgan southeast Terminals, LLC for a special use permit for the property located at 4086 Buffalo Road. She said that this was for the expansion and addition of one 20,000 barrel tank, extension of a dike, and to increase the capacity and modification of an existing tank. Ms. Maybee requested that Town Council conduct a quasi-judicial public hearing on November 8, 2016, at 6:00 p.m. in the Jernigan Building located at 110 East Anderson Street, Selma, NC.

A motion was made by Councilmember William Overby and seconded by Councilmember Tommy Holmes to conduct a quasi-judicial public hearing on November 8, 2016, for Kinder Morgan Southeast Terminal, LLC to up-fit and expand its facilities at 4086 Buffalo Road. Motion carried unanimously.

Review and Consideration of an Amendment to Selma's Sign Ordinance:

Planning/Economic Development Director Julie Maybee distributed a copy of the Town's existing ordinance provision pertaining to non-conforming signs for Town Council's review. She said that at its September 13, 2016 meeting, the Town Council asked the Planning Board to consider the ordinance provision pertaining to nonconforming signs. Ms. Maybee stated that the

Planning Board met on October 3, 2016, and reviewed a number of different text amendments, which are included in the staff report for Section 17-355. She said that after the Planning Board's deliberation, it was their recommendation, by a 5-0 vote, to look at allowing some flexibility in the ordinance provisions so businesses would be able to change out signs and make some upgrades. Ms. Maybee stated that these are existing, nonconforming signs that do not meet the Town's ordinance provisions. She said that the Planning Board's recommendation is to allow nonconforming signs to be continued, including its permanent message and supporting structure, where the value of the existing supporting structure and sign does not exceed 50%.

A motion was made by Councilmember William Overby and seconded by Councilmember Tommy Holmes to open the public hearing. Motion carried unanimously. 6:41 p.m.

Mr. Scott Aman, President of Dixie Oil Corporation, 1501 Marshal Street, Roanoke Rapids, NC, stated that on its Selma property, the sign would be the one with the gas prices. Mr. Aman stated that everybody wants electronic signs. He said that they were looking to upgrade that sign just as it is with a fresh face, and LED lighting so employees could electronically change the price. Mr. Aman stated that it was a strong structure, and just needed to replace everything at the top.

Mayor Pro-Tem Lacy stated that she understood the highway in that area was going to be widened. She asked if it were feasible to fix the sign now.

Mr. Aman stated that they thought it was feasible because the sign was on the Corporation's property.

She asked if the widening would make a difference.

Mr. Aman stated that the widening could make a difference, but did not know how much it was going to be widened. He said that they need to look after their business now. Mr. Aman stated that they want to get that done as quickly as possible since it reflected on the business.

A motion was made by Councilmember Mark Petersen and seconded by Mayor Pro-Tem Jackie Lacy to close the public hearing. Motion carried unanimously. 6:44 p.m.

With no further discussion, a motion was made by Councilmember William Overby and seconded by Councilmember Tommy Holmes to approve the ordinance amendment to Chapter 17 – Development Regulations, Article XIII – Nonconformities, Section 17-355 Nonconforming signs. Motion carried unanimously.

**AN ORDINANCE TO AMEND THE SELMA TOWN CODE,
CHAPTER 17 – DEVELOPMENT REGULATIONS,
ARTICLE XIII – NONCONFORMITIES,
SECTION 17-355 – NONCONFORMING SIGNS**

Be it ordained by the Selma Town Council that:

Section 1. The Selma code of Ordinances, Chapter 17 – Development Regulations, Article XIII – Nonconformities, Section 17-355 – Nonconforming Signs, subsection (b) regulations, is hereby amended to read as follows:

(b) Regulations. Nonconforming signs may be continued subject to the following limitations:

- (1) No nonconforming sign, including its permanent message or its supporting structure, shall be extended, enlarged, moved, or otherwise altered except in conformity with this subsection, unless such sign is made to conform to the current regulations of this chapter.
- (2) When a nonconforming sign is damaged or demolished to the extent where the repair or replacement cost of a nonconforming sign exceeds fifty percent of the current replacement value of the sign and its supporting structure, such sign shall be eliminated or made to conform to the current regulations.

Section 2. All laws and clauses in conflict with this ordinance amendment are hereby repealed.

Section 3. This ordinance amendment shall be effective immediately upon adoption.

DULY ADOPTED THIS 11TH DAY OF OCTOBER 2016.

A motion was made by Councilmember William Overby and seconded by Mayor Pro-Tem Jackie Lacy to approve the following consistency statement. Motion carried unanimously.

The Town Council has determined that the proposed provisions are consistent with the Town of Selma’s Future Land Use Plan since the proposed provisions address areas/corridors of strategic importance, shown on the Future Land Use Map, that substantially influences health, safety, and general welfare; and the Town Council finds that the amendment is reasonable or public interest for the following reason(s): (1) the provisions provide for, in accordance with ordinance provisions, the repair or replacement of nonconforming signs that are damaged or destroyed.

**TOWN MANAGER'S
REPORT AND
RECOMMENDATIONS –
Review of All Committee
Vacancies:**

Town Manager Barlow reviewed a list of various Town Committees, Commissions, and Boards that have positions that are either vacant or current members are at the end of a term. He said that a number of these need their consideration.

Library Board – 3 vacant positions
Cemetery Committee – 1 vacant position (2-year term)
Recreation Advisory Board – 2 terms expiring
Planning Board/Board of Adjustment – 5 terms expiring
Appearance Commission – 1 vacant position and 5 terms expiring
Historic Properties Commission – 3 vacant positions
Marketing Committee – 1 vacant position and 1 term expiring
SURF Review Board – 3 vacant positions

Mr. Barlow stated that on the SURF Review Board, there were positions such as the Selma Merchant's Association and First Citizens Bank that no longer exist in Selma.

Councilmember Overby stated that since he was on that Board, he would like to fill those positions with merchants from downtown.

Town Manager Barlow stated that he would like to take this list and advertise these positions in the newspaper and website to generate some applicants for Town Council's consideration.

Councilmember Overby stated that he would like to see the Chairperson of each committee reach out as well.

Town Manager Barlow stated that he would bring any responses he gets to Council as they come in.

**Consideration of an
Amendment to Council's
Rules of Procedure –
Closed Session Minutes:**

Town Manager Barlow stated that Town Council recently requested Town staff to amend the Selma Town Council Rules of Procedure to include guidance on the handling of closed session minutes. He said the new text in Section 27, which states that a draft set of closed session minutes will be presented to Council for consideration at its next regularly scheduled meeting.

Mr. Barlow stated that new text was added in the same section for when the purpose of keeping minutes sealed is no longer necessary. He said that annually, in each November, during its regular meeting, Council shall review the minutes and other records of closed session to determine if they need to remain sealed or could be released.

Councilmember Overby stated that for clarification, if Council does not agree with the minutes, they should not approve them in the Consent Agenda. He said that any discussions should be held in closed session because of confidential information.

Mayor Oliver asked that the procedure be documented.

Town Attorney Hewett stated that on the general minutes, there needed to be some clarity from Council. He said there were three types of minutes: 1) minutes that only show action items; 2) summary minutes; and 3) verbatim transcript of the minutes. Attorney Hewett stated that staff was doing a hybrid between summary and verbatim. Town Attorney Hewett read the following; “Full and accurate minutes of the Council meetings shall be kept and opened for inspection.” He said that there was only one case on this, which the court states, “Generally, they should contain a record of what was done at the meeting, not what was said by the members.” Attorney Hewett stated that they could condense it to an action with a summary, and not a verbatim transcript. He said that the only things that needed to be included were what you are doing, why you did it, and who voted on it.

It was the consensus of Council to discuss this further at a work session meeting.

A motion was made by Councilmember Overby and seconded by Councilmember Tommy Holmes to approve the amendment to the Selma Town Council Rules of Procedure to include guidance on the handling of closed session minutes and the procedure be documented at a later date. Motion carried unanimously.

Recommendation to Relocate a Bench from Waddell Street to Railroad Street (Appearance Commission):

Town Manager Barlow stated that a request was received from Trackside Antiques to relocate a Town owned bench from Waddell Street to Railroad Street. He said that the Appearance Commission reviewed the request, and agreed that there needed to be a bench on Railroad Street. Mr. Barlow stated that they agreed to relocate one of the two Town-owned benches beside Creech Drug to Railroad Street.

A motion was made by Councilmember Tommy Holmes and seconded by Councilmember William Overby to move one of the Town-owned benches from Waddell Street to Railroad Street, with an explanation to Creech Drug. Motion carried. Voting Yes: Mayor Cheryl Oliver, Mayor Pro-Tem Jackie Lacy, and Councilmember Tommy Holmes. Voting No: Councilmember William Overby and Councilmember Mark Petersen.

Water & Sewer Capital Reserve Fund Review:

Town Manager Barlow reviewed with Council the Water & Sewer Capital Reserve Fund (Fund 21). He said that the Fund currently has about \$94,487. Mr. Barlow stated that he anticipated adding about another \$140,000 this year. He said that the purpose of the reserve fund was to be able to purchase capital equipment, capital projects, and debt service on water and sewer projects.

Sewer Flow Data Review:

Town Manager reviewed the sewer flow data with Council. He said that this compared sewer flow to how many gallons of water the Town was selling. Mr. Barlow stated that this not only looked

at the current fiscal year, but also looked at the last fiscal year back to fiscal year 2009/2010.

Mayor Oliver stated that Council had made the request to see the prioritized list of additional I&I.

Town Manager Barlow stated that was the purpose of purchasing the flow meters and rain gauges. He said that staff could collect data to know how to spend funds better.

**Fiscal Year 2016
Workers' Compensation
Insurance Premium
Review:**

Town Manager Barlow stated that Workers' Compensation Insurance is provided to the Town through the North Carolina League of Municipalities Risk Management Program. He said that premium is made each fiscal year in July. Mr. Barlow stated that the question was the distribution among the funds, and how it is broken up. He said that in the 2016/2017 budget it was estimated \$144,751 as the premium, with the actual expenditure being \$144,751. Mr. Barlow stated that the difference was in the fund distribution. He said that the ratio used last year was 25% General Fund, 37% Water Fund, 13% Sewer, and 25% Electric. Mr. Barlow stated that they assumed that the ratio would be about the same for this fiscal year. He said that Workers' Compensation premiums were based upon a couple of things, which include amount of salary in that fund, and the experience they have as far as making workers' compensation claims. Mr. Barlow stated that the distribution changed with Workers' Compensation going back three years on the Town's loss history. He said that the difference was how the distribution was in salaries versus claims ratios; however, the total was the same.

Budget Amendment:

Finance Director Karen Johnson stated that money from Fund 10 was being moved from travel and training to cover codification costs.

A motion was made by Councilmember William Overby and seconded by Councilmember Tommy Holmes to approve Budget Ordinance Amendment #5. Motion carried unanimously.

**TOWN OF SELMA
BUDGET ORDINANCE AMENDMENT # 5
FISCAL YEAR 2016/2017**

BE IT ORDAINED by the Town Council of the Town of Selma, County of Johnston, State of North Carolina, and Meeting in Budget Session this 11th day of October 2016, that the Town Budget adopted on June 20, 2016, for FY 2016/2017 is hereby amended and adopted:

Section I. To amend the General Fund (Fund 10) for unanticipated/unbudgeted revenues and expenses during FY 2016. The Town's General Fund (Fund 10) accounts are to be amended as follows:

<u>Account No.</u>	<u>Debit</u>	<u>Credit</u>
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10-4200-2700	Codification (E)	400.00		Increase
10-4200-3110	Travel/Training (E)		400.00	Decrease

Section II. Copies of this Budget Ordinance Amendment shall be furnished to the Town Clerk, the Budget Officer and the Finance Officer, and shall be available for public inspection and audit.

Adopted this 11th day of October 2016.

Financial Statements:

Town Manager Barlow stated that September was the ending of the first quarter of fiscal year 2016/2017. He said that revenues do not come in equally with the two largest revenues, property taxes, being paid in December and January. Mr. Barlow stated that Council would see those number increase over the next couple of months. He said that overall the year-to-date difference in revenues for the General Fund were up about \$85,000 from last year. Mr. Barlow stated that less was spent last year than this year; however, things were looking good.

Councilmember Petersen asked why refuse collection was more than last year.

Town Manager Barlow stated that was due to the audit process that was done to clean up the extra carts that were out there that the Town was not charging for, but Waste Industries was charging the Town.

Town Manager Barlow stated that water revenue was about \$7,000 more than last year with expenditures being a little less than the previous year, and were trending in the right direction.

Town Manager Barlow stated that in the sewer fund, there was about \$23,000 more in revenue than the previous year, and expenditures were a little higher. He said that it was a matter of timing as to when bills come in.

Town Manager Barlow stated that they could see the same situation in the Electric Fund as when the bill due dates compared to when the Town pays for power. He said that power purchases under expenditures were about \$500,000 more because the bill was paid this month, where it had not been paid last year at this time.

Town Manager Barlow stated that the Central Depository was about \$200,000 more this year than the previous year.

Town Manager stated that for this fiscal year, he did not see anything that would alarm him. He said that he liked where the sewer revenues were. Mr. Barlow stated that everything was looking like it was headed in the right direction.

Hurricane Matthew:

Town Manager Barlow stated that the Mayor made comments regarding that the Town saw a tremendous disaster in North Carolina and in Johnston County. He said that Selma fared much better than most. Mr. Barlow stated that Selma was very fortunate. He said that Police, Fire, Public Works, Water, and Sewer staff all chipped in when this was happening. He said that about 200 people had to move out to temporary housing, but many places were worse off. Mr. Barlow stated that he was thankful for them being there. Mr. Barlow stated that recovery was going to be long, but the President had declared North Carolina as a major disaster area. He said that FEMA would do their assessments and make grants and loans available. Mr. Barlow stated that this would help the Town with the expenses of overtime, equipment costs, and damage to equipment. He said that Selma did not suffer any street collapses, storm drain ruptures, waterline, or sewer line problems. Mr. Barlow stated that Selma was fortunate to not have this type of disaster.

Town Manager Barlow stated that Johnston County has waived building permit fees and the Land Fill has waived tipping fees through the end of the year. He suggested that through the end of this month that the Town waive the fee for excessive debris pick-ups, and see where they are at the end of October. Mr. Barlow also recommended waiving the Town's zoning permit fees for repairs related to hurricane damage to the end of October 2016.

Town Manager Barlow stated that yesterday was cutoff day, but was not done. He said that he would request that the Town not do cutoffs this week and wait until the next cutoff cycle, October 25th, to consider that.

Mayor Oliver asked if there was a motion for the three items that Town Manager Barlow mentioned as far as zoning permits, excess debris collection fee, and cutoffs.

A motion was made by Mayor Pro-Tem Jackie Lacy and seconded by Councilmember Mark Petersen to waive those fees. Motion carried unanimously.

Time Warner Cable:

Mayor Oliver asked where they were on the Time Warner Cable issues, and what could be done to escalate the issue.

Town Manager Barlow stated that the Town's IT vendor did not get back with him this week because of obvious reasons, and would put that back on the agenda for next month.

**TOWN ATTORNEY'S
REPORT –**

Town Attorney Hewett stated that he did not have anything for Town Council at this time, however, he had two items for closed session.

Councilmember Overby questioned Attorney Hewett about donations made to the Civic Center. He asked what liability the Town had regarding not providing what it said it was going to provide, and the donations being spent.

Attorney Hewett stated that the assumption was that if the Town does not reach the goal of building the Civic Center. He said that Town Council would declare the building surplus and sell it. Attorney Hewett stated that the person making the donation was assuming the risk, and is voluntarily given with no contractual obligation from the Town at that point. He said that it was no different from a donation to a church to build a community center, and does not build. Attorney Hewett stated that he did not think the Town would have any liability under that circumstance.

**MAYOR'S REPORT &
RECOMMENDATIONS –
2016 Selma Railroad
Days:**

Mayor Oliver stated that she had heard many good comments regarding the 2016 Selma Railroad Days.

Councilmember Petersen stated that Recreation/Library Services Director Joe Carter and Recreation Programs Supervisor Joni Hubble-Zeneberg were to be commended, as well as Public Services Director Alex Fuller and his staff.

Councilmember Overby stated that there was a church providing water. He said on the bottles of water there was a label for the church and no ingredients. Councilmember Overby stated that everything that is sold or given away has to have the ingredients listed on it.

Attorney Hewett stated that was an issue with the Health Department. He recommended to graciously accept the donation, but would advise them to comply with whatever the Health Department requires.

Mayor Oliver asked Town Manager Barlow to forward that information to Recreation/Library Services Director Joe Carter.

**Awards for Recognizing
Citizens and Businesses:**

Mayor Oliver stated that at its last meeting, Council narrowed down the potential awards to be given. She said that samples have been requested, but have not arrived. Mayor Oliver stated that the star paperweight was \$15.00, and if everyone agreed, she could order a dozen.

Councilmember Holmes stated that he would like to see the sample.

Mayor Oliver stated that it would be deferred to next month.

PEG Channel Update:

Mayor Oliver stated that Marjorie Regan was still working on the PEG Channel; because of the merger between Time Warner Cable and Charter Communications, they have held off on providing Towns with the policies.

2017 Dr. Martin Luther King, Jr. Parade in Smithfield (1/13/17):

Mayor Oliver stated that an application has been received for Council to ride in the Dr. Martin Luther King, Jr. parade, which has been scheduled for January 13, 2017.

It was the consent of Council to go ahead with the application.

General Comments:

Mayor Oliver stated that there were other meetings scheduled in October, and asked Council if they would like to defer the October Work Session meeting.

Mayor Oliver stated that she wanted to commend staff for their work during Hurricane Matthew.

Mayor Oliver stated that sometime back, she had contacted Scott Sailor with the North Carolina Railroad regarding the maps they produce not having Selma on those maps. She said that Selma is now on the North Carolina Railroad map.

COUNCILMEMBERS' REPORT & RECOMMENDATIONS-

Councilmember Holmes thanked both Town Manager Jon Barlow and Planning/Economic Development Director Julie Maybee for their work for the Town.

Councilmember Overby stated that he had an item for the Town's newsletter that he would talk over with Deputy Clerk Lawhorn when she returns to work.

Councilmember Overby stated that the newsletter referred to the logo again.

A motion was made by Councilmember Overby and seconded by Councilmember Tommy Holmes to table the logo discussions, and it not be bothered again until Council felt it was time to look at it. Motion carried. Voting Yes: Mayor Pro-Tem Jackie Lacy, Councilmember Tommy Holmes, Councilmember William Overby and Councilmember Mark Petersen. Voting No: Mayor Cheryl Oliver.

Councilmember Petersen stated that he wanted to commend the First Responders, Police Department, Public Works Department, and Electric Department for their work during Hurricane Matthew. He also advised that the American Legion had programs for Veterans that might have sustained damage during the storm.

Mayor Pro-Tem Lacy stated that she was appreciative to Selma's First Responders, and thanked Mayor Oliver and Town Manager Barlow for the email updates during the storm.

CLOSED SESSION –

Town Attorney Hewett stated that the Town Council needed to go into closed session per North Carolina General Statute 143-

**NCGS 143-318.11(3) –
Litigation, and 143-
318.11(6) Personnel:**

318.11(4) a matter regarding a pending litigation, and 143-318.11(6) a personnel matter.

A motion was made by Councilmember William Overby and seconded by Councilmember Tommy Holmes to go into closed session. Motion carried unanimously. 8:05 p.m.

**RETURN TO REGULAR
SESSION:**

Town Council returned to regular session at 9:15 p.m.

A motion was made by Councilmember Tommy Holmes and seconded by Mayor Pro-Tem Jackie Lacy to approve the extension of Town Manager Barlow's employment contract to December 2017. Motion carried. Voting Yes: Mayor Pro-Tem Jackie Lacy, Councilmember Tommy Holmes, Councilmember William Overby and Councilmember Mark Petersen. Voting No: Mayor Cheryl Oliver.

ADJOURNMENT:

With no further business, a motion was made by Councilmember William Overby and seconded by Councilmember Tommy Holmes to adjourn. Motion carried unanimously.

The meeting adjourned at 9:16 p.m.

BRENDA W. THORNE, Town Clerk