

TOWN OF DOBSON, NORTH CAROLINA

Board Of Commissioners Meeting Minutes February 24, 2011

PRESENT

Mayor: Ricky K. Draughn



Mayor Pro Tempore: Lana Brendle

Commissioners: Wayne Atkins
Todd Dockery
John Lawson
Dr. Gerri Martin

Staff: Town Manager Josh Smith
Assistant Town Manager Tom Hart
Town Attorney Hugh Campbell
Police Chief Shawn Myers
Public Works Director Michael Frazier
Hired Attorney Neil Yarborough

MINUTES

- **Mayor Draughn called meeting to order at 6:00PM**
- **Agenda Item 1: Consider Minutes from January 20, 2011 Meeting**

Commissioner Martin made a motion that the minutes be changed to more accurately reflect her comments in the prior meeting regarding the Mount Airy Interlocal Agreement. Specifically, that she had stated that there had been a full year of conversations regarding the Town's inability to complete the water line under the current agreement. Commissioner Todd Dockery seconded the motion and the Board unanimously approved the minutes from the January 20, 2011 Meeting.

- **Agenda Item 2: Open Forum**

Nobody wished to address the Board.

- **Agenda Item 3: Update from Surry County Economic Development Partnership**

Todd Tucker from the Surry County Economic Development Partnership presented an update to the Board on the economic development activities undertaken in 2010. Mr. Tucker reported that the EDP fielded sixty requests for information from perspective companies and twenty seven companies that physically visited the area. An expansion of Harvest Time Breads and opening of Fusion Point in Dobson were among the EDP's success stories for the year and the EDP assisted existing business with 109 business or industry issues. The EDP intends to continue making trips to meet prospective companies and updating its website and social

media. Mr. Tucker also took the opportunity to invite Town representatives to the EDP's annual meeting on March 3rd.

Commissioner Martín inquired whether some of the previously available assistance from the state would still be available in light of budget cuts. Mr. Tucker advised the Board that some of their funding was in danger but had so far been left intact and that state funding that was already "encumbered" for projects around the County could not be withheld.

➤ **Agenda Item 4: Presentation by Flex-Pay**

Donna Smith from Flex-Pay made a presentation to the Board about the services Flex-Pay can provide to the Town. Flex-Pay provides various payroll and human resource functions from a remote location and ensures that the Town's payroll function can continue regardless of staff turnover, natural disasters, etc. Staff recommended to the Board that the Town utilize a private payroll service in order to ensure continuity of the payroll function and save resources and that Flex-Pay offered lower prices, more services, and came highly recommended. Staff projected that the annual cost of the service would be \$1200 to \$1300. Commissioner Lawson stated that he thought mandating direct deposit would be beneficial. Commissioner Martín, seconded by Commissioner Lawson, made a motion to allow the Town Manager to utilize a private payroll service.

➤ **Agenda Item 5: Fiscal Performance Report**

Assistant Town Manager and Finance Officer Tom Hart presented the Town's turnover sheet in a new format as a monthly Fiscal Performance Report. The report breaks down general fund revenues and expenditures, enterprise fund revenue and expenditures, Powell Bill revenues and expenditures, and the balances of the Town's bank accounts.

At this time the Board was also presented with several discrepancies that were found related to the 601 Project account. Several fund transfers occurred between the 601 Project Account and the General Fund over the past few months that were not properly documented and that lasted longer than 30 days which violates the Town's Annual Budget Ordinance. No funds are missing but approximately 70,000 dollars is believed to be incorrectly located or accounted for and a budgeting error in the project budget has produced an unexpected expense for bond payments that could cost between 12,000 and 30,000 dollars.

➤ **Agenda Item 6: Ordinance to Reduce School Zone Speed Limit**

Agenda Item 6 was tabled for a future meeting because information needed to proceed had not been furnished by the NCDOT.

➤ **Agenda Items 7 & 8: Speed Limits and Stop Sign in the Hill Street Area**

A Petition from residents request that the Town to change the speed limit on Hill Street and Hickory Circle from 35 mph to 25mph. No residents related to the petition were present at the meeting. Commissioner Martín requested the Police Chief's recommendations on the matter. Chief Myers advised the Board that his Officers had researched incidents in the area and conducted several studies in the area to determine the legitimacy of the request. The Chief advised that in the past 14 years no traffic collisions had occurred and no speeding violations had been cited on either street. Officers had monitored the area over the past week and never clocked a car traveling in excess of 20 mph and found that because of the length of the street, Officers were unable to reach speeds above 30 mph on either street before needing to apply the brakes. The Chief advised the Board that a stop sign was needed at the intersection of Hill Street and Hickory Circle but that the petition was the result of feuding neighbors and that he did not believe there was a legitimate public safety concern related to the speed limits. Commissioner Atkins requested that the Police Department increase patrols in that area. Commissioner Martín made a motion that the Town installs a stop sign at the intersection of Hill Street and Hickory Circle and leave the speed limit at 35mph. Commissioner Lawson seconded the motion and the Board unanimously approved.

➤ **Agenda Item 9: Mission and Vision Statement**

Town Manager Josh Smith presented the Board with revised Mission and Vision Statements. Commissioner Dockery, seconded by Commissioner Martín, made a motion to adopt the Mission and Vision Statements as presented. The Board approved unanimously.

➤ **Agenda Item 10: Contribution to Dobson Hornets Softball Team**

Town Manager Josh Smith advised the Board that David Lambert had contacted the Town on behalf of the Dobson Hornets softball team and requested that the Town make its regular contribution of 300 dollars and consider contributing more. Commissioner Martín asked staff if the Town had sufficient funds to cover the contribution from the recreation fund and subsequently made a motion to contribute 600 dollars to the Dobson Hornets. Commissioner Dockery seconded the motion and the Board approved unanimously.

➤ **Agenda Item 11: Establish Election Filing Fees**

Town Manager Josh Smith advised the Board that Susan Jarrell with the Board of Elections had contacted him to request a copy of the Minutes from the meeting in which the Board had set the filing fees for Mayoral and Commissioner Candidates. The last time the fees were set is believed to be sometime in the 1980's, rather than search through records, staff recommended that the Board set the candidate filing fees again. Currently the fees were set at 5 dollars for Mayoral candidates and 10 dollars for a Commissioner candidate. The state allows a minimum 5 dollar filing fee and up to a 12 dollar fee for Commissioners and

18 dollars for Mayors. Commissioner Akins, seconded by Commissioner Martín, made a motion to set a 5 dollar filing fee for both Mayoral and Commissioner Candidates. The Board approved unanimously.

➤ **Agenda Item 12: Set FY11/12 Pre-Budget Hearing**

Staff recommended that the Town set a Public Hearing to occur during their regular meeting on March 24th in which citizens are encouraged to give their input regarding the Fiscal Year 2011/2012 Budget Ordinance. Commissioner Martín stated that she approved of the idea and that it would add to the Town's efforts to be transparent and seek citizen input. Commissioner Lawson, seconded by Commissioner Martín, made a motion to hold a Public during the Board's March 24, 2011 Regular Meeting. The Board unanimously approved.

➤ **Agenda Item 13: General Business**

Town Manager Josh Smith addressed the Board regarding the following issues:

On February 15, 2011 Attorney Fred Bagget, acting on behalf of the City of Mount Airy, officially served the Town of Dobson with a **Notice of Lawsuit**. The Lawsuit seeks damages of approximately 3 million dollars over the alleged breach of the Interlocal agreement between the two municipalities. The Attorney Neil Yarborough was present at the meeting to go into closed session with the Board regarding the matter. Town Attorney Hugh Campbell advised the Board that they should hold questions regarding the lawsuit until they were in closed session with Mr. Yarborough.

Regarding the **601 Project**, the New Public Works building was completed and some paving had been completed. The contract with the Rural Center had expired in October, however a new agreement was being drafted that would extend the agreement beyond the current fiscal year even though the project is anticipated to be completed before the end of the current fiscal year.

Regarding the **Prison Camp Road Project**, the DOT had executed the necessary Encroachment Agreements. The BB&T branch on Twin Oaks is slated to begin construction as early as March and is expected to create three and a half full time jobs which staff is hoping to use to apply for an **Economic Infrastructure Grant**. Staff is also preparing a **Request for Proposal** for garbage collection. An engineering firm from High Point has contacted the Town regarding the vacant lot located at the intersection of **East Atkins and South Main** and expressed an interest in developing the lot for commercial use. Interest has also been expressed in several properties on East Atkins Street.

Staff is working with **T-Mobile** to draft a lease agreement to mount cellular equipment on the Spoon Street water tower. A second **park meeting** was held February 17th, turnout was down from the first meeting however feedback has still been good. During the park meeting the results of the park survey were presented. The survey showed that a majority of residents indicated on the survey they were willing to pay increased taxes to fund a park and residents listed swimming, basketball, and exercise equipment as their top priorities. The **Town's website** is now up and running at www.Dobson-NC.com. The **Old Time Fiddlers Convention** will be held March 25th and 26th at the Surry Community College. Additionally, Heather Johnson is now a **Notary Public**.

➤ **Agenda Item 14: Closed Session**

Town Manager Josh Smith requested that the Board go into Closed session pursuant to NCGS 413-318.11(a) and 413-318.11(a)

Commissioner Martín, seconded by Commissioner Lawson, made a motion to go into closed session regarding Attorney Client Privilege in the matter of City of Mount Airy vs. Town of Dobson. The Board unanimously approved and went into Closed Session at 7:16 PM.

At 8:29PM Commissioner Dockery made a motion to come out of closed session. Commissioner Martín seconded and the Board approved unanimously.

➤ **Motion to Adjourn at 8:30PM**

Commissioner Dockery, seconded by Commissioner Lawson, made a motion to adjourn the Regular Meeting. The Board approved unanimously.

OFFICIAL COPY

[TOWN SEAL]

CLERK'S SIGNATURE