

**STATE OF NORTH CAROLINA
COUNTY OF GASTON
TOWN OF CRAMERTON**

October 20, 2016

The Board of Commissioners for the Town of Cramerton met in workshop session on Thursday, October 20, 2016 at 6:00 p.m., in the G.M. Michael Room at the Cramerton Town Hall.

Board Members present: Mayor Pro Tem Will Cauthen; Commissioners Demetrios Koutsoupas, and Susan Neeley, Donald Rice. Commissioner Houston Helms joined the meeting at 6:36 p.m. Mayor Ronnie Worley was absent.

Staff Present: David Pugh, Town Manager; Bill Brown, Town Attorney; Joel Lineberger, Finance Director; and Belinda Robinson, recording secretary.

Call to Order and Determination of Quorum: Mayor Pro Tem Will Cauthen called the meeting to order at 6:00 p.m. and determined a quorum was present.

Cramerton Personnel Policy Review: Information was distributed by the Town Manager to the Board regarding the Cramerton Personnel Policy Review and recommended edits. The Town Manager stated that from the August 18th work session there were some areas where areas were looked at for best practices and requested research. Included in the distributed information was some of the recommended language, it is color coded so that the yellow is the recommended language recommended by staff based on research, feedback from the board, and legal review. The items in green are the clean up or housekeeping language where the board was fine with policy but wanted it written in better language. The blue is items that staff started to research but realized that there is a whole lot more to it that we need to look into and spend time on and bring back to the board. The Town Manager started with page two of the handout discussing the overtime and comp time. The Town Manager stated that after examining the research, staff believes the best practice for Cramerton is to use the maximum federally allowed 240 compensatory time hours. The reason for this is because Cramerton is a smaller town with limited staff resources. By practical limitations, some staff positions have and will continue to work extra hours and accrue compensation time. The Town Manager referred to page three, compensatory leave balance may not exceed 240 hours, except for public safety employees. Any overtime worked over such maximum balance must be compensated in pay for the amount accrued over 240 hours. The Manager will be notified when any employee's compensatory balance exceeds 120 hours. The manager at his/her discretion will work with the Department Head to reduce the compensatory hours balance below 120 hours as circumstances are appropriate. Overtime hours are to be taken before any vacation or sick leave.

Attorney Bill Brown stated on page two require employees to fill out a time sheet and have those timesheets reviewed and signed which addresses an issue we were having in the past. Exempt employees do not have to fill out a timesheet. Attorney Brown stated on page three there was a cap of 240 hours put in the policy but a procedure is now in place that when the compensatory hours reach 120 hours they will be reviewed and an effort discussed in order to bring them down. Attorney Brown also went over that exempt employees and Department Heads may be granted occasional time off for unusual, unscheduled, or special projects, provided it is approved by the Town Manager.

Attorney Brown also went over that prior to employment, each successful candidate for Town employment in a position subject to hours of work and overtime pay standards must sign a form acknowledging that it has been explained that it is Town's policy to give time off in lieu of monetary compensation for hours worked beyond 40 in a work week.

Mayor Pro Tem Cauthen commented on what it looks like when we are addressing the new employees coming in and how we are addressing this with existing employees making sure they fully understand. Attorney Brown stated that was discussed and you cannot retroactively make

changes like that for existing employees unless you provide additional consideration or you have an agreement at the beginning that there might be further changes later in their employment. Attorney Brown stated that for the point of view of the policy provisions that was just discussed those will take effect immediately when adopted. Mayor Pro Tem ask if we are hoping to control it better at a Department Heads level. Town Manager stated that the only positions that this applies to is the Police Captains because of all the full time employees under them. Commissioner Rice asked if this applies to public safety officers, the Town Manager responded that the exempt, non-exempt blanket does apply to them. Mayor Pro Tem ask if a timeclock was discussed. Joel Lineberger stated that an emailed was discussed but we never got to that point. Attorney Brown stated that right now policy states we have to use an approved timesheet, it does not say electronic, written, or otherwise. Town stated that we are trying to bring our personnel policy a level up to some of the mid-size town that are in the size of 20,000 or even the 50,000 so that as we start to grow and get new employees.

The Town Manager went over the adverse weather policy. This policy reads that town offices and departments shall remain open for the full scheduled workday unless authorization for early closing or other deviation is received from the Town Manager. All departments and offices will be given notice by the Town Manager of any authorized early closings or closing of the facilities prior to the start of the work day. Employees who leave work before an official early closing time, as well as those employees who report to work late, or do not report to work at all in the absence of an adverse weather notice, may be required to use earned leave or other remedy at the discretion of the Town Manager.

Attorney Brown stated that from a legal perspective is to make it clear when people cannot come in or when they can leave early. It is all triggered by the Town Manager's action, that will allow to know when to come to work or when you can leave work.

Attorney Brown talked about the drug testing policy. It stated that it is complicated because you have statutory considerations, you also have 4th Amendment search and seizure, there has been some development going on with that, there was a question about people who drive town vehicles, can you have them tested. Attorney Brown stated that our current policy addresses that already and that we are covered on this policy.

Commissioner Rice asked if they are challenging employer's rights to drug test employees under search and seizure. Attorney Brown stated he would get back to Commissioner Rice on that question.

The Town Manager stated the reason we started going to the drug testing policy was to be able to get the maximum level of drug test whenever ever that come in for employment, which is the one to ten panel drug test. Commissioner Rice asked if the town is now doing drug testing for all employees being hired. Attorney Brown states town policy suggest now that we can take certain set of employees to do drug test. It seems to say that you can just randomly test anybody and he was not sure you can do that according to the case law he is seeing. It has to be safety related or transportation related in some way. You still have the reasonable suspicion in place in the policy.

Commissioner Rice asked if a drug test comes back positive is that grounds for termination. Attorney Brown stated that they can be terminated unless someone comes to you before the test and states that they are an addict, than you offer them some kind of help or assistance plan, now you have someone that is disabled.

The outcome of the drug testing policy for now is that the staff needs more time to investigate this specific clause and bring back at a later date.

The Town Manager read over the Travel Expense and Reimbursement and the Annual leave policy. These policies were only changed just to add some clarification on the policy.

The Town Manager also read over the sick leave policy that had some language change for clarification purposes. The clarification was that sick leave must be earned prior to being used

unless otherwise approved by the Town Manager and the Sick leave earned bi-weekly is allowed as creditable service at the time of retirement to employees who are members of the North Carolina Local Government Employees' Retirement System.

The Town Manager discussed the transferred hours for sick time. The staff recommendation was that there be no cap for transfer sick time, notification from previous employer within three months, and the consistent language viewed in other municipal policies "when the previous employer is covered by the State or Local Government Retirement System and the employee did not withdraw accumulated contributions from that employer when leaving employment."

Mayor Pro Tem Cauthen asked if we have an employment candidate that has 2,000 hours do they get to retire earlier and we would start annual benefits. Mr. Lineberger explained that if the employee gets sick than we pay them for the sick time. If it is not used than it gets converted to retirement. Commissioner Rice asked if the motivation for having no cap is for competitive reasons and to be able to compete with other municipalities. Mayor Pro Tem Cauthen asked if doing the no cap, does that mean that everyone will be guaranteed a no cap or is this at the Town Manager's discretion to say to a candidate that we may not want to transfer all but we are willing to transfer some of it. The Town Manager stated there is always an option if the Board want to set a cap but then give the manager discretion based on the quality of the candidate that can always be an option. The Town Manager also stated that he would prefer that the Board set a cap and he can always state to a prospective employee that the Board has set this at certain number. If a prospective employee is a really good candidate then he could offer them an additional amount such as 200 additional hours. Mayor Pro Tem Cauthen stated that he was okay with the no cap, but would like us to revisit this policy in 12 months or 24 months after we have some new hires. Mr. Lineberger stated that fifty percent of our employees are police officers, having a no cap will be critical to negotiation for a new officer because officers are getting harder and harder to find. Mayor Pro Tem and Commissioner Rice agreed with Mr. Lineberger. Attorney Brown stated that he was okay with leaving the no cap policy and coming back to revisit and see what the numbers say. The Town Manager stated that the type of employee we have hired in the past several years are getting younger so they will not come in with a lot of time. Commissioner Rice stated that it is important to have the no cap but he likes the idea of revisiting it if we feel that it is becoming an issue.

Commissioner Susan Neeley ask if we have FMLA. The Town Manager answered that we do have FMLA in our policy. Commissioner Neeley also ask if there was a number of days a person can be out before requiring a physician's note. Mr. Lineberger stated that the policy says that the department head may require a physician's note.

The Town Manager went over longevity pay as this option has been discussed during 2016 BOC Goals and 2016 Budget process as a possible method to reward loyalty for both police and non-emergency employee retention. Staff is looking into options used by other NC municipalities and will bring back to the Board and this could be discussed further during the FY 2017-18 budget process.

Mayor Pro Tem Cauthen requested a fifteen minute recess.

7:00 Board of Commissioner's Meeting:

Board Members present: Mayor Worley; Mayor Pro Tem Will Cauthen; Commissioners Demetrios Koutsoupas, Donald Rice, Houston Helms and Susan Neeley.

Staff Present: David Pugh, Town Manager; Bill Brown, Town Attorney; Chief Greg Ratchford; Joel Lineberger, Finance Director; and Belinda Robinson, recording secretary.

Call to Order and Determination of Quorum: Mayor Ronnie Worley called the meeting to order at 7:00 p.m. and determined a quorum was present.

Adoption of Agenda for this meeting: A motion was made by Mayor Pro Tem Cauthen to adopt the proposed agenda. The motion was seconded by Commissioner Donald Rice to adopt the amended agenda and the motion passed by unanimous vote.

Public Comment: No one signed up to speak.

Mayoral Proclamation Recognizing the Cramerton Middle School's golf team for their 2016 season of excellence: A proclamation recognizing the Cramerton Middle School's Golf Team for their 2016 Season of Excellence was read by Mayor Worley. Team members include Luke Cochran, Henry Longbine, Hunter Miller, Nick Norman, Ethan Mingus and Tate Smith.

Agenda Items not requiring a Public Hearing:

Board of Commissioners Meeting Minutes: Consider approval of the September 22nd, 2016 and the October 4th, 2016 meeting minutes. A motion was made by Mayor Pro Tem Cauthen to approve the proposed September 22nd, 2016 and the October 4th, 2016 meeting minutes. The motion was seconded by Commissioner Neeley and approved by all.

Planning and Zoning: Gaston-Cleveland-Lincoln Metropolitan Planning Organization (MPO)

Action Item: Official Appointment of Planning and Zoning Director Dave Pettine as the primary Cramerton representative to the MPO Technical Coordinating Committee. The Town Manager, David Pugh, would remain the alternate. A motion to appoint Dave Pettine as the primary Cramerton representative to the MPO Technical Coordinating Committee was made by Commissioner Helms and seconded by Mayor Pro Tem Cauthen. The motion passed by unanimous vote.

Parks and Recreation:

NC Trails Grant: The Parks and Recreation Director, Eric Smallwood, gave an update on the NC Trails Grant timeline. Mr. Smallwood stated that he met with the representative on August 29th on site to initiate discussions, review project area, gather initial data, and information and determine the technical requirements for the project. Responses to all previous SEPA environmental reporting and project documentation provided to the Town as a result of the Environmental Review completely by NCDENR Division of Parks and Recreation were due by October 13th. A project bid should be received between October 24th and November 4th. Mr. Smallwood stated he hopes to have a contractor selected and project plans completed for the Board's approval by December 6th and to have the pre-fab restroom project completed by January 1st. This timeline is heavily contingent on weather. Mayor Worley stated this facility will be placed at the parking lot at the Fire Department.

Destiny Lives On Festival: Mr. Smallwood stated this festival is to raise awareness for organ donations. They participated the recent Fall Festival as a vendor. This event will be held in the Centennial Center and the same roads will be closed for this event as were closed for the Fall Festival. There will be about twenty vendors along with food trucks. A disc golf tournament is scheduled along with a corn hole tournament and ping pong tournament. This event will occur either rain or shine.

Board of Commissioners:

Community Committee Appointment: Mayor Pro Tem Cauthen stated Rachel Andrea has submitted her application for appointment to the Community Committee. Commissioner Neeley thanked her for her willingness to serve. A motion was made by Commissioner Neeley to appoint Rachel Andrea to serve on the Community Committee. The motion was seconded by Commissioner Rice and

approved by all. Ms. Andrea thanked the Board and is excited to serve. She stated she grew up in a small town and has lived here for about a year.

Cancellation of Thursday, December 22, 2016 Meeting Due To the Winter Holidays: Mayor Pro Tem Cauthen asked if cancellation of this meeting would affect the NC Trails Grant bathroom project. The Town Manager stated it should not. Commissioner Helms asked if there were any other projects that might be delayed or affected. The Town Manager stated none that he was aware of and this should not affect the close of the calendar year. A motion was made by Commissioner Helms to cancel the December 22, 2016 meeting. The motion was seconded by Mayor Pro Tem Cauthen and approved by all.

Manager's Report:

Sip, Savor and Stroll Event: A meeting is scheduled to meet with the Gaston Gazette to discuss the Art of Sip and Stroll event at the first of April.

General Staff Reports:

Two Rivers Utilities: Mike Bynum stated TRU responded to fourteen water meter related service requests and repaired three water leaks. TRU responded to two sewer related calls and located two sewer taps. One asphalt patch was completed for a utility cut. Thirty preventative maintenance service requests were completed at the pump stations. Eleven locations were sampled along with one fire hydrant flushed to maintain water quality. All samples were in compliance with state drinking water standards. A survey is being scheduled for Hamrick Road and research regarding dedication of right of ways is being completed.

Town Attorney: Further information will be provided at a later Board date regarding the closed session item regarding preliminary steps regarding the pending lawsuit.

Town Clerk: Ms. Robinson stated she had nothing to report.

Police Department: Chief Ratchford left the meeting earlier for an armed robbery call on Market Street.

Finance Director: The auditor has provided a draft copy of the fiscal year-end audit information and no adjustments were made that impact the operating portion of the financial statements. Mr. Lineberger stated information has been completed for the management discussion and analysis and this will be forwarded to the manager. The auditor's field work should be completed tomorrow. Mr. Collis may be able to provide a presentation at the first November Board meeting. The Town Hall roofing project has been completed. The scuppers and drainage was discussed and it can be repaired. The gym roof is under repair currently. Mr. Lineberger stated he would be on vacation next week. Commissioner Helms asked if there was any damage due to the recent hurricane. Mr. Smallwood stated there were several different leaks and he thinks the roof repair and addition of gutters should repair these. Mr. Lineberger stated waterproofing for the basement at Town Hall and draining along the perimeter near the weight room. Mayor Pro Tem Cauthen asked about the overtime for the police department. Mr. Lineberger stated he did not have a specific event that triggered that. Mayor Pro Tem Cauthen asked about the professional services line item for the planning department. Mr. Lineberger stated there will be a budget amendment regarding that line item.

Parks and Recreation Department: The trick or treat event was added this year and there were ten vendors. The event was successful. There was a lot of help from volunteers and donations. Mr. Smallwood said a controlled burn event cannot be done at Central Park so he is contact with the City of Belmont regarding the use of goats. Mayor Pro Tem Cauthen asked about the sale of merchandise. Mr. Smallwood said the merchandise sold well and there was about \$1,100.00 of sales. Mayor Pro Tem Cauthen said consideration may need to be given about setting up a credit card system. The Town Manager said a restock of merchandise is being discussed.

Committee Reports:

Parks and Recreation Advisory Board: Commissioner Koutsoupas stated the Fall Festival was successful and he thanked the volunteers for their service. Next meeting on Monday, November 7th, at 7:00 p.m. to be held here at Town Hall.

Cramerton Historical Society: The dedication ceremony was held on Saturday and the plaques were placed at the Stuart Cramer Memorial at the Centennial Center. The Cramer family was unable to attend and the bench dedication will be held at a later date. Memberships continue and the next meeting will be held on November 10th at the Community Center at 6:30 p.m. Mayor Worley said the bench came from George Cramer's home in the Plaza Midwood area of Charlotte. The Board thanked the Cramer family for all of their donations.

Community Committee: Commissioner Rice said they have a quorum and an orientation meeting will be scheduled soon. The Little Library will be discussed as their first project. A possible meeting will be considered for Monday, November 7th, at 6:00 p.m. to be held here at Town Hall. Mayor Worley asked that the basic unit be ordered to allow the Community Committee to be able to customize the kit. Mayor Worley asked that the kit be ordered as soon as possible. The Town Manager stated he will order the kit tomorrow.

Cramerton Merchants Association: Mayor Pro Tem Cauthen stated the Merchant's Association would like to be part of the parade and possibly sponsoring pictures to be taken with Santa. He stated he attended the recent COG meeting and the topic centered on regional transportation in our area.

Topics of Discussion for Each Commissioner:

Commissioner Helms stated he has been putting out door hangers. He stated he attached his business card to the door hangers. He has not received any feedback at this time.

Commissioner Koutsoupas asked about the memo from the Planning and Zoning Department. The Town Manager stated Mr. Pettine had spoken with Harvey Elmore regarding placement of speed bumps in the Timberlake neighborhood. Staff would need to determine how many speed bumps need to be installed, what the cost would be, and per policy the cost share would be between the Town and the community. Policy states the Town require property owners of the affected area to bear 50% of all actual costs over \$2,000.00. The Town Manager stated the bike ped plan will be part of the wayfinding segment at the next Board workshop meeting as \$40,000.00 can be used from this grant for wayfinding signage. The Lakewood Greenway is getting close to moving and discussion was held with True Homes and should see some growth early next year. Mayor Worley asked about the Newport Landing Way installation quote and the cost for the actual speed bumps. The Town Manager said he would check on these figures and give this information at the next meeting. Attorney Brown stated the rebar is necessary as the fasteners that are supplied with the speed bumps are not satisfactory and this increases the installation cost. Labor costs are covered by the Town. Mayor Pro Tem Cauthen asked when the Lakewood Greenway project would be completed. The Town Manager stated he would provide this update at the first meeting in December.

Mayor Pro Tem Cauthen stated he has been listening to a podcast called "Municipal Equation" from the League regarding and he encouraged everyone including the department heads to listen as they were very informative.

Commissioner Rice said he is excited to have a quorum for the Community Committee and is excited about getting started.

Commissioner Neeley said she attended the dedication of the Centennial plaques last Saturday and complimented how nice the plaques look. She stated she joined the Historical Society. She said she has bought several Goat in the Boat merchandise items.

Mayor Worley said today was the first day of early voting and around 2,000 voters voted today and the wait was about 30 minutes. The other early voting sites will open on Monday and voters will be able to vote on Saturdays through November 5th.

Adjournment: A motion was made by Commissioner Helms to adjourn the meeting. The motion was seconded by Commissioner Neeley and approved by all.

Mayor Ronnie Worley

ATTEST:

Belinda Robinson, Recording Secretary