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MONDAY, APRIL 4, 2011 – 5:30 P.M.
OXFORD BOARD OF COMMISSIONERS' AGENDA SESSION
OXFORD CITY HALL – COMMISSIONERS' BOARD ROOM

The Board of Commissioners for the City of Oxford met at the above-mentioned time and place to set the agenda for the Regular Meeting to be held April 11, 2011 at 7:00 p.m. at City Hall, 300 Williamsboro Street. All members of the Board and local news media were notified of the same as well as the purpose of the meeting.

Present were: Mayor Al Woodlief, Mayor Pro Tem Howard Herring, Sr., Commissioners Robert B. Williford, Sr., Walter Cantley, Jackie Sergent, Danny Currin, Ron Bullock, and Calvin Harris, Jr. Present also were City Manager Mark Donham, City Clerk Donna B. Hosch, and City Attorney J. Thomas Burnette.

Mayor Woodlief called the meeting to order. Mayor Woodlief stated that the Board had, by consensus in its quarterly update meeting held at 4:30 p.m. on this date, agreed to move the Tuesday, April 12th regular meeting to Monday, April 11th at 7:00 p.m.

AGENDA SET

The Board set the agenda for the April 11, 2011 Regular Session.

Discussion on the Solid Waste Collection Transportation & Disposal Agreement
with Waste Industries, Inc.

Commissioner Sergent stated that she was asked by a downtown food merchant how their waste would be handled with collection going to once a week. CM Donham stated Waste Industries is going to have an employee look at downtown to see if something needs to be done differently, as they are committed to resolving any issues. Commissioner Sergent asked if there needs to be a caveat in their contract as to this arrangement, CM Donham responding in the negative.

CM Donham stated Waste Industries will have a web page tied into the City's where customers can check their pickup dates. Customer phone numbers are also being updated so that Waste Industries can do automatic call updates. Other improvements are also being made. CM Donham stated calls from customers can come into City Hall, their being routed to Waste Industries if need be. There will continue to be good communication between the City and Waste Industries, and there is flexibility for minor changes to be made to the system.

Discussion on the payout of wages and related payroll costs to Benbury Ellington

CM Donham stated the wages are a combination of vacation time, upon which there is a limit, and sick time. Police and Fire each have limits of their own due to the way they work. Once the limit is reached, time rolls over into sick leave. When retiring, sick leave goes toward adding time to years of service. Employees are given the incentive to take comp time, and departments keep an eye on how much time is being built up.

CE Thomas stated Public Works carries 1,015 hours for the department in comp time. Anything over 175 hours will be paid to the employee. CM Donham stated this is a function of the fact that non-exempt employees are needed so much. Human Resources Director Carol Dorsey stated the only way to avoid this is to start to pay comp time as it occurs, paying this at the time and a half rate. The numbers can be run to determine what this cost would have been for the past 12 months. With vacation, holidays, and comp time, people can never be off that much. Commissioner Currin stated this may be because employees are being given too much vacation time. Where he worked, he only received two weeks' vacation. Once you begin receiving four to six weeks' vacation a year, you can't find time to take it. This is just not Oxford but every government agency.

MPT Herring asked with the exception of the public safety department, why would comp time be needed. If there was no comp time, employee schedules would be arranged to get done what needed to be done. Mayor Woodlief stated that if the Board asked, the water and sewer supervisor would say the availability of employees is about 60% a day – there are just that many employees laying out. Therefore, the ones who are off may need to be called to come to work, adding onto their comp time. Commissioner Sergent stated that as the Mayor stated, the City is understaffed which requires people to work when they would rather not be working.

Commissioner Currin asked was this a problem when there were 110/120 employees, to which CM Donham stated he has not done an analysis on this. Commissioner Currin asked are we generating

hundreds of hours of comp time because the workforce has been cut 10%. CM Donham stated an analysis will be done and submitted to the Board.

Commissioner Sergent asked why is it now April 4th, this person left on February 18th, and this request is just now coming before the Board. Was this a sudden, abrupt leaving? FC Bess stated employees go through Finance for final processing. This person did give a two-week notice.

Discussion on budget amendments for the Parks and Recreation Department

Commissioner Currin stated that at the Recreation Committee meeting, three budget amendments were presented. Would the amendment being asked for this month to re-sod be part of the \$60,000 asked for in the committee meeting, to which Parks and Recreation Director Mary Caudle answered in the negative. Commissioner Currin questioned funds for the Red Barn, to which PRD Caudle stated she feels this cost could be covered by another part of her budget.

Additional Items

MPT Herring stated he has received several phone calls on the following: if one is driving down Hillsboro Street and wishes to turn onto Orange Street, at the Orange and Spring Streets intersection, one can see traffic coming from the right but not from the left if all the spaces next to the Community Center are filled. MPT Herring recommended that between now and next Monday the Board look at this and consider eliminating the first parking space to the left so that drivers will be able to see.

MPT Herring stated he has been on this Board for 12 plus years and has never seen a copy of an invoice from the City Attorney. He asked the city manager to provide the Board with a detailed copy of these invoices for the past 12 months.

MPT Herring stated he would like the Board to consider, consistent with NC General Statute 160A-165, establishing a Personnel Board to determine the fitness of candidates for positions, to conduct hearings upon the appeal of a suspended, demoted, or discharged employee, and to hear employee grievances. This is the purpose of the personnel board according to the Statute. MPT Herring stated there are policies and procedures in place now. However, he understands that once the manager makes a decision as related to personnel issues, the only other recourse to the employee is through the courthouse. A Personnel Board would be able to hear grievances, complaints, promotions, demotions, etc.

MPT Herring stated he is requesting an executive session at the next meeting to discuss the pending lawsuit against the City. Since the city manager and city attorney only know what the police chief has divulged from his investigation, MPT Herring wishes for PC Wolford to personally brief the Board on the use of tasers, police department activities, and personnel that led to the suit. MPT Herring asked the city attorney to refer this Board to a General Statute which would provide clarity of this information if it cannot be given under GS 143-318.11. After all, the Board may be asked to spend money on something without a clue on what's going on. Also, this Board has received, in MPT

Herring's opinion, too much personnel information and activities under the umbrella of the personnel policies. CM Donham stated that PC Wolford was prepared to discuss this issue on this evening in closed session.

Mayor Woodlief asked when the next Public Safety Committee would meet, to which MPT Herring stated one could be scheduled before the end of the month. MPT Herring wishes to discuss, possibly as a full Board and not just the Public Safety Committee, the Public Safety Study. This issue needs to be put to rest. As a City, the money was spent, the report was received, but nothing has been done publicly on the issue. CM Donham stated he'd asked PC Wolford to be prepared to discuss this. MPT Herring stated he wishes this to be discussed when the full Board is present, whether it be at a retreat or otherwise. The Mayor stated a retreat is being looked at for May 11, and MPT Herring stated he wants the study discussed at that time. Also, a discussion on the immediate response of fire calls needs to be discussed. When 911 is called and goes out for a fire call, Oxford automatically responds. This is a separate issue from mutual aid.

Mayor Woodlief stated the date of May 11 for a retreat came from HRD Dorsey. If there is a conflict, the date will be moved. It was the consensus of the Board to meet for a retreat on Thursday, May 12th, from 12:00 noon until 5:00 at the Cobb Center. CM Donham stated department heads will be available for discussion.

CLOSED SESSION

ON A MOTION BY MPT HERRING, THE BOARD UNANIMOUSLY VOTED TO GO INTO CLOSED SESSION ACCORDING TO G.S. 143.318.11 TO DISCUSS A PERSONNEL MATTER.

ON A MOTION BY COMMISSIONER HARRIS, THE BOARD UNANIMOUSLY VOTED TO RETURN TO OPEN SESSION.

Commissioner Cantley stated he wishes an in-depth employee survey to be conducted, specifically by the police department. CM Donham stated he and HRD Dorsey have met on this, and they want to make sure the survey is effective. HRD Dorsey is in the process of working with another individual and their process can be discussed at the retreat. Commissioner Harris stated he wishes for this survey to be done prior to the retreat since this has been asked for in the past. Commissioner Bullock stated the wishes to see this a systemized approach with set timeframes.

COMMISSIONER CANTLEY MADE A MOTION FOR THIS IN-DEPTH SURVEY TO BE DONE PRIOR TO THE RETREAT. COMMISSIONER CANTLEY AND HARRIS VOTED IN THE AFFIRMATIVE; COMMISSIONERS CURRIN, WILLIFORD, HERRING, SERGENT, AND BULLOCK VOTED IN THE NEGATIVE. THE MOTION FAILED BY A FIVE TO TWO VOTE.

ADJOURNMENT

WITH THERE BEING NO FURTHER BUSINESS, COMMISSIONER WILLIFORD MADE A MOTION TO ADJOURN. ALL VOTES WERE IN THE AFFIRMATIVE. THE MOTION CARRIED.

Donna B. Hosch, CMC, City Clerk

ATTEST:

Al Woodlief, Mayor