



The best part of the club, stated Mr. Levisy, is that the fee is only \$5/year/child. They are open until 6:30/7:00 p.m. during the school year, they are open when the schools are closed, and they are open in the summer and serve meals during that time. Mr. Levisy stated they have met many fine citizens in Oxford who support the idea and hope that something great can be done in Oxford.

Frank Strickland of 112 Planters Place, Oxford, stated he has a right and a duty to address an issue of public concern. There is a serious problem, compounded by untruthful statements by City officials. Lies have been told regarding the chief of police where policy and actions were questionable. The City must accept responsibility and consequences are sure to come. The current city manager, stated Mr. Strickland, has refused to call for an investigation by an outside agency. He stated this has been done and no wrong doing was found, but obviously this is not true. Mr. Strickland asked that an outside investigation be done to either exonerate the police chief or show just cause for him to be removed from office. The police chief cannot fulfill his duties when citizens are questioning him. Mr. Strickland stated his suggested action would finally put the issue to rest.

Eddie McCoy of 408 Kingsbury Street, Oxford, stated he wished to remind each commissioner of his/her statements and promises at election time. A swimming pool or a site and a splash pool were promised. Mr. McCoy stated he is against the splash pool [on Raleigh Street] because of its site and location. What the City will have is a Black splash pool because of the location. There will be chaos, people will complain about this, and the City will end up shutting it down. What the City should do is put money in the budget to buy a piece of property for a splash pool and a swimming pool at the same location. In a few years, the pool [at Rucker Park] will be closed down and we [Blacks] will be told we can go to Oxford Park. The City will claim it gave us a cooling pool.

When discussing this splash park, Mr. McCoy stated the public was not invited because the City knew he would be there. There should have been a public hearing. Citizens who would take their children to the splash park should have had input. Questions have come up relating to parking, bathroom facilities, changing facilities, who will be in charge, who will supervise the facility, the age group addressed, who will be insured, etc. The City is not doing us [Blacks] a favor. Mr. McCoy stated he does not have children in Oxford; he is simply a concerned citizen.

Mr. McCoy addressed Commissioner Sergent and stated she promised the citizens a splash pool in a nice location. Mr. McCoy stated he knew Commissioner Sergent did not remember this, at which point the commissioner asked Mr. McCoy to let her respond. This is one specific and precise project related to a specific and precise grant, stated Commissioner Sergent. Other recreation opportunities are not off the table. There was a small amount of money available for this grant; and the board thought this was better than fire hydrants in the short run. In planning for the grant, another site was identified but it was sold. The City felt it made the best possible arrangement for the children of the neighborhood with the small amount of money available. Facilities will be available. Commissioner Sergent stated she was surprised that citizens feel playing in the streets and fire hydrants is better than playing in a splash park. There has already been a public meeting on this on March 29<sup>th</sup> and others will be held for the selection of equipment. Commissioner Sergent stated the Board looks forward to and values public input. This is something that can be done now to get kids out of the hydrants.

Commissioner Harris stated he would like to see \$5,000 set aside in the budget each year for the acquisition of land for a pool site.

**CONSENT AGENDA APPROVED**

MPT HERRING MADE A MOTION TO APPROVE THE CONSENT AGENDA.  
ALL VOTES WERE IN THE AFFIRMATIVE; THE MOTION PASSED.

- A) Meeting Minutes of the February 28, 2011 Agenda Meeting and the March 8, 2011 Regular Meeting approved
- B) March financial report by Finance Director Steve McNally accepted

<b><u>March 2011 Financial Report</u></b> <i>75% of FY Complete</i>	<b><u>General Fund</u></b>	<b><u>Water Fund</u></b>
<b>REVENUES</b>		
Actual	\$605,678	\$302,480
YTD (%of Budget)	\$6,544,721 (78.39%)	\$3,009,396 (64.36%)
Budget	\$8,345,254	\$4,676,225
YTD Percent of Budget <i>(minus loan proceeds and fund balance allocation)</i>	83.88%	75.69%
<b>EXPENSES</b>		
Actual	\$597,728	\$318,540
YTD (% of Budget)	\$5,914,981 (70.84%)	\$3,122,685 (66.78%)
Budget	\$8,345,254	\$4,676,225
YTD Percent of Budget <i>(minus loan proceeds and fund balance allocation)</i>	70.84%	65.79%
<b>DIFFERENCE</b> (Revenues – Expenses)		
December 2010	\$7,950	(\$16,060)
YTD		

- D) Lowest bid for budgeted improvements at the police station from D.B. Williams in the amount of \$21,039 approved.

**ORDINANCE ADOPTED FOR THE SECOND READING OF THE SOLID WASTE COLLECTION  
TRANSPORTATION & DISPOSAL AGREEMENT BETWEEN THE CITY OF OXFORD AND  
WASTE INDUSTRIES, INC.**

Mayor Woodlief stated that the Board passed the first reading of the Agreement at the February 18, 2011 regular meeting. Two readings are required before approval. Commissioner Cantley stated the Public Works Committee recommends approval the Ordinance.

COMMISSIONER CANTLEY MADE A MOTION TO ADOPT THE ORDINANCE.  
ALL VOTES WERE IN THE AFFIRMATIVE; THE MOTION PASSED.

**ORDINANCE NO. 11-04-01**  
**ADOPTED: 02-08-11(1<sup>st</sup> Reading)**  
**04-11-11 (2<sup>nd</sup> Reading)**  
**EFFECTIVE: UPON ADOPTION**

**AN ORDINANCE PROVIDING FOR THE GRANTING OF A FRANCHISE UPON  
REASONABLE TERMS AND CONDITIONS TO OPERATE A PUBLIC ENTERPRISE FOR  
THE PURPOSE OF PROVIDING SOLID WASTE COLLECTION AND DISPOSAL  
SYSTEMS AND FACILITIES**

WHEREAS, North Carolina General Statute 160A-311(6) defines the collection and disposal of solid waste and disposal thereof as a "Public Enterprise"; and

WHEREAS, NCGS 160A-319 authorizes cities to grant franchises upon reasonable terms for the operation of enterprises as listed in NCGS 160-311; and

WHEREAS, the City of Oxford has determined that the public's interest will best be served by the grant of a franchise under reasonable terms to Waste Industries, Inc. for the performance of certain duties and functions as set forth in a contract entitled:

**SOLID WASTE COLLECTION  
TRANSPORTATION & DISPOSAL AGREEMENT  
BETWEEN  
CITY OF OXFORD  
AND  
WASTE INDUSTRIES, INC.**

FURTHERMORE, that the grant of the Franchise shall begin on July 1, 2011 and extend for five years ending June 30, 2016; and

WHEREAS, the entire text of the said contract is made a part of this Franchise Ordinance by reference as if same were set forth fully in this ordinance and all provisions of the contract and ordinance shall be fully in compliance with applicable provisions of the North Carolina General Statutes.

First Reading conducted on February 8, 2011

Motion made by Mayor Pro Tem Herring to adopt the ordinance and voted upon as follows:

- Ayes: Commissioners Herring, Williford, Cantley, Sergeant, Currin, Harris and Bullock
- Noes: None

Second Reading conducted on April 11, 2011

Motion made by Commissioner Cantley to adopt the ordinance and voted upon as follows:

- Ayes: Commissioners Herring, Williford, Cantley, Sergent, Currin, Harris and Bullock
- Noes: None

This ordinance shall be in full force upon its adoption according to the dates as set forth above.

### **ADDING CREEDMOOR BACK INTO THE INTERBASIN TRANSFER STUDY REFERRED TO THE MAY REGULAR MEETING**

Commissioner Cantley stated a decision has not been made as of yet on this issue. The city manager is scheduled to negotiate with Creedmoor. Mayor Woodlief stated the issue will be presented at the May Regular Meeting.

### **ENGINEERING CONTRACT FOR THE CLEAN WATER TRUST FUND GRANT AWARDED TO O'BRIEN & GERE**

Commissioner Cantley stated this is the first step to get the necessary drawings done for the sanitation sewage system. No work can be done without these.

COMMISSIONER CANTLEY MADE A MOTION TO APPROVE THE CONTRACT.

Commissioner Sergent stated that whenever the City is doing work such as this, if there is an opportunity to hire people for unskilled labor, that we work with Mr. Wortham and others in the community to try to give jobs to folks they can identify. She has had this conversation with the City Engineer. Commissioner Cantley stated the city manager has also been given this instruction.

ALL VOTES WERE IN THE AFFIRMATIVE; THE MOTION PASSED.

### **PROPOSED ANNEXATION SCHEDULE APPROVED**

Commissioner Harris stated that the Annexation Committee met and broke down this schedule into Phases I through IV. This will give everyone ample time to prepare. The schedule will have room for flexibility; some modifications have already been made since the schedule was prepared.

COMMISSIONER HARRIS MADE A MOTION TO APPROVE THE PROPOSED SCHEDULE.

Commissioner Cantley stated he feels this is premature and that there needs to be more communication with industry and businesses before proceeding. There needs to be more teambuilding, and Commissioner Cantley hoped everyone would vote against the schedule.

COMMISSIONERS SERGENT, HERRING, WILLIFORD, CURRIN, AND HARRIS VOTED IN THE AFFIRMATIVE. COMMISSIONERS CANTLEY AND BULLOCK VOTED IN THE NEGATIVE. THE MOTION CARRIED BY A FIVE TO TWO VOTE.

MPT Herring stated he believed Commissioners Cantley and Bullock have a concern about contacting the industries. The Business, Industry Development, and EDC Committee will be making

contact with industry. The Mayor stated that due to what's going on in the Legislature, the City feels this needs to be in its hand. If a plan is not in hand, the City could be stuck with what it has now. By the time the four phases are approached, there will have been plenty of time to speak with industry. Commissioner Bullock stated he feels this schedule being passed is an impediment to speaking with industry; he would have preferred contacting them prior to the schedule being passed.

### **Proposed Annexation Schedule**

#### **Phase I**

1. (Air Wise, Dialysis, vacant lot, Oxford Maintenance, )
2. Roxboro Rd (Shrine Club, ACIM bldg., Church bldg. ,Britt residence
3. Womack Electric & Fishing Creek Nursery
  - May 10, 2011-Adopt Resolution of Intent
  - June 6, 2011- Adopt Annexation Report(5:30pm)
  - July 12, 2011- Hold Public Informational Mtg(7:00pm)
  - August 9, 2011 –Hold Public Hearing
  - September 13, 2011 Adopt annexation ordinance (**effective Sept. 13, 2012**)

#### **Phase II**

1. Stone Valley Properties
2. Nelms Electric
3. Schools?
  - Sept 13, 2011 – Adopt Resolution of Intent
  - Oct. 11, 2011 Adopt Annexation Report
  - Dec. 5, 2011- Hold Public Informational Mtg
  - Jan.3, 2012 –Hold Public hearing
  - Feb. 6, 2012 –Adopt Annexation Ordinance (**effective 2-7-2012**)

#### **Phase III**

1. Thorndale Country Club
2. Gate Concrete
3. Revlon
4. Dill Air
5. Shalag
6. Jordan Creek Estates (\$6,500 will be budgeted for in the upcoming fiscal year)
  - March 13, 2012- Adopt Resolution of Intent
  - April 2, 2012 –Adopt Annexation Report
  - May 8, 2012- Hold Public Informational Mtg
  - June 12, 2012- Hold Public Hearing
  - July 10, 2012- Adopt annexation ordinance (**effective July 11, 2013**)

#### **Phase IV**

1. Bandag
2. Certaineed
3. DB Williams (Tech Rite Mold)
4. FHO Partners
5. Ideal Fastner
6. Lace Lastics
7. MBL Realty
8. B 68 LLC (Granville Plastics)
9. New Planter's Warehouse
10. Piedmont Distribution Service
11. Plastic Ingenuity, Inc
12. Premier Realty Co
13. Universal Leaf
14. Superior Wall Systems
15. Jomar Ventures
16. Owen Warehouse (Keeton Rankin)
17. 706 W Industry Dr LLC (Premier #2)
18. Hillsboro St. Extension properties (Kid Academy and houses along Hillsboro St. Ext. & Cluview Place.
  - August, 2013 – Adopt Resolution of Intent

- Sept, 2013 – Adopt Annexation Report
- Oct, 2013 – Hold Public Informational mtg
- November, 2013 – Hold Public Hearing
- December, 2013 – Adopt Annexation **Ordinance (Effective Jan, 1 2014)**

**RESOLUTION TO AMEND THE TAR PAMLICO RIVER BASIN: STORMWATER PROGRAM FOR NUTRIENT CONTROL REFERRED TO MAY REGULAR MEETING**

MPT Herring stated this issue of grass clippings being blown into the street has been discussed with the Public Works Committee. Commissioner Cantley stated the Public Works Committee felt more time was needed to get information to the public as to what the City is trying to do. There has been discussion for Waste Industries to help in this effort by distributing information with their new recycling program. Commissioner Cantley felt this discussion should be referred to the May regular meeting, to which MPT Herring was in agreement.

**BUDGET AMENDMENT IN THE AMOUNT OF \$7,784 TO FUND THE PAYOUT OF ACCRUED WAGES AND RELATED PAYROLL COSTS FOR BENBURY ELLINGTON APPROVED**

Mayor Woodlief stated Benbury Ellington left the Oxford Fire Department on February 18, 2011 and this would pay for his accrued vacation/comp time and other payroll expenses.

MPT HERRING MADE A MOTION TO APPROVE THE BUDGET AMENDMENT.

Commissioner Sergent asked would it be possible in the future to get a breakdown of what amount is for annual leave and what amount is for comp time so the Board can see how this is working out. CM Donham stated Human Resources Director Carol Dorsey is working on these breakdowns as well as policies.

ALL VOTES WERE IN THE AFFIRMATIVE. THE MOTION CARRIED.

BUDGET AMENDMENT

ACCT NO.	DESCRIPTION	INCREASE	DECREASE
10530127	Departure Wage Payout	\$6,830.00	
10530181	FICA	\$523.00	
10530186	Workman's Comp	\$99.00	
10530182	Retirement	\$332.00	
10399000	Approp Fund Balance	\$7,784.00	

**BUDGET AMENDMENT IN THE AMOUNT OF \$10,000 TO COVER THE INCREASING COST OF DIESEL FUEL USED BY WASTE INDUSTRIES APPROVED**

Mayor Woodlief stated the price of diesel fuel has gone up significantly since July 2010, from \$2.41/gallon to \$3.14/gallon in March 2011. Based on current prices and consumption, total projected expenditures for the fiscal year will be approximately \$63,800. Commissioner Currin stated the Finance Committee recommends approval of the amendment.

COMMISSISONER CURRN MADE A MOTION TO APPROVE THE BUDGET AMENDMENT.  
ALL VOTES WERE IN THE AFFIRMATIVE. THE MOTION CARRIED.

BUDGET AMENDMENT

ACCT NO.	DESCRIPTION	INCREASE	DECREASE
10580354	Gas and Oil	\$10,000.00	
10399000	Approp Fund Balance	\$10,000.00	

**BUDGET AMENDMENT IN THE AMOUNT OF \$1,500 TO REPLACE THE SWIMMING POOL MOTOR/PUMP APPROVED**

Mayor Woodlief stated it has been determined that the pool motor/pump is in need of repair for \$1,800. A new motor/pump would cost \$2,200. \$700 is available in the budget to cover this cost, leaving a needed balance of \$1,500 to purchase a new motor/pump. Considering the age of the equipment, the Recreation Committee recommends approving the budget amendment.

COMMISSISONER SERGENT MADE A MOTION TO APPROVE THE BUDGET AMENDMENT.  
ALL VOTES WERE IN THE AFFIRMATIVE. THE MOTION CARRIED.

BUDGET AMENDMENT

ACCT NO.	DESCRIPTION	INCREASE	DECREASE
1039000	Approp Fund Bal	\$1,500.00	
10621352	Equipment and Maint	\$1,500.00	

**BUDGET AMENDMENT IN THE AMOUNT OF \$4,050 TO CONTRACT SERVICES TO RE-SEED/SOD AREAS AT OXFORD PARK ATHLETIC COMPLEX REFERRED TO MAY REGULAR MEETING**

Commissioner Sergent stated Parks and Recreation Director Mary Caudle presented a large list of items needing to be done at Oxford Park, the grass being the most important and needed. The grass originally seeded was the wrong kind, the grass died, and now there is an erosion

problem. The Recreation Committee realized there is \$50,000 left over from the original loan procured to finish work at Oxford Park, and this money was not rolled into the current year. It is their belief that this requested amount should come out of the \$50,000 originally allocated.

CM Donham stated he spoke with Commissioner Sergent earlier on this, it requires investigation, and he was not able to come up with an answer prior to this meeting. CM Donham recommended approving the funding and then the finance director would put together the appropriate tool to accomplish this.

Commissioner Harris stated the first number the committee received was \$12,000, then it went to \$10,000, and now it's down to \$4,000. What kind of grass is this? PRD Caudle stated this is the lowest estimate received, which is an exceptional price for a much larger area. This will cover every area needing to be done.

Commissioner Bullock expressed concern about voting on something where the method for dealing with the money is not known. Commissioner Harris stated he will not support something not knowing where the money is. These funds should have been carried over. CM Donham stated he knows where the money is, it's in the Fund Balance, he just didn't have the appropriate terminology to make the adjustment. Commissioner Sergent brought up some issues that he is looking into. CM Donham stated he is working with the finance director and city engineer on this and will have answers within a few days.

CM Donham stated the city attorney stated it is okay to approve this now and make the adjustment at next month's meeting. Commissioner Currin asked if the Fund Balance, then, is correct? CM Donham stated depending upon how you line up the money including the loan, the loan was extended and this item (the grass) was not in the loan. Commissioner Sergent stated there was \$50,187 of unspent funds from the original \$500,000 loan that should have been rolled over into the current year budget to finish the work on the Park. CM Donham stated the City received two grants that totaled about \$840,000, we had a \$500,000 loan, and about \$500,000 in other funds. About \$400,000 was budgeted out of the General Fund for the project. What was not expended was the money from the General Fund that was already budgeted. To fund the whole project would require taking about \$480,000 out of Fund Balance.

Commissioner Sergent asked that if theoretically this money was approved, was the remaining \$50,187 also approved by the prior Board, to which CM Donham stated this was correct. Therefore, stated Commissioner Sergent, this money should not have to be reapproved. CM Donham stated he wished to do as the city attorney advised and have the remainder of the information at the next Board meeting. The Mayor stated that if the City waits, the price will be twice what is being asked for because guarantees can't be made in hot weather. He felt the manager, the finance director, and committee chairman could come to some conclusion on this.

COMMISSONER SERGENT MADE A MOTION TO APPROVE THE MONIES BEING EXPENDED FROM THE FUND BALANCE; AND IF REWORDING IS NECESSARY FOR THE BUDGET AMENDMENT, IT WOULD BE APPROVED AT THE NEXT BOARD MEETING.

Commissioner Sargent clarified that with the two sources of money, some from the Fund Balance and some from the loan allocation, the loan was expended but the Fund Balance allocation was not. Theoretically, it is not inappropriate to say we are going to draw down more against the Fund Balance to pay for this part of the work that's already been approved. Now we're going to draw down on the original \$500,480+.

COMMISSONERS SERGENT, HERRING, CURRIN, WILLIFORD, CANTLEY, AND BULLOCK VOTED IN THE AFFIRMATIVE.  
COMMISSINER HARRIS VOTED IN THE NEGATIVE. THE MOTION CARRIED BY A SIX TO ONE VOTE.

### **AWARDING OF A CONTRACT TO NUTECH FOR \$124,312.50 FOR THE RESURFACING OF SELECTED STREETS APPROVED**

Commissioner Cantley explained that bids came in high because of fuel costs. The list of streets to be done was, therefore, modified to do only three of the streets now. This was recommended by committee. The lowest bid was from NuTech at \$124,312.50 and these funds will come from the Powell Bill. Commissioner Bullock stated any remaining funds could be used for sidewalk regrinding.

COMMISSONER CANTLEY MADE A MOTION TO AWARD THE CONTRACT TO NUTECH AS STATED.  
ALL VOTES WERE IN THE AFFIRMATIVE. THE MOTION CARRIED.

### **NEW PERSONNEL POLICY, WALKING PROGRAM, APPROVED**

MPT Herring stated the Personnel Committee met and approved this program. The program will be for 30-minute periods, but not the first 30 minutes nor the last 30 minutes of the day. This is designed to improve City employees' health.

MPT HERRING MADE A MOTION TO APPROVE THE PROGRAM.  
ALL VOTES WERE IN THE AFFIRMATIVE. THE MOTION CARRIED.

#### ***WALKING PROGRAM - Walk 5 Feel Alive* ©**

The City will have a *Walk 5 Feel Alive* walking program annually, for ten weeks, to encourage employees to increase the number of miles they walk daily; and, with the use of the pedometer, aim for 5 miles per day, on two or more days per week. A pedometer will be loaned to each participant to keep track of their progress. The City will maintain ownership of the pedometers so that we can distribute them in conjunction with our annual walking program. Each year, the Wellness Committee will set the time, guidelines, and incentives to encourage and reward participation. Employees will be allowed two 30-minute periods (paid time), twice a week, to participate in the program. These 30-minute periods may not be taken at the beginning or the end of the work day, and all times must be approved by the employee's supervisor.

## **NEW PERSONNEL POLICY, DRESS CODE, APPROVED**

The new dress code would mandate that City Hall employees adhere to a minimum standard of dress that is "business casual".

MPT HERRING MADE A MOTION TO APPROVE THE DRESS CODE.  
ALL VOTES WERE IN THE AFFIRMATIVE. THE MOTION CARRIED.

### **City of Oxford Employee Dress Code**

Employees should project a professional image for our citizens, potential employees, and community visitors. We can do this by observing a "Business Casual" standard of dress.

### **Guide to Business Casual Dressing for Work**

These guidelines will help define what is appropriate to wear to work. The list is not all-inclusive and is subject to future policy changes. No dress code can cover all contingencies, so employees must use good judgment in their choice of work attire. If you are unsure whether something is acceptable, please ask your Supervisor, Department Head, or Human Resources Director.

### **The following items are inappropriate for members of the Management Team:**

- Clothing that reveals cleavage, back, chest, mid-section, or under garments
- Jeans or Denim pants
- Sweatpants or Exercise clothing
- Shorts
- Tee shirts
- Spandex or biking pants
- Mini or Strapless Dresses
- Any clothing with potentially offensive words, terms, logos, pictures, or slogans
- Flip-flops made for water or beach

### **The following items are inappropriate for City Hall - - Finance Department Employees and all Part-Time and Temporary Office Workers:**

- Clothing that reveals cleavage, back, chest, mid-section, or under garments
- Jeans or Denim pants (Jeans that are not frayed or faded may be worn on Fridays.)
- Sweatpants or Exercise clothing
- Shorts
- Tee shirts
- Spandex or biking pants
- Mini or Strapless Dresses
- Any clothing with potentially offensive words, terms, logos, pictures, or slogans
- Flip-flops made for water or beach (*Thong-type, non-beach, sandals are allowed, but please be cautious, as these may present a safety hazard.*)

### **Employee Responsibility**

If an employee wears unacceptable clothing, he/she will be counseled not to wear the inappropriate item to work again. If the problem persists, the employee may be sent home to change clothes and will receive a verbal warning. (All policies about the use of personal time will apply.) Progressive disciplinary action will be applied if dress code violations continue.

### **Exclusions**

- This policy does not cover employees who are covered under the City's Employee Uniform Policy.
- Nature of work: Some members of the Management Team, as well as employees of the Parks and Recreation Department, may wear jeans, tee-shirts, athletic shoes, or shorts\* when their job duties require such attire.

\* **NOTE: Short-shorts, hot-pants, frayed or torn shorts, will not be allowed under any circumstances.**

## **NEW PERSONNEL POLICY, HEALTHY FOODS AT CITY-SPONSORED EVENTS, APPROVED**

When the City sponsors any event where food or beverages are made available, at least one healthy alternative will be available, no fried foods will be served, and water will be available. The Eat Smart Move More NC program encourages people to make healthier food choices.

MPT HERRING MADE A MOTION TO APPROVE THE POLICY.  
ALL VOTES WERE IN THE AFFIRMATIVE. THE MOTION CARRIED.

### **Food and Beverages at City-sponsored Events**

When the City sponsors any event where food or beverages are made available, at least one healthy alternative will be available, no fried foods will be served, and water will be readily available.

## **STREET CLOSINGS IN MAY AND SEPTEMBER FOR ALIVE AFTER FIVE EVENTS APPROVED**

The Chamber has requested the following closings to accommodate Alive After Five events on May 12 and September 22. This is their annual request.

- May 11 and September 21: close half of Littlejohn Street parking lot all day for stage construction
- May 12 and September 22: close Littlejohn Street parking lot and Littlejohn Street all day from Main Street to Gilliam Street (days of Alive After Five)
- May 12 and September 22: close Gilliam Street from Williamsboro Street to Spring Street from 4:30 p.m. until 9:00 p.m. to allow set up for band, sound system, concession vendors, tent assemblers, etc.

COMMISSIONER WILLIFORD MADE A MOTION TO APPROVE THE CLOSINGS.  
ALL VOTES WERE IN THE AFFIRMATIVE. THE MOTION CARRIED.

### **CLOSING WALL STREET FOR THE EVA SPRINT BAZAAR APPROVED**

The Mayor stated that Granville County Extension Volunteer Association is holding a Spring Bazaar on Saturday, May 7, 2011 at the Cooperative Extension Center from 10:00 a.m. until 4:00 p.m. They wish to close Wall Street from 7:30 a.m. until 6:00 p.m. on the day of the event.

COMMISSIONER WILLIFORD MADE A MOTION TO APPROVE THE CLOSING.  
ALL VOTES WERE IN THE AFFIRMATIVE. THE MOTION CARRIED.

### **CLOSING HUNT STREET FOR A COMMUNITY FESTIVAL APPROVED**

The Mayor stated that Good Shepherd Ministries of Oxford is hosting its first Community Festival on Saturday, June 9, 2011 from 12:00 noon until 4:00 p.m. They wish to close Hunt Street from 10:00 a.m. until 6:00 p.m. on the day of the event.

COMMISSIONER HARRIS MADE A MOTION TO APPROVE THE CLOSINGS.  
ALL VOTES WERE IN THE AFFIRMATIVE. THE MOTION CARRIED.

### **CLOSING LITTLEJOHN PARKING LOT FOR THE LIONS CLUB'S 70<sup>TH</sup> ANNIVERSARY CELEBRATION APPROVED**

The Mayor stated the Lions Club is celebrating its 70<sup>th</sup> anniversary on Tuesday, May 10<sup>th</sup>. The international president is coming to speak, and a large attendance is expected. Consequently, the Lions Club would like to reserve the parking lot on Littlejohn Street (across from the church) from 5:30 p.m. until 11:00 p.m.

COMMISSIONER CANTLEY MADE A MOTION TO APPROVE THE CLOSING.  
ALL VOTES WERE IN THE AFFIRMATIVE. THE MOTION CARRIED.

### **ELIMINATION OF A PARKING SPACE ON ORANGE STREET REFERRED TO THE MAY REGULAR MEETING**

MPT Herring stated this issue was raised at the Public Works Committee Meeting, and he was not aware at that point that DOT has something to do with this street. The city engineer is working towards removing the spot with DOT. Therefore, MPT Herring wished to continue this until the May Board meeting.

### **FORMATION OF A PERSONNEL BOARD CONSISTENT WITH NC GS 160A-165 APPROVED**

MPT Herring stated this Personnel Board would have the authority to hear complaints, and appeals of employees who have been suspended, demoted, and discharged. This would not interfere with the power of authority of the city manager.

MPT Herring stated he has been on the Board for a long time, and Commissioners have always been told that they could not get an understanding of certain things because they were personnel issues. His interpretation of this statute is that as Board members, we have the right to be privileged to all information concerning City employees for things that might get the City into trouble. Whether the Board wants the information or not depends upon whether the Board wants a personnel board.

MPT Herring stated he has been told over the years that whenever an employee has a concern or issue, he/she goes to the city manager who is responsible for final handling of the issue. If the issue is not resolved to the employee's satisfaction or whatever, the next step, so he's been told, is the courthouse. This statute gives a personnel board the right to listen to grievances of employees.

MPT Herring stated he wishes for this Board to establish a personnel board. He has no idea who will make up the board. At the retreat or shortly thereafter, MPT Herring asked that someone from the Institute of Government address this Board on the composition of a personnel board and the power and authority of that board that will not infringe upon the authority of the city manager.

Since serving on this Board, MPT Herring stated a lot of information concerning the City, City employees, and things that the City has gotten into that could have been detrimental, were never willing to be discussed with this Board. The Board would receive the answer, "you don't need to know; that's a personnel issue". The stated general statute gives this Board at least the right to be informed so that this Board can make intelligent decisions, if need be, and be able to advise the city manager.

MPT HERRING MADE A MOTION TO FORM A PERSONNEL BOARD WITH A REPRESENTATIVE FROM THE INSTITUTE OF GOVERNMENT ADDRESSING THIS BOARD AT THE RETREAT ON THE POLICIES AND PROCEDURES OF A PERSONNEL BOARD.

Commissioner Bullock stated he is not opposed to a personnel board, but he is concerned about voting on establishing this board without having questions answered. He would like to see getting the information at the retreat and then voting.

Commissioner Sergent stated she felt voting could be done on this evening and then work on the details at a later date. She feels this is an important board for the City and for the well-being of the employees.

City Attorney Thomas Burnette stated this board would be an advisory board. It would have no authority to overrule what the city manager does in regards to a personnel matter. Most cities recommend that no city employees be on the board and no city commissioners. The town of Chapel Hill probably has the most prominent personnel board with eight members, it is advisory only, they meet whenever an issue arises, and they make a recommendation to the manager which he can either accept or overrule. The personnel board cannot tell the manager what to do on a personnel matter. The only way to get around that is to amend the City Charter to take away that authority from the city manager. CA Burnette stated that his understanding

from talking to people in Chapel Hill is that the personnel board meets, the city clerk takes the minutes, the city attorney advises the board, outside council has to be called in to advise the board, employees have a right to council, the board has the right to set up its rules on how long it takes for a matter to be heard and how much time each side has on the matter, and the board can meet in executive session. The board issues a report and the manager does or does not act on the report. Chapel Hill's board runs for terms of three years and a person can only sit for two terms.

Commissioner Currin stated that after hearing the city attorney's comments he tends to agree that this is a good idea but that the Board doesn't need to rush into this. This should probably be discussed at the retreat.

Commissioner Williford stated that there is a grievance procedure according to the COG. This should be studied, as it seems to him this is just another layer of management. We have an HR director and a city manager, and he would like for the League to explain this.

Commissioner Sergent stated that although unlikely, every once in a while there may be a time when it's important to have someone for an employee with a grievance to go to. The way our system is setup right now, there is no one. The city manager calls it the way he/she sees it and then once that decision is made, it is the end of the line with no other recourse except a lawsuit. A lawsuit is decidedly, whatever the outcome, costly to the City. At the end of the day, one of the primary responsibilities that we have is to do the best we can with the taxpayers' dollars, and that means making decisions to put systems in place that can help protect those dollars. Commissioner Sergent feels this kind of board would be used rarely, and she would like to image that this would preempt the potential for a lawsuit.

Commissioner Williford stated the personnel manual has a clause which states that if there is a dispute with the city manager and his decision is not liked, one can go back to the HR director to have an impartial person come in and sit in on the case. The city attorney stated this has been done twice. HRD Dorsey stated that if the city manager's decision is not liked, the employee has the right to sue.

Commissioner Currin stated he agrees with Commissioner Bullock that this needs more study. MPT Herring stated that the way we operate personnel in this City, business as usual is no longer acceptable.

COMMISSIONERS SERGENT, HERRING, HARRIS, AND CANTLEY VOTED IN THE AFFIRMATIVE; COMMISSIONERS BULLOCK, WILLIFORD, AND CURRIN VOTED IN THE NEGATIVE. THE MOTION CARRIED BY A FOUR TO THREE VOTE.

## **EXECUTIVE SESSION**

COMMISSIONER WILLIFORD MADE A MOTION TO GO INTO EXECUTIVE SESSION TO CONSULT WITH THE CITY ATTORNEY. ALL VOTES WERE IN THE AFFIRMATIVE. THE MOTION CARRIED.

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

**ADJOURNMENT**

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

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Donna B. Hosch, CMC, City Clerk

ATTEST:

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Alvin Woodlief, Jr., Mayor