

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

BUDGET AMENDMENT

ACCT NO.	DESCRIPTION	INCREASE	DECREASE
10353310	FEMA Assist to FireFighters Grant	\$47,500.00	
10530559	Vehicle Exhaust Removal System	\$50,000.00	
10530550	Fixed Assets > \$5,000		\$2,500.00

USE OF \$6,300 FROM CAPITAL OUTLAY LINE ITEM 530-550 APPROVED

Mayor Woodlief stated these funds would be used to repair the roof at the Fire Department. Commissioner Harris asked were the funds budgeted and where will the left over funds be placed. CM Donham stated the left over funds will go into the Fire Department budget. This item would have been placed on the Consent Agenda but it was received late.

MPT HERRING MADE A MOTION TO APPROVE THE USE OF FUNDS.
ALL VOTES WERE IN THE AFFIRMATIVE; THE MOTION PASSED.

EXECUTIVE SESSION TO DISCUSS A PERSONNEL MATTER

ON A MOTION BY COMMISSIONER WILLIFORD, THE BOARD VOTED UNANIMOUSLY TO GO INTO EXECUTIVE SESSION ACCORDING TO G.S. 143.318.11 TO DISCUSS A PERSONNEL MATTER.

ON A MOTION BY COMMISSIONER CURRIN, 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.

Donna B. Hosch, CMC, City Clerk

ATTEST:

Alvin Woodlief, Mayor

MONDAY, DECEMBER 6, 2010 – 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 December 14, 2010 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 Clerk Donna B. Hosch and City Attorney J. Thomas Burnette. Absent was: City Manager Mark Donham.

Mayor Al Woodlief called the meeting to order.

AGENDA SET

The Board set the agenda for the December 14, 2010 Regular Session.

The Mayor announced that the Board will visit Plastics Ingenuity on Tuesday, December 14th.

DISCUSSION ON AN AGREEMENT WITH EF RECOVERY FOR ACCIDENT COST RECOVERY

Mayor Woodlief asked for a motion for this item to remain on the Agenda but for it to be discussed in closed session since it involves a contract.

COMMISSIONER BULLOCK MADE A MOTION FOR THIS ITEM TO BE MOVED TO CLOSED SESSION.
ALL VOTES WERE IN THE AFFIRMATIVE; THE MOTION PASSED.

DISCUSSION ON TEMPORARY WAGES TO REPLACE FIRE DEPARTMENT EMPLOYEE OUT DUE TO INJURY

Mayor Woodlief explained an employee is out due to an injury off the job, and this would be to cover the part-time help needed to cover for the employee. Commissioner Sergent asked if this employee would have paid leave the entire time, to which the Mayor responded it was close. Commissioner Harris asked why this employee is being paid if he was not hurt on City time. Fire Chief Bess responded the employee has been working light duty for a few months. FC Bess inquired as to whether or not this is proper procedure, and it appeared it is ok for this to be done.

MPT Herring asked FC Bess and HR Director Carol Dorsey to have for the Board, before the Regular Meeting, the current personnel policy on a person injured but not on duty. FC Bess stated he has gotten with HRD Dorsey on this, and there is a bit of ambiguity as to where the City is on working

people light duty. Commissioner Currin asked for clarification that this individual is working light duty because he is the only qualified inspector, to which FC Bess stated this is exactly right. MPT Herring stated the issue is what happens to an employee injured while not on official City business.

Commissioner Sergent stated this issue is the same as in other organizations where there needs to be a request for FMLA. The Mayor stated he does not think the current policy addresses this. Public Works has returned employees to work on light duty, it taking three people to do what one individual had been doing. The Mayor questioned this and was told it was policy, the Mayor adding that he felt the Board should wait until the City Manager returns and have him explain this.

Commissioner Harris asked if all of this employee's leave has been expired, to which the Mayor stated he would think that it has. MPT Herring asked HRD Dorsey to set up a Personnel Committee meeting to address what happens to a City employee and what s/he is entitled to when injured while not in the performance of City duties.

Commissioner Sergent stated FMLA, by which we are mandated, only lasts 12 weeks per year unless there is a policy that states otherwise. Commissioner Currin stated this employee provides a necessary service, the Mayor agreeing. The Mayor stated, however, he does not agree with some of the others who have been on light duty. Commissioner Harris asked if this employee is working part time, to which FC Bess stated the budget amendment will pay the part-time hours necessary to cover the injured employee's full time hours from the beginning of the fiscal year to the end of the fiscal year. Commissioner Harris asked if the injured employee is receiving his regular salary, FC Bess explaining the balance of the employee's salary for which the employee is not working is being paid by expending his sick leave.

HRD Dorsey stated the City can develop a policy for this, although there is a consistent, general practice in place. This case would not be covered under the policy since it is such a special case. This person is the only person certified to do inspections for the City at his level. It would cost the City more money if it contracted outside to perform inspections. HRD Dorsey assured the Board there are no City employees on light duty who are simply drawing paychecks.

MPT Herring stated it is clear cut that when an employee is injured off duty, something is supposed to happen in terms of their work. Either there is no compensation or some other things should happen. MPT Herring stated what he is hearing is that the City does not have a clear-cut policy as to what happens in this instance. If the City is compensating this employee, even though he is the only one who can perform inspections, then we need a clear-cut policy addressing employees who fall into this category. HRD Dorsey stated to become certified for inspections is a 5 year process, the employee is working 8 hours a day, and he is cleared by the doctor to do what he is doing now. More definitive information from the doctor is forthcoming within the next 5 weeks from a week ago.

FC Bess stated three people are in the process of going through inspector certification, and they have about a two-year orientation they must go through. They will then test out and become certified. FC Bess stated that without Kelly, reliance was on the State Fire Marshal's Office for assistance. HRD Dorsey added that all these years the Fire Department was allowed to have just

this one person at this level performing this duty. Commissioner Harris stated he did not feel the taxpayers would be happy about this.

OTHER

Commissioner Cantley stated he'd like to see this Board present a letter of appreciation to the outgoing County Commissioners. The Mayor stated he'd been informed of this request and that a presentation will be made to these Commissioners at next week's Board meeting.

Commissioner Harris stated he thought the Fire Department budget amendment should go back through the Finance Committee. The Mayor summed up saying that the employee is working and that the requested money needs to be used for a part-time person standing in for the portion of the employee's job that he cannot do at this point – i.e., driving the truck to a fire. Commissioner Currin stated this amendment was approved, as presented, at the last Finance Committee meeting. The Mayor stated that under other circumstances in the past, this would have been overlooked and the job not performed. The new Chief, however, sees fit for the position to be covered. FC Bess clarified that with this part time person, there are three people on staff and not four. Commissioner Harris questioned if the total persons per shift was recently raised to three, to which the Mayor and Commissioner Currin stated staffing has been at three for some time. Commissioner Sergent asked if these were normal, part-time wages or is there overtime wages also, to which FC Bess stated the part-time person is being paid minimum wage.

MPT Herring stated that the Board made a decision to ask the Manager to attend certain types of training and that that is where he is on this night.

ADJOURNMENT

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