

EXPENSES		
Actual	\$605,558	\$328,489
YTD (% of Budget)	\$7,276,715 (86.9%)	\$3,805,668 (81.33%)
Budget	\$8,368,538	\$4,676,225
YTD Percent of Budget <i>(minus loan proceeds and fund balance allocation)</i>	86.95%	81.92%
DIFFERENCE (Revenues – Expenses)		
May 2011	(\$229,365)	\$10,548
YTD		

- C) Email vote to approve moving the waterline on Old Highway 75 approved. Commissioners Herring, Cantley, Currin, Williford, Sergent, and Bullock voted in the affirmative; Commissioner Harris abstained from voting.
- D) Moving the Monday, July 4, 2011 Agenda Meeting to Tuesday, July 5, 2011 at 5:30 p.m. in observance of the July 4th holiday approved
- E) Tax releases approved: New Century Ophthalmology - \$141.57; Mailfinance Inc. - \$61.24; Beckman Coulton Inc. - \$217.82

RECOGNITION OF/PRESENTATION TO MATTHEW WEST

Mayor Woodlief recognized Boy Scout Matthew West and presented him with a City mug and lapel pin. Matthew is attending this night's meeting as part of the requirements for one of his badges.

MAYOR'S YARD OF THE MONTH

Mayor Woodlief presented this month's award to Pauletta Roberts for the overall attractiveness of her yard at 226 Linden Avenue. The Mayor stated that the YOM sign will be placed in her yard and a picture will be published in the Oxford Public Ledger.

PRESENTATION TO CITY OF LEVEL ONE GREEN CHALLENGE AWARD

Commissioner Bullock, Chairman of the Green Challenge Committee, along with Commissioners Sergent and Harris, presented Mayor Woodlief with the level one Green Challenge Award. This award was initiated by the League based on a program in Virginia, past NCLM president Susan Burgess getting the effort started. This initiative recognizes cities and towns for their green achievements. The Green Challenge Committee will meet to decide if higher certifications are worth working towards.

FISCAL YEAR 2011/2012 CITY BUDGET NOT ADOPTED

Commissioner Currin stated that the Finance Committee feels further discussion on the budget is warranted. The Board unanimously decided it would hold a special meeting on Tuesday, June 21, 2011 at 5:30 p.m. with the purpose of adopting the budget.

CLOSING WALL STREET FOR A COMMUNITY FESTIVAL APPROVED

Mayor Woodlief stated that the Board approved street closings for Good Shepherd Ministries at its April regular meeting. They are now requesting that Wall Street additionally be closed on July 9, 2011 from 10:00 a.m. until 6:00 p.m. for their Community Festival.

MAYOR PRO TEM HERRING MADE A MOTION TO APPROVE THE STREET CLOSING.
ALL VOTES WERE IN THE AFFIRMATIVE. THE MOTION CARRIED.

REVISED ENGINEERING SERVICES CONTRACTS WITH DEWBERRY FOR THE CDBG GRANT FOR RALEIGH STREET APPROVED

Mayor Woodlief stated that the splash park and restroom which have been an amendment to the grant require more engineering services than the originally planned play area and walking trail. Dewberry, therefore, is requesting an increase in their fees of \$5,800.

COMMISSIONER SERGENT MADE A MOTION TO APPROVE THE INCREASE IN THE CONTRACT.
ALL VOTES WERE IN THE AFFIRMATIVE. THE MOTION CARRIED.

CHANGE ORDER #2 AND FINAL ADJUSTING CHANGE ORDER FOR RURAL CENTER GRANT #1 APPROVED

Mayor Woodlief stated that the grant is finishing up and it's time to close out the project. Change order #2 is \$10,716.63 and the final adjusting change order shows the cost of work came in \$1,925.37 below bid price. CM Donham stated the costs are associated with the excavation of a rock found in the area.

City Engineer Larry Thomas stated that the bid was "unclassified"; and that if rock was hit, the City was not supposed to pay for this. As unclassified, the City saved the price of doing soil boring. The contractor is making a claim for the rock, and our engineers are talking to them to work this out. There is a possibility, stated CE Thomas, of about \$55,000 in claims. About 20 manholes had to be replaced because rock was beneath them. If the parties cannot come to agreement, it may need to go to court.

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

RESOLUTION TO APPROVE FISCAL YEAR 2011 BANK FINANCING WITH BB&T ADOPTED

Mayor Woodlief stated bids were sent out to four area banks for the financing of \$358,690 for a period of five years and BB&T offered the lowest rate of 1.89%. CM Donham stated that this process involves tracking capital purchases and canvassing for bids when all purchases have been made.

COMMISSIONER CURRIN MADE A MOTION TO ADOPT THE RESOLUTION.
ALL VOTES WERE IN THE AFFIRMATIVE. THE MOTION CARRIED.

Resolution Approving Financing Terms

WHEREAS: The City of Oxford (the "City") has previously determined to undertake a project for the financing of equipment and vehicles (the "Project"), and the City Manager has now presented a proposal for the financing of such Project.

BE IT THEREFORE RESOLVED, as follows:

1. The City hereby determines to finance the Project through Branch Banking and Trust Company ("BB&T"), in accordance with the proposal dated May 24, 2011. The amount financed shall not exceed \$358,690.00, the annual interest rate (in the absence of default or change in tax status) shall not exceed 1.89%, and the financing term shall not exceed five (5) years from closing.
2. All financing contracts and all related documents for the closing of the financing (the "Financing Documents") shall be consistent with the foregoing terms. All officers and employees of the City are hereby authorized and directed to execute and deliver any Financing Documents, and to take all such further action as they may consider necessary or desirable, to carry out the financing of the Project as contemplated by the proposal and this resolution. The Financing Documents shall include a Financing Agreement and Deed of Trust and a Project Fund Agreement as BB&T may request.
3. The Finance Officer is hereby authorized and directed to hold executed copies of the Financing Documents until the conditions for the delivery of the Financing Documents have been completed to such officer's satisfaction. The Finance Officer is authorized to approve changes to any Financing Documents previously signed by City officers or employees, provided that such changes shall not substantially alter the intent of such documents or certificates from the intent expressed in the forms executed by such officers. The Financing Documents shall be in such final forms as the Finance Officer shall approve, with the Finance Officer's release of any Financing Document for delivery constituting conclusive evidence of such officer's final approval of the Document's final form.
4. The City shall not take or omit to take any action the taking or omission of which shall cause its interest payments on this financing to be includable in the gross income for federal income tax purposes of the registered owners of the interest payment obligations. The City hereby designates its obligations to make principal and interest payments under the Financing Documents as "qualified tax-exempt obligations" for the purpose of Internal Revenue Code Section 265(b)(3).
5. The City intends that the adoption of this resolution will be a declaration of the City's official intent to reimburse expenditures for the project that is to be financed from the proceeds of the BB&T financing described above. The City intends that funds that have been advanced, or that may be advanced, from the City's general fund, or any other City fund related to the project, for project costs may be reimbursed from the financing proceeds.
6. All prior actions of City officers in furtherance of the purposes of this resolution are hereby ratified, approved and confirmed. All other resolutions (or parts thereof) in conflict with this resolution are hereby repealed, to the extent of the conflict. This resolution shall take effect immediately.

Approved this 14th day of June 2011.

NEW COMPENSATORY TIME POLICY DEFERRED TO THE JULY REGULAR MEETING

Mayor Woodlief stated that this policy would state that employees may accrue a maximum of 40 hours of comp time and that all accrued comp time must be used before an employee can use any sick, vacation, or holiday time. CM Donham stated that Human Resources Director Carol Dorsey has found other issues needing to be addressed and has asked that voting be deferred until the July regular meeting. All Commissioners were in agreement with deferring the vote.

AMENDING SECTIONS OF THE CITY'S CODE OF ORDINANCES ADOPTED SECTION 2-22 (A) RULES GOVERNING CONDUCT OF MEETINGS; SECTION 2-23(A)(1) CONDUCT OF SPECTATORS AT MEETINGS; AND SECTION 2-26 (A) ORDER OF BUSINESS

Mayor Woodlief stated that this is primarily a cleanup of several of the ordinances. Section 2-22 (A) would eliminate motions by the Board needing to be seconded. Section 2-23(A)(1) would allow the Chief of Police to appoint a designee to attend Board meetings in his absence. Section 2-26 (A) would reorder the order of business as presented on the Agenda.

COMMISSIONER BULLOCK MADE A MOTION TO AMEND THE ORDINANCES.
ALL VOTES WERE IN THE AFFIRMATIVE. THE MOTION CARRIED.

ORDINANCE NO. 06-11-01

ADOPTED: 06-14-11

EFFECTIVE: 06-14-11

AN ORDINANCE TO AMEND CHAPTER 2: ADMINISTRATION - SECTION 2-22 (A) RULES GOVERNING CONDUCT OF MEETINGS OF THE CITY OF OXFORD, NORTH CAROLINA CODE OF ORDINANCES

WHEREAS, on January 12, 2010, the Board of Commissioners voted to rescind Chapter 2: Administration - Section 2-27 Propositions Must Be Seconded; and

WHEREAS, Section 2-22 (A) Rules Governing Conduct of Meetings states "Any member may move at any time for the suspension of any rule and the motion must be seconded to entitle it to consideration." and

WHEREAS, it is necessary to amend Section 2-22(A) to be consistent with the January 12, 2010 amendment;

NOW THEREFORE, BE IT ORDAINED by the Board of Commissioners of the City of Oxford that Section 2-22 (A) is hereby amended as follows:

"The Board's rules and order of business shall be observed in all cases unless suspended temporarily for a special purpose of an emergency nature by a unanimous vote of all members present. Any member may move at any time for the suspension of any rule to entitle it to consideration."

This ordinance shall be in full force and effect from and after the date of its adoption.

Adopted this 14th day of June 2011.

ORDINANCE NO. 06-11-02

ADOPTED: 06-14-11

EFFECTIVE: 06-14-11

**AN ORDINANCE TO AMEND CHAPTER 2: ADMINISTRATION - SECTION 2-23 (A) (1)
CONDUCT OF SPECTATORS AT MEETINGS; PROCEDURE
OF THE CITY OF OXFORD, NORTH CAROLINA CODE OF ORDINANCES**

WHEREAS, Section 2-23 (A) (1) states "It shall be the duty of the Chief of Police to be present on official duty at all special and regular meetings of the Board."; and

WHEREAS, due to the nature of the job duties and responsibilities of the Chief of Police, it is not always possible or practicable for the Chief of Police to attend said meetings;

NOW THEREFORE, BE IT ORDAINED by the Board of Commissioners of the City of Oxford that Section 2-23 is hereby amended as follows:

"It shall be the duty of the Chief of Police or his or her duly designated representative to be present and on official duty at all special and regular meetings of the Board."

This ordinance shall be in full force and effect from and after the date of its adoption.

Adopted this 14th day of June 2011.

ORDINANCE NO. 06-11-03

ADOPTED: 06-14-11

EFFECTIVE: 06-14-11

**AN ORDINANCE TO AMEND CHAPTER 2: ADMINISTRATION - SECTION 2-26 (A) ORDER
OF BUSINESS OF THE CITY OF OXFORD, NORTH CAROLINA CODE OF ORDINANCES**

WHEREAS, Section 2-26 (A) Order of Business states "The order of business at a regular meeting of the Board shall be as follows: (1) Opening remarks; (2) Delegations; (3) Old Business; (4) New Business; (5) Consent agenda, including minute approval."; and

WHEREAS, the Board has determined that the above order of business should be changed in order to provide for a more structured and cohesive order of business;

NOW THEREFORE, BE IT ORDAINED by the Board of Commissioners of the City of Oxford that Section 2-26 is hereby amended as follows:

"The order of business at a regular meeting of the Board shall be as follows: (1) Call to Order; (2) Consent Agenda; (3) Delegations; (3) Old Business; (4) New Business."

This ordinance shall be in full force and effect from and after the date of its adoption.

Adopted this 14th day of June 2011.

AMENDING THE PROPOSED ANNEXATION SCHEDULE APPROVED

Mayor Woodlief stated that due to budget constraints, some properties were moved to different phases of the annexation schedule. Commissioner Cantley stated he thinks the City is moving too swiftly on this, that he thought individual meetings with business and industry were going to be conducted, and that he opposes the issue the way it stands.

COMMISSIONER HARRIS MADE A MOTION TO AMEND THE PROPOSED ANNEXATION SCHEDULE.
COMMISSIONERS HARRIS, CURRIN, WILLIFORD, HERRING, AND SERGENT VOTED IN THE AFFIRMATIVE; COMMISSIONERS CANTLEY AND BULLOCK VOTED IN THE NEGATIVE. THE MOTION CARRIED BY A FIVE TO TWO VOTE.

Proposed Annexation Schedule

Phase I

4. (Air Wise, dialysis, vacant lot, Oxford Maintenance, Davis Wholesale, Church Building)
5. Roxboro Road (Shrine Club, ACIM building, Church building, Britt residence)
 - May 10, 2011-Adopt Resolution of Intent
 - June 3, 2011- Adopt Annexation Report (5:30pm)
 - July 5, 2011- Hold Public Informational Meeting (7:00pm)
 - September 1, 2011 –Hold Public Hearing
 - September 6, 2011 Adopt annexation ordinance (**effective Sept. 6, 2012**)

Phase II

4. Stone Valley Properties & Lace Lastics Retail Outlet
5. West Oxford & JF Webb
 - September 13, 2011 – Adopt Resolution of Intent
 - October 11, 2011 Adopt Annexation Report
 - December 5, 2011- Hold Public Informational Meeting
 - January 3, 2012 –Hold Public hearing
 - February 6, 2012 –Adopt Annexation Ordinance (**effective 2-7-2013**)

Phase III

7. Thorndale Country Club
8. Gate Concrete
9. Revlon
10. Dill Air
11. Shalag
12. Womack Electric & Fishing Creek
 - 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

19. Bandag
20. Certainteed
21. DB Williams (Tech Rite Mold)
22. FHO Partners
23. Ideal Fastener
24. Lace Lastics
25. MBL Realty
26. B 68 LLC (Granville Plastics)
27. New Planter's Warehouse

28. Piedmont Distribution Service
29. Plastic Ingenuity, Inc.
30. Premier Realty Co
31. Universal Leaf
32. Superior Wall Systems
33. Jomar Ventures
34. Owen Warehouse (Keeton Rankin)
35. 706 W Industry Drive LLC (Premier #2)
36. Hillsboro St. Extension properties (Kid Academy and houses along Hillsboro Street Ext. & Cluview Place
 - August, 2013 – Adopt Resolution of Intent
 - September 2013 – Adopt Annexation Report
 - October 2013 – Hold Public Informational mtg.
 - November 2013 – Hold Public Hearing
 - December 2013 – Adopt Annexation Ordinance (Effective Jan, 1 2014)

Phase V
Jordan Creek Estates

CLOSING FRONT STREET FOR VACATION BIBLE SCHOOL APPROVED

Mayor Woodlief stated that this is the annual request from Rev. Joyner of First Baptist Church to close Front Street from June 20th through June 24th from 5:30 p.m. until 8:00 p.m. for Vacation Bible School.

MAYOR PRO TEM HERRING MADE A MOTION TO APPROVE THE CLOSING.
ALL VOTES WERE IN THE AFFIRMATIVE. THE MOTION CARRIED.

CLOSING OF GRANVILLE STREET FOR A YOUTH EXPLOSION FORUM APPROVED

Mayor Woodlief stated that Christ Community Church is requesting closing Granville Street in front of the church at 112 Granville Street to the stop light for their annual Miracle in the Street and Youth Explosion Forum on Saturday, June 25, 2011 from 12:00 noon until 5:00 p.m.

MAYOR PRO TEM HERRING MADE A MOTION TO APPROVE THE CLOSING.
ALL VOTES WERE IN THE AFFIRMATIVE. THE MOTION CARRIED.

**DISCUSSION ON RESIDENCY REQUIREMENTS FOR APPOINTED POSITIONS
AND DEPARTMENT HEADS DEFERRED**

Mayor Woodlief stated that this issue will go to the Personnel Committee for discussion and that this and other issues would be discussed in closed session at a later date.

**BUDGET AMENDMENT IN THE AMOUNT OF \$3,000 FOR RENT REVENUE
FROM GRANVILLE PAVING APPROVED**

Mayor Woodlief stated the City will be receiving \$3,000 in unbudgeted back rent owed by Granville Paving. As discussed earlier in the year by the Board, these funds are to be designated to fund the Commissioners' spring trip to Washington, DC.

COMMISSIONER CURRIN MADE A MOTION TO APPROVE THE BUDGET AMENDMENT.
ALL VOTES WERE IN THE AFFIRMATIVE. THE MOTION CARRIED.

BUDGET AMENDMENT

ACCT NO.	DESCRIPTION	INCREASE	DECREASE
10382030	Granville Paving Rent	\$3,000.00	
10410314	Travel Meetings	\$3,000.00	

**BUDGET AMENDMENT IN THE AMOUNT OF \$9,000 FOR ADDITIONAL WASTE COLLECTION CONTRACT
EXPENDITURES WITH WASTE INDUSTRIES APPROVED**

Mayor Woodlief stated that as of April 2011, the sanitation function departments are at 82.7% of budget. This area is tracking so close to budget that the risk exists of exceeding budget, which would be in violation of NC State statutes. This amendment will be funded by higher than budgeted refuse collection fees.

COMMISSIONER CURRIN MADE A MOTION TO APPROVE THE BUDGET AMENDMENT.
ALL VOTES WERE IN THE AFFIRMATIVE. THE MOTION CARRIED.

BUDGET AMENDMENT

ACCT NO.	DESCRIPTION	INCREASE	DECREASE
10580411	Waste Collection Contract	\$9,000.00	
10385000	Refuse Collection Fees	\$9,000.00	

**BUDGET AMENDMENT IN THE AMOUNT OF \$20,000 FOR ADDITIONAL WATER PURCHASE EXPENDITURES
FROM KERR LAKE REGIONAL WATER AUTHORITY APPROVED**

Mayor Woodlief stated that as of April 2011, the water supply department of the Water Fund is 82.3% of budget. This functional area is tracking so close to budget that the risk exists of exceeding budget at the conclusion of the budget year which would be in violation of NC State statutes. This amendment will be funded by higher than budgeted water sales.

COMMISSIONER BULLOCK MADE A MOTION TO APPROVE THE BUDGET AMENDMENT.
ALL VOTES WERE IN THE AFFIRMATIVE. THE MOTION CARRIED.

BUDGET AMENDMENT

ACCT NO.	DESCRIPTION	INCREASE	DECREASE
30812446	Regional Water Purchases	\$20,000.00	
30371000	Water Billing	\$20,000.00	

AMENDMENT TO SIDEWALK ORDINANCE ADOPTED

Mayor Woodlief stated that the DOEDC requests amending Chapter 18: Streets & Sidewalks by deleting 18-3.2 and adding Section 18.18: Outdoor Display: Display and Sale of Merchandise on Sidewalks. The DOEDC believes items should be allowed on the sidewalks as a way to attract people into the downtown. The ordinance has been reviewed by the city engineer to ensure ADA compliance and the Planning Department recommends this process as a way to have control of what is allowed on sidewalks.

COMMISSIONER CANTLEY MADE A MOTION TO APPROVE THE AMENDMENT.

DOEDC Director Tanya Weary clarified that in item A, wording would be added to say that the 8 feet from the façade would be on either side. It would be checked to see if for Item B the distance required to meet ADA requirements from any public entrance can be narrowed to make the space allowed for displays somewhat larger.

ALL VOTES WERE IN THE AFFIRMATIVE. THE MOTION CARRIED.

ORDINANCE NO. 06-11-04

ADOPTED: 06-14-11

EFFECTIVE: 06-14-11

CITY OF OXFORD

Amendment to the Code of Ordinances

Chapter 18: Streets & Sidewalks

Delete section 18-3.2: Obstructing Streets & Sidewalks Generally to read:

- 2) *This section shall apply to merchants displaying their wares, as well as other persons.*

Add section 18-18: Outdoor display: Display and Sale of merchandise on sidewalks.

(1) No person shall obstruct entirely or partially any sidewalk or street in the city by selling or offering for sale at auction or otherwise any goods, wares or merchandise thereon, or use any sidewalk or street for the placing thereon of any barrel, box crate, wood or other substance, except where expressly permitted by the provisions of this Code or other ordinance of the City.

- a) Permit generally. The Downtown Development Director on behalf of the Downtown Oxford Economic Development Corporation may issue permits for the display and sale of merchandise on city sidewalks in the area of the city defined as the Central Business District.
- b) Application. Any merchant desiring to display and sell merchandise on the City sidewalk shall prepare and file an application with the Downtown Oxford Economic Development Corporation, which shall contain the following information:

1. The name, address and telephone number of the business desiring to display or sell merchandise on the sidewalk.
 2. The name, address and telephone number of the business owner.
 3. The type of merchandise to be sold or displayed.
 4. The hours of operation of the business.
 5. A drawing or site plan showing the section of the sidewalk to be used for the sale and display of merchandise.
 6. Evidence of adequate insurance or other forms of security to hold the city and its taxpayers harmless from claims arising out of the sale and display of merchandise
 7. The business agrees to indemnify and hold the DOEDC and the City of Oxford harmless, for all actions, claims, proceedings, injuries, damages and expenses.
 8. A copy of all permits and licenses issued by the state or the City. Such additional information as may be requested by the Downtown Oxford Economic Development Corporation to determine compliance with this section.
- c) Issuance of permit. No permit for the sale and display of merchandise on the sidewalk may be issued unless the application is complete and unless the following requirements are met:
1. The sale and display of merchandise must occur under the same name as the business and may not be opened or operated at any time when the business is closed.
 2. The sale and display of merchandise on the sidewalk must be clearly incidental to the associated business.
 3. The placement of outdoor display merchandise shall be:
 - a) Permitted adjacent to the primary facade (facade with principal customer entrance) and shall extend no more than eight feet from such facade.
 - b) Outdoor display merchandise shall be located no closer than five feet from any public entrance.
 - c) Outdoor display/merchandise shall not impair the ability of pedestrians to use the sidewalk or parking areas. Thirty-six inches (36") minimum width in the clear with passing areas of sixty inches (60") x sixty inches (60") every two hundred feet (200') or less.
 - d) Merchandise must be removed within four (4) hours of notice from the DOEDC or city. If such items are not removed upon four (4) hours notice, the DOEDC or city shall have the right to remove and dispose of these items and may assess the property owner for the cost of such removal and disposal. The DOEDC or city shall also have the right to remove such items immediately in emergency situation. The DOEDC or city shall not be responsible for damage to the merchandise under any circumstances.
 - e) The owner of the business displaying or selling merchandise on the sidewalk shall be responsible for repairing any incidental damage to public sidewalks resulting from the display of merchandise.
- d) Denial. A permit may be denied if it is found that the granting of the permit would not be in the public interest. Any applicant denied a permit to display or sell merchandise on the sidewalk shall receive a written statement, outlining the grounds on which the denial is based. The applicant may appeal the denial of the permit to the City Commissioners at the next scheduled City Commissioners meeting following receipt of the written denial. The City Commissioners may take such corrective action as it shall

- find necessary. The findings and determination of the City Commissioners shall be final.
- e) Permit revocation. The Downtown Oxford Economic Development Corporation may revoke a permit issued pursuant to this section, if it finds that the business owner has:
1. Deliberately misrepresented or provided false information in the permit application.
 2. Displayed or sold the merchandise in such a manner as to create a public nuisance or to constitute a hazard to the public health, safety or welfare; specifically including failure to keep the area clean and free of refuse.
 3. Failed to maintain any health, business or other permit or license required by law for the operation of the business.
 4. Before the revocation of a permit, the DOEDC shall notify the permit holder of its intent to revoke the permit and the reasons therefore and shall afford the permit holder a reasonable opportunity to appear and be heard on the question of such revocation. The DOEDC shall notify permit holder in writing of the decision and the reasons therefore. A decision of the DOEDC to revoke permit may be appealed to the city commissioners in accordance with the provision of this ordinance.
- f) All permits are automatically renewed each year if there are no changes to the original application. Permits are not transferable or assignable.

Adopted this 14th day of June 2011.

REIMBURSEMENT FOR PART-TIME FIREFIGHTERS APPROVED and NEW PART-TIME PAY POLICY APPROVED

Mayor Woodlief stated that according to the Personnel Policy effective December 2008, part-time employees' pay should be in the same salary range as pay for comparable full-time employees. In the Fire Department, part-time firefighters have been paid less than the salary range for full-time firefighters.

CM Donham stated this practice has been in place for several years, and action to correct this began once discovered. Commissioner Williford asked who was to follow up on this prior to the Personnel Policy being adopted – how did this fall through the cracks? HRD Dorsey stated the policy was in effect when she was hired in 2009. It is her understanding that the policy was not a part of the policy before 2008 and that it was incorrectly inserted in the 2009 policy.

HRD Dorsey stated that the part-time salaries in other departments are within the range they should be. The firefighters pay is on the low side compared to the full-time firefighters. This is not a State regulation that we need to come up to. The Mayor questioned that if someone is willing to work for the salary that has been paid and has not complained in the past, why are we now spending all this money? HRD Dorsey stated this is being done because the salary statement was incorrectly inserted in the policy in December 2008. This is only a recommendation. This was brought to her attention by a part-time firefighter. After looking at it, the policy does indicate the salary should be at least that of full-time firefighters. The question then becomes do we make the correction based on the policy for the last few years or not. Staff recommends we do make this correction for the simple reason that when the City found that the Fire and Police Departments vacations were incorrectly calculated, we went back and made the correction – taking away some of their

accumulated vacation. Now that this error has been discovered that is to the Fire Department's advantage, staff recommends correcting the error and then changing the policy so that the City can come up with part-time salaries for the Fire Department. HRD Dorsey stated these are people who come in and actually work in the full-time Fire Department, and this does not have anything to do with volunteers.

Commissioner Bullock stated his understanding is that money has been found in the current budget to cover this. Does this mean that in the future, the City will incur higher costs? CM Donham stated HRD Dorsey is recommending changing the policy so that we can continue to pay the rate we are currently paying. The money for payment of the \$40,209.22 will come from budgeted capital projects financing where payments were not made each month.

HRD Dorsey is stating that Chief Bess is suggesting a step pay scale that would take into account things such as experience. The current policy mandates a specific amount. Staff wishes to change this to allow the leeway for a scale formulated by staff.

MAYOR PRO TEM HERRING MADE A MOTION TO APPROVE THE REIMBURSEMENT AND TO APPROVE ELIMINATING WORDING IN THE PERSONNEL POLICY TO ALLOW LEEWAY IN FORMULATING A PART-TIME PAY SCALE. ALL VOTES WERE IN THE AFFIRMATIVE. THE MOTION CARRIED.

ARTICLE III. THE PAY PLAN

The hourly rate for employees working other than 40 hours per week, such as police officers working an average of 42 hours per week, will be determined by dividing the average number of hours scheduled per year into the annual salary for the position.

ADJOURN

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