

**TUESDAY, DECEMBER 9, 2014 – 7:00 P.M.**  
**REGULAR MEETING OF THE OXFORD BOARD OF COMMISSIONERS**  
**OXFORD CITY HALL – COMMISSIONERS’ BOARD ROOM**

The Board of Commissioners for the City of Oxford met at the above-mentioned time and place. 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 Jackie Sergent, MPT Howard Herring, Sr., Commissioners James (Danny) Currin, Robert B. Williford, Sr., Calvin (C.J.) Harris, Jr., Frank Strickland, S. Quon Bridges and Patricia T. Fields. Present also were City Attorney J. Thomas Burnette, City Manager Randy Hemann, and City Clerk Barbara J. Rote.

**CALL TO ORDER**

Mayor Sergent called the meeting to order. Bishop Phillip Betts from Cornerstone Christian Church gave the prayer; the Pledge to the flag followed led by MPT Howard Herring, Sr.

**AGENDA APPROVAL**

COMMISSIONER CURRIN MADE A MOTION TO APPROVE THE AGENDA WITH THE ADDITION OF THE FOLLOWING ITEMS 1) REPEAL POLICIES OF 8/8/2000 AND 2/12/2008 FOR TAKE HOME VEHICLES, 2) TAX RELEASES TO THE BOYS & GIRLS CLUB ON THE CONSENT AGENDA AND, 3) A CLOSED SESSION BASED ON ATTORNEY-CLIENT PRIVILEGE. ALL VOTES WERE IN THE AFFIRMATIVE, **THE MOTION CARRIED.**

**OPENING REMARKS BY MAYOR SERGENT**

Mayor Sergent read the opening remarks statement as stated on the agenda with no conflicts of interest noted.

**FINANCIAL SOFTWARE CONTRACT APPROVED - TYLER TECHNOLOGIES**

City Manager Hemann presented for consideration a contract with Tyler Technologies in the amount of \$118,380, and authorization for the City Manager to sign the contract to purchase new financial software including General Ledger, Water & Sewer, Accounts Payable and Payroll.

On June 30, 2014, the City’s financial system crashed. Until August 2014, Finance could not process general ledger, water & sewer, accounts payable checks and payroll. Beginning in September, Finance began looking at software packages and getting input from other municipalities. We chose to have two companies come onsite to present the modules to city employees from all departments. Subsequently, the two companies were also required to present a webinar to answer City specific questions. As a result, staff selected Tyler Technologies to provide software to include General Ledger, Water & Sewer, Accounts Payable and Payroll. The contract, in the amount of \$118,380 is within the FY 2015 budget allocation

for this item. The contract as presented included two changes that were requested by the City Attorney following his review.

COMMISSIONER BRIDGES MADE A MOTION TO APPROVE A CONTRACT WITH TYLER TECHNOLOGIES IN THE AMOUNT OF \$118,380, AND AUTHORIZE CITY MANAGER HEMANN TO SIGN THE CONTRACT TO PURCHASE NEW FINANCIAL SOFTWARE INCLUDING GENERAL LEDGER, WATER & SEWER, ACCOUNTS PAYABLE AND PAYROLL. ALL VOTES WERE IN THE AFFIRMATIVE. **THE MOTION CARRIED.**

### **POLICE CAPTAIN POSITION REINSTATED**

MPT Herring, Chairman, Public Safety Committee, presented for consideration reinstating the Police Captain's position; authorizing the Police Chief to officially advertise the position internally, receive applications, and perform a selection process; and authorizing the Police Chief to hire a Captain at a salary not to exceed \$61,390.

Chief Coley presented information to the Public Safety Committee regarding reinstating the Captain's Position at OPD on 12/1/2014. Chief Coley has ascertained interest from within the Department and feels that there are qualified internal candidates. The approved total of 32 sworn offers would remain the same and lapsed salaries will be used to fund the position this FY. The Captains position will fulfill the continuity of daily operations between field personnel and Command Staff. This oversight will allow the Chief of Police to expend greater focus on the visionary and strategic goals of the OPD and allow him to build processes for coaching, mentoring and developing leadership. This proposal fits the direction the Board of Commissioners set at their annual retreat to support public safety functions, reduce crime and foster more police presence. The consensus of the Public Safety Committee was to recommend reinstatement of the Captain's position at the OPD.

Four internal candidates have expressed interest in the position. There is currently \$26,000 in lapsed salaries in this year's OPD salaries line item which would cover the increase in the salary this FY. Based on the qualifications of those who have applied, the Chief has recommended hiring at the midpoint of the range \$61,390 or less (the minimum in the range in pay grade 23 is \$50,557 and the maximum is \$72,223). The creation of the position will result in an increase in the salary line item of between \$7,652 and \$19,183 next FY depending on which candidate is selected.

Commissioner Currin stated the need for a Captain's position. However, he was concerned about funding the position in the new fiscal year, noting the loss of privilege license fees in addition to the extra salary costs.

Commissioner Strickland was in favor of establishing a Captain's position and noted that he initiated the consensus vote in favor of the position during the Public Safety Meeting. He questioned the difference between reinstating and reclassification, reminding the Board that the unfilled Captain's position was previously used to hire an additional officer. He also questioned funding and did not want the City to eliminate an officer on the street to pay for this position.

HR Director Ayscue noted that this position was a reinstatement because it would be putting a position that was part of the MAPS study back in service, not creating a new position. The number of sworn police officers will not change.

There was some concern about job responsibilities overlapping and a trickle-down effect causing additional increases in total salaries. HR Director Ayscue explained that not until after the position is filled can discussion begin on restructuring and redistributing job responsibilities. He explained that there are two open positions in the PD, one position will not be filled. However, that position does not have to be a patrol officer. The position that will remain unfilled will depend on who is hired as Captain. He stated that there is no trickle-down effect because funding already exists in current positions. Increases in the salary line item will occur as the result of hiring the Captain.

MPT HERRING MADE A MOTION TO REINSTATE THE POLICE CAPTAIN'S POSITION; AUTHORIZE THE POLICE CHIEF TO OFFICIALLY ADVERTISE THE POSITION INTERNALLY, RECEIVE APPLICATIONS, AND PERFORM A SELECTION PROCESS; AND AUTHORIZE THE POLICE CHIEF TO HIRE A CAPTAIN AT A SALARY NOT TO EXCEED \$61,390. ALL VOTES WERE IN THE AFFIRMATIVE. **THE MOTION CARRIED.**

**8-8-2000 & 2-12-2008 VEHICLE TAKE HOME POLICIES REPEALED**  
**CITY MANAGER DIRECTED TO WRITE NEW COMPREHENSIVE POLICY**

City Manager Hemann presented for consideration repealing the August 8, 2000 and the February 12, 2008 Board of Commissioners' Policies related to take home vehicles for City employees, directing the City Manager to further study the City's take home vehicle policies and writing a comprehensive vehicle take home policy for Board approval.

Two policies have been adopted by the Board of Commissioners related to take home vehicles that affect the OPD. The first policy was a broader citywide policy adopted 8/8/2000 which specifically defined by name and position which employees in Public Works, Streets and Cemetery, Fire, and Police could take home vehicles. In this policy, seven employees from the Police Department (none of whom are still employed by the OPD) were named. Their positions were: Chief, Captain, Lieutenant, Detective (3) and Evidence Technician. The current list of positions of those taking cars home is: Chief, Lieutenant (2), Detective (4) and Evidence Technician which constitutes a total of 8 and should be increased to nine if the Board approves the Captain's position.

The second policy, which was adopted by the Board of Commissioners on 2/12/08 specifically gave approval for take home vehicles for those "who currently live within the ETJ and the city limits. "The minutes noted that five patrol officers would be covered under this policy.

Also in February 2008 a General Order (GO-12-024) related to take home vehicles was issued by Chief Wolford. The GO extended eligibility for the take home vehicle program to within 10 miles of the city limits. That General Order is what the OPD has been operating under since February 29, 2008.

Currently, there are seven patrol officers that drive home vehicles. Of the seven, four officers live in the City/ETJ; the remaining three officers live 8.9, 8.5 and 7 miles from the City. The additional cost of fuel for the three officers outside the City/ETJ is estimated at \$800 per year.

Three facts are apparent from this review. First, due to the numerous position and personnel changes in all of the departments covered under the 8/8/2000 policy that policy is no longer useful. Future policies should name positions (not specific employees) and should be reviewed regularly to insure they are updated as departmental reorganizations occur. Second, the OPD is (and has been) operating under a General Order that is in conflict with a Board Policy. Third, the fuel cost for the three officers outside the City/ETJ but within the City is minimal.

Due to the many changes that have occurred in the City since the adoption of the first take home vehicle policy over 14 years ago, a review of those policies is needed. Due to reorganization and staffing changes, our current practices are in conflict with both 8/8/2000 and the 2/12/08 policy and the old policies are no longer useful. For that reason, City Manger Hemann recommended the repeal of both policies. Under the direction of the City Manager, Departments will continue current practices regarding take home vehicles while the issue is studied and a new policy(s) is being developed. The repeal of the 8/8/2000 and the 2/12/08 Board approved policies will also remove the inherent conflict between the approved Board Policy (allows take home vehicles for patrol officers who reside within the City/ETJ) and OPD General Order 12-024 (allows for take home vehicles for patrol officers within 10-miles of the City Limits). These actions will allow the City to continue to operate in the current manner with department heads as well OPD Command Staff and patrol officers while the issue is studied in further detail and a new policy is approved.

The total list of City employees currently taking home vehicles as follows:

**Public Works:** Street Superintendent, Water & Sewer Superintendent

**Recreation:** Director

**Fire:** Chief

**Police:** Chief, 2 Lieutenants, 4 Detectives, 1 Evidence Technician, 1 Sgt. (in City/ETJ), 3 Officers (in City/ETJ), 3 Officers (8.5, 8.9, 7 miles from City)

It was noted that other officers in the PD did not take vehicles home because they lived outside the 10-mile radius as stated in the General Order.

As part of the process in developing the new policy, City Manager Hemann would poll the Board as well as work with staff. Repealing the 2000 and 2008 policies and leaving in place the PD General Order, at this time, will make it easier to work through the process of developing a new policy.

Attorney Burnette recommended repealing the previous Boards' actions so that there is no confusion about what policy the City is following.

Commissioner Herring supported City Manger Hemann's plan but would like to see a return date to the Board, suggesting March 2015.

Commissioner Strickland was not in favor of following the PD General Order because it was put in place approximately 2 weeks after the Board adopted the 2008 Policy and it contradicted what was adopted by the Board at that time. He realized that that neither the current Police Chief nor City Manager were here when this occurred but he could not support the proposed action based on principle. He stated that the PD General Order was unlawful and that it was wrong to support a practice that was put in place without Board approval.

Commissioner Harris did not have a problems with the second part of the motion (Direct the City Manager to further study the city's take home vehicle policies, and write a comprehensive vehicle take home policy for board consideration at the March 10, 2015 Regular Session). However, he did not agree with repealing actions from the previous Boards.

Mayor Sergent reminded the Board that they can make a substitute motion that only includes part of the original motion.

Questions about taking home cars as a requirement of the position and taking home cars as a fringe benefit, or a way of attracting a new hire, need to be considered. Mayor Sergent asked that this point be reviewed when developing the new Take Home Car Policy.

MPT HERRING MADE A MOTION TO REPEAL THE AUGUST 8, 2000 AND THE FEBRUARY 12, 2008 BOARD OF COMMISSIONERS' POLICIES RELATED TO TAKE HOME VEHICLES FOR CITY EMPLOYEES, DIRECT THE CITY MANAGER TO FURTHER STUDY THE CITY'S TAKE HOME VEHICLE POLICIES, AND WRITE A COMPREHENSIVE VEHICLE TAKE HOME POLICY FOR BOARD CONSIDERATION AT THE MARCH 10, 2015 REGULAR SESSION. COMMISSIONERS HERRING WILLIFORD, CURRIN, BRIDGES AND FIELDS VOTED IN THE AFFIRMATIVE; COMMISSIONERS STRICKLAND AND HARRIS AGAINST. **THE MOTION CARRIED 5-2.**

### **FRANCHISE ORDINANCE WITH WASTE INDUSTRIES** **FIRST READING ADOPTED**

City Manager Hemann presented for adoption the ordinance with Waste Industries as the first of two required adoptions, and incorporate the ordinance by reference according to G.S. 160A-76. The term of the ordinance is 16 months beginning February 1, 2015 and ending June 30, 2016.

The City has a current Agreement for Solid Waste Collection, Transportation and Disposal with Waste Industries, LLC that extends through June 30, 2016. The Board previously approved the removal of brush collection from this contract. The new Agreement reflects a starting date for Oxford handling yard waste collection of February 1, 2015. This will allow the City time to get through leaf collection, procure the knuckle boom truck, and train on the new equipment prior to going live with the service.

This agreement reflects the removal of both yard waste collection and bulky item pickup from the contract as well an increase for CPI. The savings to the City from the removal of those two services is anticipated to be around \$78,000 annually (will vary with fuel usage/cost). Those savings will fund the new equipment which has already been budgeted. The two services will commence without the addition of staff but Public Works Director James Proctor will monitor the work load and report back to the Manager on future staffing needs.

COMMISSIONER BRIDGES MADE A MOTION TO ADOPT THE FRANCHISE ORDINANCE WITH WASTE INDUSTRIES AS THE FIRST OF TWO REQUIRED ADOPTIONS, AND INCORPORATE THE ORDINANCE BY REFERENCE. THE TERM OF THE ORDINANCE IS 16 MONTHS BEGINNING FEBRUARY 1, 2015 AND ENDING JUNE 30, 2016. ALL VOTES WERE IN THE AFFIRMATIVE. **THE MOTION CARRIED.**

### **CITY MANAGER AUTHORIZED TO APPLY TO ECONOMIC DEVELOPMENT COMPETITIVE** **GRANT PROGRAM FOR ULRC - APPROVED MATCH UP TO \$15,000**

City Manger Hemann presented a request to consider authorizing him to apply for up to \$15,000 in grant funds for the Oxford Downtown Master Plan from the Economic Development

Competitive Grant Program for Underserved and Limited Resource Communities (ULRC), under the Rural Economic Development Division of the North Carolina Department of Commerce.

The City has an opportunity to get additional funding for our Downtown Master Plan through the Economic Development Competitive Grant Program for Underserved and Limited Resource Communities (ULRC), under the Rural Economic Development Division of the North Carolina Department of Commerce. The program requires a match which we have already budgeted. Applications are due by December 19 and require authorization by formal action of the Board of Commissioners. Awards will be announced January 16, 2015.

The City has budgeted \$15,000 for the Downtown Master Plan. The process will likely take a full year and if done properly will cost more than \$15,000.

COMMISSIONER WILLIFORD MADE A MOTION TO AUTHORIZE THE CITY MANAGER TO APPLY FOR UP TO \$15,000 IN GRANT FUNDS FOR THE DOWNTOWN MASTER PLAN FROM THE ECONOMIC DEVELOPMENT COMPETITIVE GRANT PROGRAM FOR UNDERSERVED AND LIMITED RESOURCE COMMUNITIES (ULRC), UNDER THE RURAL ECONOMIC DEVELOPMENT DIVISION OF THE NORTH CAROLINA DEPARTMENT OF COMMERCE. ALL VOTES WERE IN THE AFFIRMATIVE. **THE MOTION CARRIED.**

**NOVEMBER FINANCIAL HIGHLIGHTS BY CITY MANAGER HEMANN**

In the absence of Finance Director Belton, City Manger Hemann presented and summarized the November financial report.

General Fund revenue included collections of 64% Ad Valorem Taxes, 52% Licenses & Permits, 52% Intergovernmental, and 58% All Other Revenue. Expenses included 45% General Government, 73% Outside Auditors, 41% Finance, 47% Building & Equipment, 46% Street Dept. & Leaf Collection, 69% Swimming Pool, 68% Lake Devin, 77% Oxford Athletic Park Operations, 43% Engineering, and 185% Miscellaneous Non-Departmental.

Water Fund revenue included 44% Billing Revenue. Expenses included 46% WWTP, and 98% Stovall Booster Pump Station, 53% General Operations/Collections, 59% Miscellaneous Non-Governmental Wastewater.

All Other Fund revenue included 51% Powell Street Fund. Expenditures for all other funds were well within the expected expenditure authority of 19%.

| <b><u>NOVEMBER 2014 Financial Report</u></b><br><i>41.7% of FY Complete</i>       | <b><u>General Fund</u></b> | <b><u>Water Fund</u></b> | <b><u>Other Funds</u></b> |
|---|----------------------------|--------------------------|---------------------------|
| <b>REVENUES</b>   |                            |                          |                           |
| YTD   | \$ 4,548,484               | \$ 2,057,311             | \$ 1,059,554              |
| YTD Percent of Budget<br><i>(minus loan proceeds and fund balance allocation)</i> | 55%                        | 44%                      | 20%                       |
| <b>EXPENSES</b>   |                            |                          |                           |
| YTD   | \$ 3,630,935               | \$ 1,928,558             | \$ 997,219                |
| Budget  | \$ 8,472,365               | \$ 4,955,044             | \$ 5,225,264              |
| YTD Percent of Budget<br><i>(minus loan proceed, and fund balance allocation)</i> | 43%                        | 39%                      | 19%                       |
|   |                            |                          |                           |

|   |            |            |           |
|---|------------|------------|-----------|
| <b>DIFFERENCE</b><br>(Revenues – Expenses)<br>2014-15 YTD | \$ 917,549 | \$ 128,753 | \$ 62,335 |
|---|------------|------------|-----------|

**CITY MANAGER REPORT**

**(Included written report presented on meeting night)**

**Public Works:** James and David hired Dale Jones as crew leader in the Street Division and we are currently interviewing for a Senior Equipment Operator in the Water Division. James is in the process of finalizing pricing on a knuckle boom truck in preparation for the transition in yard waste pickup beginning in February 2015. Leaf collection has been much smoother this year thanks to the addition of some reliable equipment. I also want to mention the great job by Public Works both preparing for and cleaning up after the parade.

**Engineering:** Amy’s team is making progress with the implementation of our Geographic Information System (GIS) program. They have met with the County regarding the coordination of the two programs and our two NCCU interns Troy and Tony are preparing to start data collection.

**Human Resources:** We are in the process of implementing the flexible spending account program which has been well received by employees. Justin and Harold and I will be meeting with the League next week concerning proposed insurance rates for next FY. The enrollment with municipal benefits went quite well. We met our benchmark numbers for all policies in order to get preferred rates.

**Planning:** The Planning Board is continuing work on a Gateway Ordinance for the entrances to the City off of Linden Avenue, Lewis Street, Roxboro Road and College Street. This proposed Ordinance should be completed in the next few months.

**Parks and Recreation:** I encourage you to go on the City’s website and pull up the calendar on the Recreation Departments page. The department continues to do a great job with traditional programming while inserting new and non-traditional events into the mix.

**Fire Department:** The OFD has recently completed 84 home safety inspections and installed 218 smoke detectors. Chief Cottrell and his men are to be commended for their community outreach and efforts aimed at fire prevention. They also are continuing to prepare for the NC Department of Insurance Office in January.

**Police Department:** The “Oxford Police Department Turkey Drive” in partnership with Cornerstone Community Church, and Granville County Schools was very successful with 27 families being served. The OPD continues to be visible and create partnerships in the community and work to both prevent and solve crime.

**Kerr Lake Regional Water System:** The KLRWS is reviewing the 2005 plans for plant expansion and looking at newer technologies that may be incorporated into the plant. Amy joined our partners from Henderson on a tour of the plant in Salisbury, which uses a technology that reduces the settling time required before treatment and speeds up the process significantly. KLRWS Plant Operator Clarissa Lipscomb said they plan to bring in a mobile treatment facility that will test this same technology at the KLRWS plant since the qualities of our water vary from those in the Yadkin River basin. I have been impressed by the due diligence of our partners in Henderson as we move forward with planning for the plant expansion.

**Building and Grounds:** Thanks to Kenny, Keon, Harvey, Troy for making the City look good this Holiday Season.

### **COMMITTEE REPORTS BY THE BOARD**

The City is represented by Commissioners on various committees and boards pertaining to our community and local government. Reports and updates by our representatives on meetings that occurred during the month are as follows:

- Downtown Economic Development Commission – Commissioner Currin
- Kerr-Tar COG – Commissioner Bridges

### **CONSENT AGENDA APPROVED**

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

- Accepted the November Financial Report by Finance Officer Harold Belton.
- Approved tax releases totaling \$7,362.92 (\$3884.26, \$3256.06, \$111.71, \$92.20, \$18.69) to Boys & Girls Clubs of NC due to donation of property by Santa Fe Natural Tobacco Co. Owner as of January 1, 2014 qualifies as tax exempt.
- Approved the following 2014 meeting minutes:
  - \* November 3, Agenda Session
  - \* November 10, Regular Session

### **ADDITIONAL COMMENTS**

- The Street Department was commended for the great clean-up effort following the Christmas Parade.

### **CLOSED SESSION**

AT THE END OF THE REGULAR SESSION AND ON MOTION BY MPT HERRING, THE BOARD VOTED UNANIMOUSLY TO GO INTO CLOSED SESSION PURSUANT TO G.S. 143-318.11(A)(3) IN ORDER TO PRESERVE THE ATTORNEY-CLIENT PRIVILEGE BETWEEN THE ATTORNEY AND THE CITY, AND APPROVE THE CLOSED SESSION MINUTES OF OCTOBER 29, 2014.

### **RETURN TO OPEN SESSION**

ON MOTION BY COMMISSIONER HARRIS AT APPROXIMATELY 8:50 PM, THE BOARD VOTED UNANIMOUSLY TO RETURN TO OPEN SESSION.

**ADJOURNMENT**

WITH THERE BEING NO FURTHER BUSINESS, AT APPROXIMATELY 8:50 P.M., COMMISSIONER HARRIS MADE A MOTION TO ADJOURN. ALL VOTES WERE IN THE AFFIRMATIVE. **THE MOTION CARRIED.**

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Barbara J. Rote, City Clerk

ATTEST:

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Jacqueline vdH Sergent, Mayor