

Town of Boonville
November 6, 2018, Regular Meeting Minutes
Harvey E. Smith Municipal Building

The following were in attendance at the 11/6/18 regular meeting: Mayor Rusty Hunter, Commissioners Devin Carter, Bonnie Lasky, William Paul Baity, and Tony Reece. Also in attendance were Town Attorney James Freeman, Town Administrator Sarah Harris, Finance Officer/Town Clerk Kim Wells, Police Chief Chuck Evitt and Public Works Director Jeff Jones.

- I. Call to Order and Welcome:** Mayor Hunter called the 11/6/18 meeting to order at 7:00 p.m.
- II. Conflict of Interest Issues and Approval of Agenda:** Mayor Hunter stated the agenda needed to be amended to add, Closed Session per NCGS 143-318.11(a)(3,5&6). Commissioner Lasky motioned to approve the agenda as amended. Commissioner Baity seconded, and the motion passed unanimously.
- III. Adoption of minutes: 10/6 regular session, 10/6 closed session:** Commissioner Baity motioned to adopt the 10/6 regular session and 10/6 closed session minutes. Commissioner Reece seconded, and the motion passed unanimously.
- IV. Public Comments:** None was voiced.

V. Old Town Business:

- A. Update on Water and Sewer Projects:** Public Works Director Jones reported on the status of the water projects. He introduced Mike Koser, WithersRavenel, who updated the Board members on the sewer plant project. Mr. Koser explained the delayed field work and gave the Board members three options to fix plant 2. Discussion followed. Mr. Koser stated that he will go back to the contractor to get price options updated.
- B. Roof Quotes:** Mayor Hunter stated that there were no new quotes for the roof. Since the roof is no longer leaking, it was the consensus of the Board members to delay the installation of a new roof.

VI. New Town Business:

- A. Emergency Management Ordinance:** Town Administrator Harris reviewed the presented ordinance. Commissioner Lasky motioned to adopt ordinance #96 – Emergency Management Ordinance. Commissioner Baity seconded, and the motion passed unanimously.
- B. Well Pump Ratification:** Public Works Director reported on the pump at Williams St. well. It was stated a motion would be needed to ratify the consensus of the work performed since it was an emergency repair. Commissioner Baity motioned to approve payment of the invoice from Yadkin Well in the amount of \$11,113.48 from Water M&R Equipment. Commissioner Lasky seconded, and the motion passed unanimously.
- C. Tree Lighting Ceremony:** Town Administrator Harris stated the BBDDA would like to hold a tree-lighting ceremony and had asked the Mayor if he would be interested in speaking and turning on the lights. She stated the ceremony would be held at 5:30 p.m. on Friday, November 30. Mayor Hunter stated that he would be available for the event.
- D. Budget Amendments:** Finance Officer/Town Clerk Wells reviewed two proposed budget amendments. She stated the first was actual clean-up items for the current year while option two included a proposed fifth position being added to the Police Department. She stated the Board had not mentioned the fifth position to her, but that she had learned of the proposal from Chief Evitt. Commissioner Reece asked Mrs. Wells for her opinion. She stated that if the Board members were considering the hiring a fifth police officer, she would recommend option 2. Commissioner Reece motioned to accept option 2. Commissioner Baity seconded, and the motion passed unanimously.

VII. Reports and announcements:

- A. Mayor's report:** Mayor Hunter had no items to report.
- B. Town Administrator's report:** Town Administrator Harris reported on upcoming events. She reported that she had spoken to a representative from Archives Social regarding requests for social media records. She explained the law on retention of these accounts and how the company has a way of backing up files that the Town is not equipped to do. The cost would be \$199 per month. She will obtain additional information prior to the budget workshops for the next fiscal year. Ms. Harris then reviewed the Budget vs. Actual report for the year.
- C. Finance Officer's report:** Finance Officer Wells reported that Canon & Company had submitted the audit to the LGC by 10/31 and is now awaiting approval. She stated that a representative from

Canon & Company would attend the December meeting to present the Fiscal Year 2018 audit. She will have the presentation during old business so the Board members who are going off the Board will be included in the presentation. She then informed the Board members there were some billing errors on two of the bulk accounts: Boonville Baptist Church and Yadkin County Schools. She stated that Steve Hutchens was investigating which software had the error: QSI with the billing, or MasterMeter on the reading.

D. Public Works Director's report: Public Works Director Jones reported that leaf collection had begun. He also stated that he had been working with DOT on the resurfacing of US601. He is providing new covers to install instead of reusing the existing ones. Mr. Jones stated they were also working on the Christmas lights, but that some of them were in very bad condition.

E. Police Chief's report: Police Chief Evitt reported that Roy's Publications had been in the office working on the Police Calendar. He stated there had been 15 donations so far. Chief Evitt informed the Board members that he was waiting on the new officer's paperwork before he can let him work a shift, but that he is becoming familiar with the procedures of the Police Department. Chief Evitt stated that he had advertised for the fifth position, and he intends to go to Surry Community College in November to talk to the latest graduates.

F. Departmental Commissioner's Reports: None were voiced.

G. Committee reports as needed: Debbie Cooper, BBDDA, reported on the upcoming events.

VIII. Closed Session per NCGS 143-318.11(a)(3,5 &6): Commissioner Lasky motioned to go into closed session per NCGS 143-318.11(a)(3,5 &6). Commissioner Carter seconded, and the motion passed unanimously at 7:25pm.

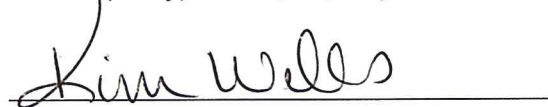
Public Works Director Jones reported on the drain issue at Walter Mathis' house. The new quote is \$2,500. Public Works employees will lay the pipe down Key St. Discussion followed. Commissioner Baity motioned to allocate up to \$3,000 from Powell Bill funds to repair the drainage issue on Key St. Commissioner Lasky seconded, and the motion passed unanimously.

Commissioner Baity motioned to accept Daniel Cranford's resignation dated 10/19/18 and to release Andrew Combs and Greg Gibson from part-time employment. Commissioner Reece seconded, and the motion passed unanimously.

IX. Recess/Adjourn: Commissioner Lasky motioned to adjourn. Commissioner Carter seconded, and the motion passed unanimously. The meeting adjourned at 8:25 p.m.



Russell (Rusty) Hunter, IV, Mayor



Kim Wells, Finance Officer/Town Clerk

Chapter 96 Emergency Management Ordinance

Section

96.01 Purpose

96.02 Territorial Applicability

96.03 Penalty for Violation

96.04 Determination of State of Emergency; Restrictions Authorized

96.05 Declaration Imposing Prohibitions and Restrictions

96.06 Curfew

96.07 Restrictions on Possession, Consumption or Transfer of Alcoholic Beverage

96.08 Restrictions on Possession, Transportation, and Transfer of Dangerous Weapons and Substances

96.09 Restrictions on Access to Areas

96.10 Effect of Declaration

96.11 Amendments of Declaration

96.12 Removal of Prohibitions and Restrictions

96.13 Separate and Superseding Declarations

96.14 Absence or Disability of Mayor

96.15 Emergency Operations Plan

96.01 Purpose

The purpose of this chapter is to provide an avenue whereby the Mayor of the Town of Boonville can take action, on an emergency basis, to:

- (A) Minimize the possible suffering of citizens or the potential for property damage by limiting access to certain areas.
- (B) Limit the movement of objects or people during certain periods.

96.02 Territorial Applicability

This chapter shall apply within the corporate limits of the town.

95.03 Penalty for Violation

Any person violating any prohibition or restriction imposed by a declaration authorized by this chapter shall be guilty of a misdemeanor, and punished as provided by Chapter 152: Zoning, Section Enforcement and Penalties.

96.04 Determination of State of Emergency; Restrictions Authorized

- (A) A state of emergency shall be deemed to exist whenever, during times of public crisis, disaster, rioting, catastrophe or similar public emergency, for any reason, public safety authorities are unable to maintain public order or afford adequate protection for lives, safety of property or whenever the occurrence of any such condition is imminent.
- (B) In the event of an existing or threatened emergency which has the potential to endanger the lives, safety, health or welfare of the people within the town or any

part thereof, or threatens damage to or destruction of property, the mayor is hereby authorized and empowered to issue a state of emergency declaration declaring to all persons the existence of such a state of emergency, and, in order to more effectively protect the lives and property of people within the town, to place in effect any or all of the restrictions hereinafter authorized. The mayor will provide notification to all commissioners and the town administrator as soon as possible after such a declaration has been issued.

- (C) The mayor is hereby authorized and empowered to establish and activate an emergency management organization to respond to the existence of such a state of emergency in order to more effectively protect the lives and property of people within the town.
- (D) The mayor is hereby authorized and empowered to limit by declaration the application of all or any part of such restrictions to any area specifically designated or described within the town and to specific hours of the day or night; and to exempt from all or any part of such restrictions, while acting in the line of and within the scope of their respective duties, commissioners, law enforcement officers, firemen, public employees, rescue squad members, doctors, nurses, employees of hospitals and other medical facilities; on-duty military personnel whether state or federal; on-duty employees of hospitals and other medical facilities; on duty military personnel whether state or federal; on-duty employees of public utilities, public transportation companies, and newspaper, magazine, radio broadcasting and television broadcasting corporations operated for profit; and such other classes of persons as may be essential to the preservation of public order and immediately necessary to serve the safety, health and welfare needs of the people within the town.

96.05 Declaration Imposing Prohibitions and Restrictions

- (A) The mayor, by declaration, may impose the prohibitions and restrictions specified in sections 18-5 through 18-9 in the manner described in those sections. The mayor may impose as many of the specified prohibitions and restrictions as are determined to be necessary, because of an emergency, to maintain an acceptable level of public order and services, and to protect lives, safety and property. The mayor shall recite his findings in the declaration.
- (B) The declaration shall be in writing. The mayor shall take reasonable steps to give notice of the terms of the declaration to those affected by it, including the media and emergency communications systems. The mayor shall retain a text of the declaration and furnish upon request certified copies of it for use as evidence. The mayor shall immediately notify the county director of emergency services, town commissioners, and the town administrator of the issuance of the declaration.

96.06 Curfew

- (A) The declaration may impose a curfew prohibiting, in certain areas and during certain periods, the appearance in public of anyone who is not a member of an exempted class. The declaration shall specify the geographical area or areas and

the period during each 24-hour day to which the curfew applies. The mayor may exempt from some or all of the curfew restrictions classes of people whose exemptions the mayor finds necessary for the preservation of the public health, safety and welfare. The declaration shall state the exempted classes and the restrictions from which each is exempted.

- (B) Unless otherwise specified in the declaration, the curfew shall apply during the specified period each day until the mayor, by additional declaration, removes the curfew.

96.07 Restrictions on Possession, Consumption or Transfer of Alcoholic Beverage

- (A) The declaration may prohibit the possession or consumption of any intoxicating liquor; including beer and wine, other than on one's own premises, and may prohibit the transfer, transportation, sale or purchase of any intoxicating liquor within the area of the town described in the declaration. The prohibition, if imposed, may apply to transfers of intoxicating liquor by employees of alcoholic beverage control stores as well as by anyone else within the geographical area described.

96.08 Restrictions on Possession, Transportation and Transfer of Dangerous Weapons and Substances

- (A) The declaration may prohibit the transportation or possession off one's own premises, or the sale or purchase of any dangerous weapon or substance, except lawfully possessed firearms and ammunition. The mayor may exempt from some or all of the restrictions classes of people whose possession, transfer or transportation of certain dangerous weapons or substances is necessary to the preservation of the public health, safety or welfare. The declaration shall state the exempted classes and the restrictions from which each is exempted.

- (B) For the purposes of this section, the term "Dangerous weapon or substance" means:

- (1) Any deadly weapon, ammunition, incendiary device, explosive, gasoline or other instrument or substance designed for a use that carries a threat of serious bodily injury or destruction of property.
- (2) Any other instrument or substance that is capable of being used to inflict serious bodily injury or destruction of property, when the circumstances indicate that there is some probability that such instrument or substance will be so destructively used.
- (3) Any part or ingredient in any instrument or substance included above.

- (C) If imposed, the restrictions shall apply throughout the jurisdiction of the town or such part thereof as designated in the declaration.

96.09 Restrictions on Possession, Transportation and Transfer of Dangerous Weapons and Substances

- (A) The declaration may prohibit obtaining access or attempting to obtain access to any area, designated in the manner described in this section, in violation of any order, clearly posted notice or barricade indicating that access is denied or restricted.

- (B) Areas to which access is denied or restricted shall be designated by the chief of police and his subordinated when directed and specified in the declaration to do so by the mayor. When acting under this authority, the chief of police and his subordinates may restrict or deny access to any area, street, highway or location within the town if that restriction or denial of access or use is reasonably necessary to promote efforts being made to overcome the emergency to prevent further aggravation of the emergency.

96.10 Effect of Declaration

- (A) The declaration issued under this chapter may prohibit or restrict all or any of the following:

- (1) Movements of people in public places
- (2) The operation of offices, business establishments and other places to or from which people may travel or at which they may congregate
- (3) Other activities or conditions the control of which may be reasonably necessary to maintain order and protect lives or property during the state of emergency, within the area designated in the declaration.

The declaration issued under this chapter may direct a voluntary or mandatory evacuation of all or part of the Town.

Rescue or any other emergency services may not be provided dependent upon the nature of the conditions during the time period when the state of emergency declaration is in effect.

96.11 Amendments of Declaration

- (A) The mayor may amend or extend the declaration issued under this article from time to time, making such modifications as would have been authorized to include in the original declaration.

96.12 Removal of Prohibitions and Restrictions

- (A) The mayor shall, by additional declaration, remove the prohibition and restrictions when it has been determined that the emergency no longer requires them, when emergency conditions have abated or when directed to do so by the board of commissioners.

96.13 Separate and Superseding Declarations.

- (A) The mayor, in his or her discretion, may invoke the restrictions authorized by this chapter in separate declaration, and may amend any declaration by means of superseding declaration.

96.14 Absence or Disability of Mayor

- (A) In case of the absence or disability of the mayor, the mayor pro-tem shall have and exercise all of the powers given the mayor by this chapter.

96.15 Emergency Operations Plan

The director of emergency management shall maintain an emergency operations plan and will update the plan, if needed, based on the experience of the town. The EOP will be presented to the board of commissioners in January of each year for their review and concurrence.

(Ord. passed 11-6-2018)

YADKIN WELL COMPANY, INC.
1908 HAMPTONVILLE RD.
HAMPTONVILLE, NC 27020
YADKIN
Voice: 336-468-4440
Fax: 336-468-4048

INVOICE

Invoice Number: 12522
Invoice Date: Oct 30, 2018
Page: 1

BOONVILLE TOWN
POST OFFICE BOX 326
BOONVILLE, NC 27011

Customer ID
BOONVILLE TOWN

Payment Terms
Net 30 Days

Date Due
11/29/18

Quantity	Description	Unit Price	Extension
1.00	150S-200-11 GRUNDFOS SUBMERSIBLE PUMP WITH 20 HP. 3 PHASE MOTOR	9439.00	9439.00
1.00	SPLICE KIT	12.00	12.00
1.00	MISCELLANEOUS MATERIALS	25.00	25.00
7.25 HRS.	LABOR	85.00	616.25
4.00 HRS.	PUMP HOIST	85.00	340.00

APPROVED BY _____
DATE PAID _____
CHECK # _____
ACCTS. CHARGED _____

Subtotal 10,432.25
Taxable 10092.25
Sales Tax 681.23
Nontaxable 340.00
TOTAL 11,113.48

INVOICES OVER 30 DAYS WILL BE TURNED OVER TO
LIQUIDATION AGENCY FOR PROCESSING.

EFFECTIVE MARCH 2016 LABOR CHARGES ARE TAXABLE!!!

Proposed Budget Amendments - November 6, 2018

Option 1 - clean up

By Kim Wells, Finance Officer

General Fund				Account Number		Description		Current Budget \$		Amendment Ending Budget \$	
Revenues											
				100 - 406 - 40006 -	33500	Miscellaneous Revenue	500	300	800	Projected for Year End	
				100 - 406 - 40006 -	33501	Yard Sale Permit	-	150	150	Projected for Year End	
				100 - 406 - 40006 -	34400	Sales of Fixed Assets	-	1,272	1,272	Ties to actual	
				100 - 415 - 40010 -	36701	Sales Tax Refund	2,000	9,202	11,202	Ties to actual	
				100 - 422 - 40022 -	39910	Beginning Fund Balance	(58,185.00)	25,130	(33,055.00)	To balance budget	
							36,054				
Expenses				100 - 420 - 50200 -	40005	FICA	7,750	(3,100)	4,650	To move fringe according to system posting	
Police				100 - 420 - 50200 -	40007	Retirement	7,850	(3,100)	4,750	To move fringe according to system posting	
Police				100 - 510 - 50000 -	40002	Salaries	180,500	(23,075)	157,425	Amendment to fund vacation/holiday payout & move Separation allowance per audit	
				100 - 510 - 50000 -	40006	Salaries - Part Time	5,000	4,000	9,000	Projected for Year End	
				100 - 510 - 50000 -	40009	Separation Allowance	-	26,575	26,575	Move from Salaries per auditor	
				100 - 510 - 50200 -	40005	FICA	14,500	2,556	17,056	Amendment to fund vacation/holiday payout	
				100 - 510 - 50200 -	40007	Retirement	13,500	300	13,800	Amendment to fund vacation/holiday payout	
				100 - 410 - 50400 -	40026	Advertising	-	100	100	Ties to actual	
Streets				100 - 560 - 50000 -	40002	Salaries	14,850	28,273	43,123	Projected for Year End according to system posting	
				100 - 560 - 50200 -	40005	FICA	2,300	1,000	3,300	To move fringe according to system posting	
				100 - 560 - 50200 -	40007	Retirement	2,350	1,050	3,400	To move fringe according to system posting	
				100 - 560 - 50200 -	401 k		800	1,400	2,200	To move fringe according to system posting	
				100 - 560 - 50400 -	40014	Travel	-	150	150	Ties to actual	
				100 - 560 - 50400 -	40114	Schooling & Training	-	100	100	Ties to actual	
Sanitation				100 - 580 - 50200 -	40005	FICA	4,300	(3,175)	1,125	To move fringe according to system posting	
				100 - 580 - 50200 -	40007	Retirement	4,300	(3,200)	1,100	To move fringe according to system posting	
							36,054				
Enterprise Fund				300 - 406 - 40006 -	33503	Insurance Proceeds	-	2,000	2,000	Ties to actual claim, less \$1,000 deductible	
Revenues				300 - 422 - 40022 -	39910	Beginning Fund Balance	17,636.00	1,510	19,146.00	To balance budget	
							3,510				
Expenses				300 - 810 - 50000 -	40002	Salaries	100,900	(22,281)	78,619	Projected for Year End according to system posting	
Water				300 - 810 - 50000 -	40005	FICA	2,300	3,800	6,100	To move fringe according to system posting	
				300 - 810 - 50000 -	40007	Retirement	2,200	4,000	6,200	To move fringe according to system posting	
				300 - 810 - 50000 -	401 k		5,250	(1,100)	4,150	To move fringe according to system posting	
Sewer				300 - 820 - 50000 -	40002	Salaries	79,000	(7,500)	71,500	Projected for Year End according to system posting	
				300 - 820 - 50000 -	40005	FICA	4,700	700	5,400	To move fringe according to system posting	
				300 - 820 - 50000 -	40007	Retirement	4,800	800	5,600	To move fringe according to system posting	
				300 - 820 - 50000 -	401 k		4,100	(500)	3,600	To move fringe according to system posting	
				300 - 820 - 50300 -	40053	Dues and Subscriptions	3,500	110	3,610	Projected for Year End	
				300 - 820 - 50400 -	40114	Schooling & Training	-	200	200	Projected for Year End	
Sewer				300 - 830 - 40015	M&R Bldg & Grounds		2,000	3,000	5,000	To record insurance claim from tree damage	

Proposed Budget Amendments - November 6, 2018
Option 2 - clean up + add estimated cost of PD position #5
 By Kim Wells, Finance Officer

General Fund		Account Number	Description	Current Budget \$	Amendment	Ending Budget \$	
Revenues							
	100 - 406 - 40006 -	33500	Miscellaneous Revenue	500	300	800	1 Projected for Year End
	100 - 406 - 40006 -	33501	Yard Sale Permit	-	150	150	2 Projected for Year End
	100 - 406 - 40006 -	34400	Sales of Fixed Assets	-	1,272	1,272	3 Ties to actual
	100 - 415 - 40010 -	36701	Sales Tax Refund	2,000	9,202	11,202	4 Ties to actual
	100 - 422 - 40022 -	39910	Beginning Fund Balance	(58,185.00)	55,630	(2,555.00)	5 To balance budget
					66,554		6
Expenses							
Police							
	100 - 420 - 50200 -	40005	FICA	7,750	(3,100)	4,650	7 To move fringe according to system posting
	100 - 420 - 50200 -	40007	Retirement	7,850	(3,100)	4,750	8 To move fringe according to system posting
							9
							10
							11
Police							
	100 - 510 - 50000 -	40002	Salaries	180,500	(3,175)	177,325	12 mth of Position #5
	100 - 510 - 50000 -	40006	Salaries - Part Time	5,000	4,000	9,000	13 Projected for Year End
	100 - 510 - 50000 -	40009	Separation Allowance	-	26,575	26,575	14 Move from Salaries per auditor
	100 - 510 - 50200 -	40005	FICA	14,500	4,106	18,606	15 Amendment to fund vacation/holiday payout + 5th Position
	100 - 510 - 50200 -	40007	Retirement	13,500	2,000	15,500	16 Amendment to fund vacation/holiday payout + 5th Position
	100 - 510 - 50200 -	40008	401 k	8,600	1,000	9,600	17 Amendment to fund 5th position
	100 - 510 - 50400 -	40026	Advertising	-	100	100	18 Ties to actual
	100 - 510 - 50400 -	40058	Unemployment	500	200	700	19 Amendment to fund 5th position
	100 - 510 - 50400 -	40238	Medical Expense	600	200	800	20 Amendment to pay for 5th position psychological testing
	100 - 510 - 50400 -	40254	Group Insurance	36,000	5,950	41,950	21 Amendment to fund 5th position
							22
Streets							
	100 - 560 - 50000 -	40002	Salaries	14,850	28,273	43,123	23 Projected for Year End according to system posting
	100 - 560 - 50200 -	40005	FICA	2,300	1,000	3,300	24 To move fringe according to system posting
	100 - 560 - 50200 -	40007	Retirement	2,350	1,050	3,400	25 To move fringe according to system posting
	100 - 560 - 50200 -	40008	401 k	800	1,400	2,200	26 To move fringe according to system posting
	100 - 560 - 50400 -	40014	Travel	-	150	150	27 Ties to actual
	100 - 560 - 50400 -	40114	Schooling & Training	-	100	100	28 Ties to actual
							29
Sanitation							
	100 - 580 - 50200 -	40005	FICA	4,300	(3,175)	1,125	30 To move fringe according to system posting
	100 - 580 - 50200 -	40007	Retirement	4,300	(3,200)	1,100	31 To move fringe according to system posting
							32
							33

Enterprise Fund

Revenues

300 - 406 - 40006 -	33503 Insurance Proceeds	-	2,000	2,000	Ties to actual claim, less \$1,000 deductible
300 - 422 - 40022 -	39910 Beginning Fund Balance	17,636.00	1,510	19,146.00	To balance budget
			3,510		

Expenses

0

Water

300 - 810 - 50000 -	40002 Salaries	100,900	(22,281)	78,619	Projected for Year End according to system posting
300 - 810 - 50000 -	40005 FICA	2,300	3,800	6,100	To move fringe according to system posting
300 - 810 - 50000 -	40007 Retirement	2,200	4,000	6,200	To move fringe according to system posting
300 - 810 - 50000 -	401 k	5,250	(1,100)	4,150	To move fringe according to system posting

Sewer

300 - 820 - 50000 -	40002 Salaries	79,000	(7,500)	71,500	Projected for Year End according to system posting
300 - 820 - 50000 -	40005 FICA	4,700	700	5,400	To move fringe according to system posting
300 - 820 - 50000 -	40007 Retirement	4,800	800	5,600	To move fringe according to system posting
300 - 820 - 50000 -	401 k	4,100	(500)	3,600	To move fringe according to system posting
300 - 820 - 50300 -	40053 Dues and Subscriptions	3,500	110	3,610	Projected for Year End
300 - 820 - 50400 -	40114 Schooling & Training	-	200	200	Projected for Year End

Sewer Plant

300 - 830 - 50400 -	40015 M&R Bldg & Grounds	2,500	3,000	5,500	To record insurance claim from tree damage
			3,510		