



Town of Warsaw Board of Commissioners Regular Meeting Agenda

June 8th, 2015 at 7:30pm
Board Room Warsaw Town Hall
121 S. Front Street

Meeting Called to Order: Mayor Russell Eason

Pledge of Allegiance: Mayor Russell Eason

Items of Business:

1. **Approval of Minutes:** Mayor Russell Eason

2. **Public Comments:** Mayor Russell Eason

Comments from the public will be received at this time on items that are not on the agenda. Those wishing to speak should sign the sheet located at the Board table. The Board is interested in hearing your input, concerns, and ideas. Topics requiring further investigation will be referred to the appropriate town officials or staff and may be scheduled for a future agenda. Speaking time is limited to 3 minutes and may be adjusted at the discretion of the Mayor and/or Governing Board.

Regular Agenda:

3. **Update from Mr. Jerry James regarding NC Marine Fisheries Resolution:** Mr. Jerry James

4. **Consideration of Changing Bulk Item Pickup:** Town Manager

5. **Scheduling date for Public Hearing for the FY 2015-2016 Budget:** Town Manager

6. **Consideration of designating Town Clerk as a Deputy Tax Collector / Administration of Oath:** Town Manager

Other Business:

7. **Mayor's Update:** Mayor Russell Eason

8. **Manager's Update:** Town Manager

9. **Board Comments**

10. **Closed Session:** pursuant to NCGS 143-318.11 (a)(93) to consult with the Town Attorney in order to preserve the Attorney-Client privilege.

11. **Adjourn.**

May 11th, 2015

The Town of Warsaw Board of Commissioners met in regular session on May 11th, 2015 at 7:30pm in the conference room of the Town Hall.

Present:

Mayor Russell Eason
Commissioner Scotty Smith
Commissioner Tommy Jones
Commissioner Dr. Owen Martin

Also Present:

Town Manager, Shawn Condon
Town Clerk, Lea Futrell
Code Enforcement Officer, Ed Collins
Public Works Director, Ivey Knowles
Town Attorney Jene Thompson

Mayor Russell Eason opened the meeting with the Pledge of Allegiance.

Approval of Minutes:

Mayor Eason asked for a motion to approve the minutes for the April 13th, 2015 meeting.

Commissioner Tommy Jones made the motion to approve the minutes. Commissioner Dr. Owen Martin seconded the motion. The vote was unanimous to approve the minutes.

Public Comments:

Mayor Eason asked for a motion to open public comments.

Commissioner Tommy Jones made the motion to open for public comments. Commissioner Scotty Smith seconded the motion. The vote was unanimous to open for public comment.

Mr. Blackburn spoke in reference to digging up the cross line at the 200 block of S. Bell St. so that the water will flow from one side of the street to the other. This is causing water to back up at Taylor Field and in yards. Mr. Blackburn advised that the line is not level so the water is not properly flowing. Mr. Blackburn also advised that there was a piece of pole in the pipe.

Commissioner Tommy Jones made the motion to close public comments. Commissioner Scotty Smith seconded the motion. The vote was unanimous to close public comment.

Consideration of NC Marine Fisheries Resolution:

Manager Condon introduced Mr. Jerry James as being a representative of the NC Marine Fisheries Committee. Mr. Jerry James spoke on behalf of recreation fishermen. Mr. James explained that in 1997 the State passed the Fisheries Reform Act to try to control the fish in NC so that they remain viable for fishing. At this time they are trying to do a Management Plan on Southern Flounder to keep them from being over fished so that they have a chance to grow. This Plan is not currently working. The resolution that is being proposed is to help to limit the size of fish being kept to allow fish time to grow so that individuals will have something to catch when they go to the beaches. If there is not a change then fishers will not be able to continue fishing. This will restrict the flow of consumers to local businesses as well. This resolution is to ask the Marine Fisheries Committee to go ahead and consider a change to their Management Plan instead of waiting another two years for the change.

Mayor Eason asked how it would affect the commercial fishers. Mr. James advised that they would probably be cut back to a larger size. Mayor Eason asked if they were asking for them to cut back for a certain amount of time or to a larger size. Mr. James advised that he felt they needed to cut back for a certain time period so that the feeder fish have time to grow to a size worth fishing. Commissioner Tommy Jones asked how long Mr. James felt it would take for the population to get up enough it would be worth going fishing. Mr. James advised that they needed to extend closing the season an extra month then in about two years the fish would be of a decent size.

Commissioner Tommy Jones made the motion to accept proposed resolution. Commissioner Scotty Smith seconded the motion. The vote was unanimous to accept the proposed NC Marine Fisheries Resolution.

Consideration of Resolution regarding the Warsaw Veterans Parade:

Manager Condon advised the Warsaw Chamber of Commerce would like to have the Town's Veterans Day Parade designated as the "Official Veterans Day Parade of NC". Condon stated that Duplin County was also being asked for a similar resolution. These resolutions would then be forwarded to the NC General Assembly in order for the designation to be approved. The official designation would assist the Town in marketing the parade to gain more exposure and publicity for this annual event.

Commissioner Tommy Jones made the motion to adopt the resolution designating the Warsaw Veterans Parade as the "Official Veterans Day Parade of NC. Commissioner Scotty Smith seconded the motion. The vote was unanimous to adopt the resolution.

Consideration of Decommissioning Taylor Field as a Town Park:

Manager Condon advised that after the concerns addressed at last month's meeting in regards to the condition of Taylor Field he and the Wellness & Recreation Director had decided to lock the facility and put up no trespassing signs. Condon advised that the facility was considered to be a safety concern. It was the recommendation that given the condition that Taylor Field be decommissioned as a Town park.

There was discussion of the concerns of the children that play soccer in the field and discussion of repair of the facilities. Discussion also included the possibility of having a Porta Potty placed there since restroom facilities were not accessible.

Commissioner Tommy Jones made a motion to remove the unsafe structures from the facility but still allow access to fields. Commissioner Scotty Smith seconded the motion. The vote was unanimous to remove structures.

Consideration of Changing Bulk Item Pickup:

Manager Condon advised that currently we are picking up bulk items weekly. Condon advised that with weekly pickup the appliances, furniture, and junk sitting on the curb make the town unsightly. Condon informed the board about how other towns in the county manage their bulk item pickups. Manager Condon proposed only picking up white goods and that pickup is limited to once or twice a year to coincide with any "free dump" days that the landfill has.

Commissioner Tommy Jones advised that if it is not picked up he feels we will have more problems with illegal dumping. Commissioner Jones feels we have a good system as is. Manager Condon advised that currently there is a fee of \$1000-\$2000 a month for dumping. Condon advised that we are currently negotiating a contract with Waste Industries. Commissioner Jones advised to speak with them about the containers and dumping.

This consideration was tabled until the next meeting when the contract has been completed.

Consideration of Resolution Declaring Ford Crown Victoria Surplus and Authorizing Sales by Electronic Auction:

Manager Condon advised that the 1997 Ford Crown Victoria was formerly used for code enforcement. Due to the condition of the car the Town's Trail Blazer is now being used for code enforcement. Condon advised that with this change there is no longer any need for this vehicle so he is recommending sale by electronic auction.

Commissioner Tommy Jones made the motion to adopt a resolution to declare the car surplus and sale by electronic auction. Commissioner Scotty Smith seconded the motion. The vote was unanimous to declare the car surplus and sale by electronic auction.

Consideration of Tax Release:

Manager Condon provided tax release information from the County for First Fleet Corporation in the amount of \$440.62.

Commissioner Tommy Jones made the motion to accept the tax release. Commissioner Scotty Smith seconded the motion. The vote was unanimous to accept the tax release.

Consideration of Scheduling Budget Workshop for Week of May 18-22:

Manager Condon advised that the board needed to set a date for the budget workshop for the week of May 18-22.

Commissioner Scotty Smith made a motion to have the meeting on May 21 @ 6:30 pm. Commissioner Tommy Jones seconded the motion. The vote was unanimous to have the meeting on May 21 @ 6:30 pm.

Mayor's Update:

Mayor Eason advised that the Warsaw Chamber of Commerce is selling \$100 tickets for a reverse drawing in June.

Manager's Report:

Manager Condon advised that the Town received several bids for the street repair work. Tarheel Grading and Paving, Inc came in with the lowest bid at \$48,530 which is well below the budgeted \$70,000. Condon advised that with this low bid he would speak with them about adding on a few more projects to take full advantage of the \$70,000 that was budgeted.

Board Comments:

Commissioner Scotty Smith asked about the town paying for the phone service. Manager Condon advised that the Town was paying. Smith advised that no one had called him and asked if we were still using the system. Condon advised that was one topic for discussion in budget meeting as there had been more complaints about the system than good.

May 11th, 2015

Closed Session:

Mayor Russell Eason asked the board to go into closed session pursuant to NCGS 143-318.11(a)(93) to consult with the Town Attorney in order to preserve the Attorney-Client privilege.

Commissioner Tommy Jones made the motion to go into closed session. Commissioner Scotty Smith seconded the motion. The vote was unanimous to go into closed session.

Commissioner Scotty Smith made the motion to return to open session. Commissioner Tommy Jones seconded the motion. The vote was unanimous to return to open session.

No action was taken in closed session.

Adjournment:

Commissioner Tommy Jones made the motion to adjourn the meeting. Commissioner Scotty Smith seconded the motion. The vote was unanimous to adjourn the meeting.

Mayor

Attest

Town Clerk



AGENDA ITEM MANAGER'S SUMMARY

Board of Commissioners Meeting Date: June 8th, 2015

TITLE: Update from Mr. Jerry James regarding NC Marine Fisheries Resolution

DEPARTMENT: Administration	PUBLIC HEARING REQUIRED: YES ___ NO <u>X</u>
BUDGET AMENDMENT REQUIRED: YES ___ NO <u>X</u>	ATTACHMENT(S): None

PURPOSE

Last month, the Board approved a resolution supporting the NC Division of Marine Fisheries efforts to protect the southern flounder population. Mr. Jerry James has requested to address the Board to provide an update regarding the progress of those efforts.



AGENDA ITEM MANAGER'S SUMMARY

Board of Commissioners Meeting Date: June 8th, 2015

TITLE: Consideration of Changing Bulk Item Pickup

DEPARTMENT: Administration	PUBLIC HEARING REQUIRED: YES ___ NO <u>X</u>
BUDGET AMENDMENT REQUIRED: YES ___ NO <u>X</u>	ATTACHMENT(S): None

PURPOSE

The Board is asked to consider changing bulk item pickup from its current schedule of once a week. The Board tabled this issue at the last regular Board meeting.

INFORMATION

Currently, the Town is providing bulk item pick up on a weekly basis for items such as appliances, furniture, junk, etc. These items are picked up as Public Works staff can get to them during the week. One major issue with the regular pickup schedule is that the weekly depositing of bulk items, appliances, furniture, and junk on the curb makes the town very unsightly.

In checking with other area towns, we are the only ones that provide this regular bulk item pickup service. Other towns' procedures are as follows:

- Beulaville: 2 pickups per year
- Kenansville: No pickups
- Wallace: 1 pickup per quarter (4 times per year)
- Magnolia: No regular pickup (Per request and \$30 fee + landfill charge)
- Mount Olive: No regular pickup (Per request and fee depends on size)
- Clinton: 2 times per year (Other pickups are per request and fee depends on size)

While I realize the weekly pickup service that Warsaw provides is a convenience, we simply do not currently have the manpower to offer this service to consistently keep up with the random placement of junk and bulk items on a weekly basis. Also, if we change the bulk item pickup frequency, we will be able to save approximately \$18,000 - \$20,000 per year under our upcoming contract with Waste Industries by changing out our roll out containers with three 8-cu yard dumpsters. We would not be able to use the 8-cu yard dumpsters if we maintain the current weekly pickup schedule as it is. If we changed the process from a weekly pickup, it would go very far in helping in our overall efforts in making the Town of Warsaw more attractive and visually appealing.

FISCAL AND STAFF IMPACT

Decreased demand on current Public Works staff to free them up to do other necessary work. Also, an approximate savings of \$18,000 - \$20,000 a year by reducing the weekly bulk item pickup in order to use the three 8 cu-yard containers. Right now, we have to use the large roll out containers to facilitate the amount of items picked up on a weekly basis.

MANAGER'S RECOMMENDATION

Recommend approval of reducing the frequency of our bulk item pickup service.



AGENDA ITEM MANAGER'S SUMMARY

Board of Commissioners Meeting Date: June 8th, 2015

TITLE: Scheduling Date for Public Hearing for the FY 2015-2016 Budget

DEPARTMENT: Administration	PUBLIC HEARING REQUIRED: YES <input checked="" type="checkbox"/> NO <input type="checkbox"/>
BUDGET AMENDMENT REQUIRED: YES <input type="checkbox"/> NO <input checked="" type="checkbox"/>	ATTACHMENT(S): None

PURPOSE

The Board is asked to schedule a date for the required public hearing on the FY 2015-2016 Budget.



AGENDA ITEM MANAGER'S SUMMARY

Board of Commissioners Meeting Date: June 8th, 2015

TITLE: Consideration of designating Town Clerk as a Deputy Tax Collector / Administration of Oath

DEPARTMENT: Administration	PUBLIC HEARING REQUIRED: YES ___ NO <u>X</u>
BUDGET AMENDMENT REQUIRED: YES ___ NO <u>X</u>	ATTACHMENT(S): None

PURPOSE

The Board is asked to consider designating the Town Clerk as a Deputy Tax Collector in order for her to be able to take and receive any tax payments. The Town Clerk must take the required oath in order to be officially designated.

INFORMATION

NCGS 105-349 authorizes the town governing board to appoint tax collectors and deputy tax collectors. In order for an employee to receive tax payments, they must be designated as either a tax collector or deputy tax collector. NCGS 105-349 outlines the following requirements:

§ 105-349. Appointment, term, qualifications, and bond of tax collectors and deputies.

- (a) **Appointment and Term.** - The governing body of each county and municipality shall appoint a tax collector on or before July 1, 1971, to serve for a term to be determined by the appointing body and until his successor has been appointed and qualified. Until the first such appointments are made, county and municipal taxes shall be collected by the tax collectors presently serving under prior provisions of law. The governing body may remove the tax collector from office during his term for good cause after giving him notice in writing and an opportunity to appear and be heard at a public session of the governing body. No hearing shall be required, however, if the tax collector is removed for failing to meet the prerequisites prescribed by G.S. 105-352(b) for delivery of the tax receipts. Unless otherwise provided by G.S. 105-373, whenever any vacancy occurs in this office, the governing body shall appoint a qualified person to serve as tax collector for the period of the unexpired term.
- (b) **Qualifications.** - The governing body shall appoint as tax collector a person of character and integrity whose experience in business and collection work is satisfactory to the governing body.
- (c) **Bond.** - No tax collector shall be allowed to begin his duties until he shall have furnished bond conditioned upon his honesty and faithful performance in such amount as the governing body may prescribe. A tax collector shall not be permitted to collect any taxes not covered by his bond, nor shall a tax collector be permitted to continue collecting taxes after his bond has expired without renewal.
- (d) **Compensation.** - The compensation and expense allowances of the tax collector shall be fixed by the governing body.

(e) Alternative to Separate Office of Tax Collector. - Pursuant to Article VI, Sec. 9, of the North Carolina Constitution, the office of tax collector is hereby declared to be an office that may be held concurrently with any appointive or elective office other than those hereinafter designated, and the governing body may appoint as tax collector any appointive or elective officer who meets the personal and bonding requirements established by this section. A member of the governing body of a taxing unit may not be appointed tax collector, nor may the duties of the office be conferred upon him. A person appointed or elected as the treasurer or chief accounting officer of a taxing unit may not be appointed tax collector, nor may the duties of the office of tax collector be conferred upon him except with the written permission of the secretary of the Local Government Commission who, before giving his permission, shall satisfy himself that the unit's internal control procedures are sufficient to prevent improper handling of public funds.

(f) Deputy Tax Collectors. - The governing body of a county or municipality is authorized to appoint one or more deputy tax collectors and to establish their terms of office, compensation, and bonding requirements. A deputy tax collector shall have authority to perform, under the direction of the tax collector, any act that the tax collector may perform unless the governing body appointing the deputy specifically limits the scope of the deputy's authority.

(g) Oath. - Every tax collector and deputy tax collector, as the holder of an office, shall take the oath required by Article VI, § 7 of the North Carolina Constitution with the following phrase added to it: "that I will not allow my actions as tax collector to be influenced by personal or political friendships or obligations,". The oath must be filed with the clerk of the governing body of the taxing unit.

FISCAL AND STAFF IMPACT

The Town will have additional staff authorized to receive and collect tax payments.

MANAGER'S RECOMMENDATION

Recommend approval of designating the Town Clerk as a Deputy Tax Collector and administering the required oath for deputy tax collector.