

**Town of Mocksville
Regular Board Meeting
February 2, 2021**

The Town of Mocksville Board of Commissioners met for the Regular Board Meeting on Tuesday, February 2, 2021 at 6:00 p.m in the Mocksville Town Hall building located at 171 South Clement Street.

Present: Mayor, Will Marklin
Commissioners Present: Amy Vaughan-Jones
Justin Draughn
Brian Williams
Eric Southern
Rob Taylor-Conference Call

Absent:

Others Present:
Lynn Trivette, Interim Town Manager
Emily Quance, Deputy Town Clerk
Al Benshoff, Town Attorney
Interim Chief Parks
Chris Vaughn, Parks and Grounds-Conference Call

Mayor Marklin called the meeting to order.

The Town of Mocksville Board paused for a moment of silence.

Mayor Marklin led the Pledge of Allegiance.

Adoption of Agenda

A motion was made by Commissioner Vaughan-Jones to amend the agenda to add to closed session NC G.S. 143-318.11 (6) to discuss personnel. It was already written to discuss but just to make sure the motion was seconded by Williams which carried by a unanimous vote 5-0.

A motion was made by Commissioner Southern to adopt the agenda including the amendment. The motion was seconded by Commissioner Vaughn-Jones which carried by a unanimous vote 5-0.

Citizen Comments

Mayor reads; Under GS section 160A-81.1, the Board shall provide one period for public comment per month. Public comments are a valued part of the Board meeting but we also have to handle monthly business items. If your public comment is not heard this month we provide the same opportunity at each month's Board meeting. Public comments are limited to 3 minutes per comment. The Mayor asks that groups appoint spokespersons for groups supporting the same position, especially when the number of people wishing to attend the meeting exceeds the capacity of Town Hall. When the comments become repetitive and no longer provide new information then discussion for this meeting may be stopped. As a reminder, the comment period is not a question and answer session. As always, the Mayor shall provide for the maintenance of order and decorum in the conduct of the comment period.

Chief Parks addressed the Board to give a briefing on the arrest made by the Mocksville Police Department. Several months ago, there was an invasion at the home of Mayor Marklin's parents. This past weekend the Mocksville Police Department received a tip. Sergeant Leonard and Detective Jones worked on this along with the Lexington Police Department, Rowan County Sheriff Department and Winston-Salem Police Department. I hope that the Mayor and his family can put this past them now. I commend our officers for the job that they did this weekend. I hope that the community can move on from it too.

Communications from Boards, Commissions and Agencies

Eddie Carrick, CPA –Audit Presentation for the year ending June 30, 2020

Eddie Carrick addressed the Board. Thank you for the opportunity to serve as your Auditor again this year. I work for you and if you have any questions or concerns please feel free to call me. Pages three through twelve of audit report is the management discussion of analysis. This is a synopsis of where the town has been, where it was this past year and a little about where it is going in the future. Your audit report is a public document. You did receive an unqualified or clean opinion. The town had a great year. General Fund activity is pages fifty-three through fifty-seven. Total revenue is up a little over \$200,000; tax collections, vehicle tax and sales tax. Total expenditures are down about 1.1 million dollars including Administration, Parks and Grounds, transportation, fire truck and projects that have been completed. The town went from a deficit of 1 million dollars to a positive amount of over \$400,000. Fund balance is currently 84 percent of the current year expenditures and last year the town was in the 64 percent range. The ad valorem collections are at 99 percent, which is about 2.5 percent above the State average. Water and sewer expenditures were down \$284,800; water down slightly and actual sewer production cost were up some. This year reflects a normal year for the town. **Interim Town Manager Trivette:** Do you mind discussing with the Board about the State Audit that the Town received? **Carrick, CPA:** Yes, this is normal. Lynn about had a heart attack. **Commissioner Vaughan-Jones:** Lynn told me the State Audit was no big deal. **Carrick, CPA:** The State Auditor's office randomly selects twenty to twenty-five towns and audit firms a year for an audit. Mocksville will not have any issues because the town has strong budgetary items in place and that is what they are looking for. **Mayor Marklin:** It had nothing to do with us being called out for something we have done? **Carrick, CPA:** It was just random.

Consent Agenda

A motion was made by Commissioner Williams to adopt the consent agenda as presented. The motion was seconded by Commissioner Southern which carried by a unanimous vote of 5-0. Items approved were: (A) January 5, 2021 Regular Board Meeting Minutes (B) January 5, 2021 Closed Session Minutes (C) Monthly Financials (D) Tax Releases.

Adopt Certificate of Sufficiency for Property Located on Koontz Road and Resolution Scheduling of a Public Hearing for March 2, 2021 in the Mocksville Town Hall Meeting Room, Beginning at 6pm Located at 171 Clement Street

The town received a request for annexation for a parcel (5739145128) of property (The Mocksville Pointe Property) at Koontz Road and expansion for Senior Housing. At the January meeting, the Board approved a Resolution so the Clerk could ensure that the petition and legal description were valid for the annexation. The next step is to approve a Certificate of Sufficiency and to adopt the Resolution to set a date for a Public Hearing.

A motion was made by Commissioner Williams to adopt Certificate of Sufficiency for Property Located on Koontz Road and the Scheduling of a Public Hearing for March 2, 2021 in the Mocksville Town Hall Meeting Room, Beginning at 6pm Located at 171 Clement Street. The motion was seconded by Commissioner Vaughan-Jones which carried by a unanimous vote of 5-0.

Discuss Maintenance for Orphan Tombstones at Rose Cemetery

The Board discussed maintenance for orphan tombstones at Rose Cemetery. Interim Town Manager Trivette will research a contract that will state what the town's responsibilities are in regards to the orphan tombstones at Rose Cemetery going forward. The contract needs to be on the agenda for the March meeting so the Board can consider it. Chris Vaughn will move the broken orphan tombstones. No action taken at this time.

Consider Lease Options for Town Hall Downstairs

The town currently has a lease agreement with the NC Department of Public Safety and it is up for renewal June 2021. The current terms are \$700.00 a month. The town has been paying the utilities downstairs. Interim Town Manager recommended \$700.00 a month rent plus utilities \$300.00 a month with a 3 year term.

A motion was made by Commissioner Vaughan-Jones to approve the Town Hall downstairs lease for \$700 monthly rent, \$300 monthly utilities and a three-year term. The motion was seconded by Commissioner Williams which carried by a unanimous vote of 5-0.

Consider Budget Workshop Calendar and Set Dates for March and April

The Board set the budget workshop meeting for March 16 at 5:30pm.

A motion was made by Commissioner Williams to approve the budget workshop calendar. The motion was seconded by Commissioner Southern which carried by a vote of 5-0.

Communication from Town Staff

Town Attorney Benshoff: none

Interim Town Manager Trivette: The house on 818 Yadkinville Road is retailing out of their home selling fish. I have been in communication with Davie County Planning and Zoning, Davie County Health Department, and N-Focus for violations at this house. I wanted you to be aware and let you know we are taking care of this situation.

Communication from Mayor and Town Board

Commissioner Draughn: I want to thank Lynn for all the hard work she has been doing. I hate she has endured some things here lately, put in the paper and called a liar.

Commissioner Williams: none

Commissioner Vaughan-Jones: I am not sure about the bullying incident. I tried to talk to Lynn Trivette and was one of her biggest supporters. She asked our meeting to go into executive session. Today, I was told it is in the Enterprise newspaper and WXII news, with the Mayor making comments about personal agendas. I try to do the best for the town. There is a lot of conflict within this Board, and between the Mayor and me. I had four questions that day, one of those questions I was surprised to find out Lynn Trivette about had a heart attack, because I asked why she did not let the Board know about the audit. I know a phone call was made to Will Marklin Monday morning and emails made to department heads. I asked Lynn three times if she got the same email I got Monday morning. I did not bully; bullying is power and I have the least power on this Board. I pushed for Lynn to have an interview. I am tired of being put in the middle of everything and that it is my fault. The Mayor was able to make comments to Mike Barnhardt, but I was not asked. I have no problem with what I said to Lynn. Lynn took on the job of the Interim Manager when she had a lot on her plate; I asked if she was sure and offered to search for another interim. I wanted to know about the State Audit, the Internal Affairs, the Cemetery and the employee that posted the socialist media post on the Town's Facebook page. **Interim Town Manager Trivette:** I do not have a problem with anyone calling to ask me questions. The issue is the way you talk to people. You got the same email that I got about the State Audit. **Commissioner Vaughan-Jones:** You are our CFO. **Interim Town Manager Trivette:** I agree. I had not had time to look at the letter. I try to make the best decisions for the town. I told the Board I did not want to do this, but there was no other decision except for me to do it. I said I would keep it afloat. It is not the questions; it is the way I and other Managers are talked to, that is why they leave. **Commissioner Vaughan-Jones:** Are you saying it is I that makes the Managers leave? **Interim Town Manager Trivette:** Yes, no one else in this room has ever talked down to me. **Commissioner Vaughan-Jones:** I did not talk down to you, I asked you questions and caught you in a lie and that is why you got upset. **Interim Town Manager Trivette:** I do not understand. **Town Attorney Benshoff:** Mr. Mayor, we are venturing into Lynn Trivette's competence and work performance, and that is protected by GS 160A-168 Privacy of Personnel Records. People who willingly violate this they are technically subject to criminal charges and civil complaints. I would urge everyone in the room to not conduct a personnel evaluation in a public forum.

Commissioner Southern: Thank you to all the department heads. Chris Vaughn thank you for joining us tonight, thank you for your input. I am very disappointed in the town. I do not like airing our grievances to the public. I have had enough of that and I think the town has too.

Commissioner Taylor: I am taking this virus seriously; sorry I could not be there tonight.

Mayor Marklin: I support Lynn Trivette and what she is doing; Lynn and Matt Settlemeyer (previous Town Manager) worked to get our town back on track financially. For the last several years, we have overspent and now we are back on track. I appreciate what you have done. Lynn you are doing multiple jobs and I do not feel like all the Board Members are appreciating you. I did talk to Mike Barnhardt about the Town Manager search process. We did talk about why people are dropping out and that is where all this came from. I will be happy to answer any questions.

A motion was made by Commissioner Williams to enter into close session. The motion was seconded by Commissioner Draughn and approved by a unanimous vote 5-0.

A motion was made by Commissioner Williams to re-enter into open session. The motion was seconded by Commissioner Southern and approved by a unanimous vote 5-0.

Adjourn

A motion was made by Commissioner Williams to adjourn the February 2, 2021 Regular Board Meeting. The motion was seconded by Commissioner Draughn which carried by a unanimous vote 5-0.

The attached documents are incorporated herewith and are hereby made a part of these minutes.

William J. Marklin, Mayor

Emily Quance, Deputy Town Clerk