

**Town of Mocksville
Regular Board Meeting
April 5, 2022**

The Town of Mocksville Board of Commissioners met for the Regular Board Meeting on Tuesday, April 5, 2022 at 6:00 p.m. in the Mocksville Town Hall building located at 171 S. Clement Street.

Present:

Commissioners Present:

Mayor, Will Marklin
Jenny Stevenson
Carl Lambert
Justin Draughn
Johnny Frye
Rob Taylor

Absent:

Others Present:

Ken Gamble, Town Manager
Lynn Trivette, Town Clerk
Al Benschhoff, Town Attorney
Brian Moore, Public Services Director
Andy Lipscomb, Assistant Fire Chief
Chris Vaughn, Parks and Grounds Interim Director
Tami Langdon, Community Development

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 Taylor to adopt the agenda but cancel Ignite Davie's presentation and remove closed session. The motion was seconded by Commissioner Lambert 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.

No one spoke

Communications

Proclamation Recognizing Rustin Harpe's Retirement of 25 Years
Proclamation International Firefighters' Day
Proclamation National Day of Prayer
YVEDDI-Jeff Cockerham, Transportation Director (requesting \$7514.00)
Cognition of Davie County –Cammie Webb, President (requesting \$15,000)
Davie County Arts Council –Sidniee Suggs, Executive Director (requesting \$27,000)
Ignite Davie could not be here tonight (requesting \$10,000)

Park Facility Fees Presentation

Chris Vaughn, Parks and Grounds Director, addressed the Board to present the fee schedule for the Town's rental facilities, which includes the shelters and athletic fields in Rich Park, and the tennis courts at South Davie. The presentation included an overview of operating expenses and revenues for each facility, along with recommendations for process improvements to the fee schedule. Process improvements included a 48-hour advance notice on shelter rentals and set reservation time slots. Rental rate increases were proposed for shelters, Mando field and softball field to increase revenue and cover capital improvements.

Second Budget Draft FY 22-23

Town Manager Gamble addressed the Board. The General Fund increased by about \$9,000.00 and the Enterprise Fund decreased by about \$45,000.00. Revenues and expenditures are still balanced. Insurance renewals and the pay study have not been factored in.

Consent Agenda

A motion was made by Commissioner Lambert to adopt the consent agenda as presented. The motion was seconded by Commissioner Draughn which carried by a unanimous vote of 5-0. Items approved were: (A) March 1, 2022 Regular Board Meeting (B) Monthly Financials and (C) Tax Releases.

Consider approving Christmas Ornament Design

A motion was made by Commissioner Lambert to approve the Christmas ornament design (N. Main Street Fountain) that can be purchased for \$10.00. The motion was seconded by Commissioner Taylor which carried by a unanimous vote 5-0.

Consider MTDA Board Re-Appointments; Caroline Moser, Justin Draughn and Tami Langdon 2-Year Terms 2022-2024 and Chhaya Barad 1-Year Term 2022-2023

A motion was made by Commissioner Taylor to approve Caroline Moser, Justin Draughn and Tami Langdon for re-appointments to the MTDA Board 2-year terms 2022-2024 and Chhaya Barad 1-year term 2022-2023. The motion was seconded by Commissioner Lambert which carried by a vote 5-0.

Consider Adopting Resolution for Municipal Clerks Week May 2 through May 6, 2022

A motion was made by Commissioner Fyre to adopt the resolution for municipal clerk's week May 2 through May 6, 2022. The motion was seconded by Commissioner Taylor which carried by a vote 5-0.

Consider Adopting Resolution to Apply for a Federal Clean Water Act Grant for North Elevated Tank Project

A motion was made by Commissioner Taylor to adopt the resolution to apply for a federal clean water act grant for north elevated tank project. The motion was seconded by Commissioner Frye which carried by a vote 5-0.

Consider Approving Amendments to the Memorandum of Understanding with The Brough Law Firm, PLLC

A motion was made by Commissioner Lambert to adopt amendments to the memorandum of understanding with the Brough Law Firm, PLLC including \$750.00 per town meeting and \$210.00 hourly FY 22-23 and \$220.00 hourly FY 23-24. The motion was seconded by Commissioner Taylor which carried by a vote 5-0.

Consider Approving Amendments to the Utility Management Service Agreement with Envirolink

Town Manager Gamble addressed the Board. The Town did not have a mechanism to end the agreement with Envirolink when the water treatment plant goes online. This corrects that issue. When the water treatment plant goes online and our plant goes offline it is automatically understood our contractual relation with Envirolink is over.

A motion was made by Commissioner Taylor to approve amendments to the utility management service agreement with Envirolink. The motion was seconded by Commissioner Frye which carried by a vote 5-0.

Consider Revisions Amending the Utility Policy

Staff revised the utility policy and made some minor changes due to grammar, language consistency and a couple of fees that were not on the fee schedule. A couple of new changes include: a customer may request a credit for a late fee only if there has been no late fee applied to the account within the previous 12 months and in the event of a catastrophic leak, which will be defined as a leak causing the bill to be more than 5 times the customer's normal rate, the customer will be billed the average from the previous three bills. The remaining water consumption will be billed at a discounted rate, which will be the production rate included in the annual schedule of fees.

A motion was made by Commissioner Draughn to approve the revisions made to the Mocksville's Utility Policy. The motion was seconded by Commissioner Stevenson which carried by a vote 5-0.

Consider Amendments to Fee Schedule for Park Rentals and Utility Policy

Town Manger Gamble addressed the Board. The amendments include a \$15.00 fee for a returned payment online, 48-hour notice for shelter rentals, set reservation time slot schedule and added the \$10.00 per hour when renting a shelter outside the set reservation time slot, \$125.00 plus market cost fee for replacing damaged meter, and \$250.00 meter tampering fee.

A motion was made by Commissioner Taylor to approve the amendments to the fee schedule for park rentals and revised utility policy. The motion was seconded by Commissioner Stevenson which carried by a vote 5-0.

Consider Rental of the Entire Rich Park for Events

Town Manager Gamble addressed the Board. This is a question on whether or not the Board would want a group or an individual to be able to rent the entirety of the park with exclusive use of the park and all facilities for an event for one or two days.

A motion was made by Commissioner Draughn to approve staff to research and recommend an appropriate fee and rules for this particular rental and bring research back to the Board. The motion was seconded by Commissioner Taylor which carried by a vote 5-0.

Consider Davie County Sheriff's Office Contract Adjustment Due to Rising Fuel Cost

When the Town approved the Interlocal Agreement with DCSO in 2021 it included a provision to address "unforeseen expenses". Sheriff Hartman and Town Manager spoke in July about his concerns with rising gas prices that summer, however, the prices stabilized in late summer and fall. As you all know, gas prices began a rapid rise starting in February and reached a high of \$4.19 per gallon for Regular in middle of March. Current prices are \$1.40 per gallon higher than this time last year. Sheriff Hartman has asked for an adjustment due to this unforeseen cost.

Section 3-E of our Interlocal Agreement with DCSO states, "In the event that the DCSO has unforeseen expenses, such as but not limited to an increase in gasoline costs of more than \$3.00 / gallon; the DCSO shall request an amendment to this Agreement."

After much discussion, we have both agreed on a method for calculating the additional cost for fuel. Beginning with February 2022, DCSO will submit actual fuel costs for the patrol deputies working the most time in Mocksville. This will not include fuel usage from deputies assigned to schools, courthouse, etc. The Town will pay the difference over \$3.00 per gallon. For February 2022, this amount would be \$840.23. With the Board's approval, Town Manager will apply this model to future monthly DCSO fuel usage while gas prices remain over \$3.00 per gallon. I have already adjusted the FY22-23 budget to reflect additional expenses in this area.

A motion was made by Commissioner Frye to approve monthly fuel cost adjustment for DCSO interlocal agreement. The motion was seconded by Commissioner Taylor which carried by a vote 5-0.

Consider Budget Amendments

A motion was made by Commissioner Taylor to adopt budget amendment #5 in the amount of \$30,000 (fica tax, fuel cost) to balance general fund, budget amendment #6 in the amount of \$15,000 (retiree insurance) to balance enterprise fund and budget amendment #7 in the amount of \$417,629.09 (redlg loan paid in full) to balance general fund. The motion was seconded by Commissioner Lambert which carried by a vote 5-0.

Consider Amendment to the Liberty Storage Grant Project Ordinance

Town Manager Gamble addressed the Board. This was an unexpected cost for the Liberty Storage Project. They have to cross the road where one of our main water lines are. Under the NCDOT Agreement, we are responsible for relocating utilities. NCDOT will go ahead and pay the contractor. The cost will most likely be less than \$80,000.00 due to NCDOT and staff will apply any remaining funds to the water main relocation.

A motion was made by Commissioner Taylor to adopt the amendment to the liberty storage grant project ordinance in the amount of \$80,000 for water main relocation. The motion was seconded by Commissioner Frye which carried by a vote 5-0.

Consider Adopting Certificate of Sufficiency for Petitions from Jones (Parcel-I40000077), Murphy (Parcel H40000116) and Purvis (Parcel H40000122) for the Nelson's Creek Development and a Resolution Scheduling a Public Hearing for May 3, 2022 in the Mocksville Town Hall Meeting Room, Beginning at 6pm Located at 171 Clement Street

A motion was made by Commissioner Taylor to adopt certificate of sufficiency for petitions from Jones (Parcel-I40000077), Murphy (Parcel H40000116) and Purvis (Parcel H40000122) for the Nelson's Creek Development and a resolution scheduling a public hearing for May 3, 2022 in the Mocksville Town Hall meeting room, beginning at 6pm located at 171 Clement Street. The motion was seconded by Commissioner Draughn which carried by a vote 5-0.

Consider Annexation Petition Requests from Cornatzer, Baldwin, Ginther and Wilson for the potential residential development on John Crotts Road and a Resolution Directing the Clerk to Investigate the Sufficiency of these Annexation Petitions

A motion was made by Commissioner Taylor to approve the annexation petition requests from Cornatzer, Baldwin, Ginther and Wilson (Cedar Creek RE, LLC) for the potential development on John Crotts Road and adopt the resolution to instruct the clerk to inspect this County parcel I50000044 for sufficiency. The motion was seconded by Commissioner Draughn which carried by a vote 5-0.

Consider Adopting Resolution to Apply for Multi ARP Projects

A motion was made by Commissioner Taylor to adopt three resolutions to apply for water-wastewater multi-project funding applications for spring 2022. The motion was seconded by Commissioner Draughn which carried by a vote 5-0.

Communication from Town Staff

Town Attorney Al Benschhoff: I appeared on a panel with other Attorneys to talk about professional responsibilities, rules, and issues when an attorney serves on a Town Board. Everyone said nice things about their Town Attorney serving on the Board. I appreciate that.

Town Manager Ken Gamble:

Horn Street Parking Project (Update)

Duke Energy will make the changes necessary to remove the utility pole interfering with the design on April 4th. Yadtel will also need to remove their equipment from the pole before final removal. John Fuller

and I met with the contractor to discuss the final design changes on March 30th and the parking lot work should be completed in April – May depending on schedules. There will be limited use of Horn Street during the work and we will keep all parties informed with as much advance notice as possible. The lots will be closed Monday April 4th for Duke Energy and again April 6th – 8th for Public Works plans to remove the existing curbing and mulch.

Mando Field Concession Stand (Update)

The contractor has gutted the building and we have a projected completion date in May. However, delivery of the roll-up doors may delay the project. We will not be able to install wifi and camera equipment until we can secure the building. However, we are moving forward with ordering the equipment and will get it in as soon as possible.

Board Room Renovations

We have had several meetings with John Gallimore, Office Furniture Concepts and Audio & Light. The final design for the furniture is attached. The furniture and technology upgrades will be paid roughly ½ from General Fund and ½ from Enterprise Fund since the use benefits both. It looks like all of the furniture and equipment should be in by July 2022 and we could have everything in place as early as the August meeting with no scheduling issues.

Parks & Grounds – Chris has been working closely with the contractor to make sure work proceeds at a good pace on the concession stand. The interior demolition work has been completed and the contractor is waiting on the HVAC subcontractor to install a unit. Work is expected to be completed in May, but delays with the roll-up doors will mean that the wifi and camera equipment can't be installed until the building can be secured. Staff completed the cemetery clean-up and have marked violations with placards. Spring clean-up is scheduled for April 2, 2022 from 8a-12p with no electronics accepted.

Chris Vaughn new Parks and Ground Director has hit the ground running and doing a great job. All departments are doing a fine job and very proud of them.

Communication from Mayor and Town Board

Commissioner Lambert: Thank you.

Commissioner Taylor: Thank you. May 6th is the Dragonfly's annual Share the Love event. The theme is 80's prom.

Commissioner Stevenson: Thank you.

Commissioner Frye: Proud of everyone.

Commissioner Draughn: Thank you.

Mayor Marklin: Please help spread the word we need community input for the Greenway plan. The 2022 Arbor Day Celebration will be held April 29 at Rich Park Shelter 2. Chris Vaughn, great job on presentation.

Adjourn

A motion was made by Commissioner Taylor to adjourn the April 5, 2022 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

Lynn Trivette, Town Clerk MMC, NCCMC

April 5, 2022