

**Town of Mocksville
Regular Board Meeting
December 5, 2023**

The Town of Mocksville Board of Commissioners met for the Regular Board Meeting on Tuesday, December 5, 2023 at 6:00 p.m. in Mocksville Town Hall located at 171 S. Clement Street.

Present:	Mayor, Will Marklin	Absent:
Commissioners Present:	Jenny Stevenson	
	Johnny Frye	
	Rob Taylor	
	Justin Draughn	
	Carl Lambert	

Others Present:

Ken Gamble, Town Manager
Al Benshoff, Town Attorney
Lynn Trivette, Town Clerk
Chris Vaughn, Parks and Grounds Director
Brian Moore, Public Works Director
Jennifer Evens, Marketing and Communications Coordinator
Emily Quance, Human Resource Director, Deputy Clerk
Rana Gaither, Administration Specialist

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.

Conflict of Interest Statement

“Pursuant to NC General Statutes and the Town of Mocksville Code of Ethics Policy adopted November 9th, 2010, amended of Jan. 6, 2019 and further endorsed on August 9th, 2022, I would ask each of you before you adopt the agenda if there is any actual, potential, or perceived conflicts of interest with respect to any matter on the proposed agenda which will come before the Town Board of Commissioners for consideration and/or decision at this meeting. If so, please speak up and let the Board know at this time before the agenda is adopted.”

Adoption of Agenda

A motion was made by Commissioner Taylor to adopt the agenda as written. 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 from Boards, Commissions & Agencies

Lynn Trivette recognized Administration new hire - Amber Barnhardt
Jennifer Evens recognized Community Development new hire - Renee Bradford

Eddie Carrick, CPA- Audit Presentation for FY Ending June 30, 2023

Eddie Carrick, CPA addressed the Board to give annual audit presentation for the year ending June 30, 2023. The Town receive an unqualified opinion, which means the financial statements do fairly represent the books and records for year ending June 30, 2023.

General Fund pages 49-53 of your audit report:

Revenues and transfers are up 2.2 million dollars

Ad valorem (taxes) increase 95,000

Local Option Sales Tax increase over 205,000 showing continued growth

Fire protection increase from DC 97,000

The main thing is the ARPA funds were recognized. Last year your basic plans were to use the ARPA funds for a water/sewer project. Then new rules were implemented and said if less than 10 million you can use the ARPA funds as revenue replacement which made it so much easier for smaller towns and so we deferred those revenues last year. FY 22-23 1,675,000 million recognized into the general fund using those replacement rules. Those funds at this time can be used as you wish. If you still want to use the funds for a water/sewer project you can and can transfer these funds from general fund to the enterprise fund.

Expenditures for general fund were actually 53,000 less than the year before.

Transportation line was less because the town did not do as much paving (costly/finding a contractor) to the streets; therefore the Powell Bill funds accumulate; then when you schedule the paving the expense is up. Bottom line revenues over expenses including ARPA funds (1,675,000) transferred to general fund 3,116,000.

Available fund balance 8,860,000 or 163% of current year's expenditures. This is very strong for a town our size. Ad valorem collection rate 99.34% compared to 97% state wide.

Water and Sewer pages 55-57 of your audit report:

Revenues without grants were 4,494,000 an increase of 420,000

Grant/projects funds include 1,444,000

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Expenditures for water and sewer 3,332,000

Bottom line revenues over expenses 1,162,000 vs 1,178,000 prior year -16,000 about the same as last year

Unrestricted cash 2,351,000 vs 1,754,000 prior year an increase 597,000

Note:

LGC is about 25% of the staff they use to have so therefore they cannot review the audit reports like they used to. About 3 years ago they started using performance indicators and the auditor inputs the data which generates trends and performance indicators. If any town's results are shaded red, the town must submit a response to the auditor's findings, recommendations, and fiscal matters within 45 days from the auditor's board presentation. The response must address all performance indicators shaded in red and the majority of Board must sign it. The response is sent to the LGC.

Two items showed up red this year and one them the town had nothing to do with.

#13 in red: The indicator showed that the town did not collect 3% (or more) of its budgeted ad valorem taxes. This could be an indicator of negative economic events, inaccurate budgeting, and/or issues with the collection process. Uncollected revenues at the 3% level represent several pennies of the tax rate. (-4.5%)

Davie County Tax Department inadvertently added exempted values to the tax total which you cannot collect on making the budget unattainable. This resulted in the town over budgeting the tax revenues.

#8 in red: Water and Sewer Capital Assets Condition Ratio -The capital assets condition ratio formula calculates the remaining useful life. A remaining useful asset value less than 0.50 may signal the need to replace the assets in the near future.

The town has depreciated the remaining value down to 49% of what the original value was. The town has older assets. If the LGC looked at working progress it would not have shown below 50%.

The Town has an 80+ year old water treatment plant. Davie County has a similarly aged plant. Mocksville and Davie County have been in talks since late 2018 and formally agreed to build one regional plant in Cooleemee to serve everyone's water needs in 2020. Plant construction started in 2023 and is expected to be completed by June 2026. Our current water treatment plant will be decommissioned when this occurs and we have intentionally decided only to invest what is needed to keep the plant in operational condition and in compliance with state and federal regulations. However, the Town has made significant investments over the last three years upgrading our waste water treatment plant (\$3.9M) and will complete another \$4.5M waste water system improvement project before June 30, 2024. In addition to that project the Town plans to build a 500,000 gallon elevated storage tank (\$3.4M) and make \$1.6M in pump station improvements in the next two years. The Town is currently in the process of an Asset Inventory and Assessment study for both our water and sewer system which we will use to identify future capital projects.

Consent Agenda

A motion was made by Commissioner Draughn to adopt the consent agenda as presented. The motion was seconded by Commissioner Stevenson which carried by a unanimous vote of 5-0. Items approved were: (A) November 7, 2023 Regular Board Meeting and Closed Session (B) Monthly Financials (C) Tax Releases and (D) Contribution Based Cap Report.

Organizational Meeting:

Oath of Office and Installation of Mayor, Will Marklin

Presented by Town Clerk, Lynn Trivette

Oath of Office and Installation of Commissioner-Elect, Justin Draughn

Presented by Mayor Will Marklin

Oath of Office and Installation of Commissioner-Elect, Rob Taylor

Presented by Mayor Will Marklin

Consider Appointment of Mayor Pro-Tem for the Town of Mocksville

A motion was made by Commissioner Lambert to appoint Rob Taylor as Mayor Pro-Tem. The motion was seconded by Commissioner Frye which carried by a unanimous vote 5-0.

Consider Piedmont Triad Regional Council (PTRC) Board of Delegates (BOA) Appointment and Alternate

Representatives from each county and municipality meet once a month to receive updates regarding federal funding, housing and workforce development. This person also serves on the Transportation Advisory Committee. This is where a need for a road or an intersection change would be presented and to receive Department of Transportation representation. It is two meetings in one. This also allows you to meet others that serve.

If the situation arises that the Representative could not attend, the alternate would go to the meeting instead.

A motion was made by Commissioner Taylor to appoint Commissioner Johnny Frye as PTRC Board of Delegates and Commissioner Justin Draughn as the Alternate. The motion was seconded by Commissioner Stevenson which carried by a unanimous vote 5-0.

Consider Northwest Piedmont Rural Planning Organization (NWRPO) Transportation Advisory Committee (TAC) Appointment and Alternate

A motion was made by Commissioner Frye to appoint Mayor Will Marklin as NWRPO Transportation Advisory Committee representative. The motion was seconded by Commissioner Lambert which carried by a unanimous vote 5-0.

A motion was made by Commissioner Taylor to appoint Commissioner Justin Draughn as the Alternate for NWRPO Transportation Advisory Committee. The motion was seconded by Commissioner Stevenson which carried by a unanimous vote 5-0.

Consider Amendments to Classification Salary Schedule

Emily Quance addressed the Board:

I am recommending the following amendments to the Town of Mocksville Classification Salary Schedule:

1. Change the title Community Downtown Coordinator Assistant to Community Development Assistant.
 - a. Title change only. The title on the classification plan did not match the job description.
 - b. No change in pay or grade.
2. Change the title Downtown Coordinator to Director of Marketing and Community Development
 - a. Title change only. The title on the classification plan and job description will match.
 - b. No change in pay or grade.
3. Change the Finance Director/Town Clerk title to Finance Director
 - a. Succession planning will split the Finance Director position and Town Clerk position.
 - b. It is important to anticipate retirements and have train employees to assume greater responsibilities.
 - c. Title Change only
 - d. No change in pay or grade
4. Add the title Assistant Town Manager/Town Clerk
 - a. Succession plan designed to identify and prepare internal candidates for management position.
 - b. Succession plan to provide continuity in leadership and avoid extended and costly vacancy in a key position.
 - c. Title will be a Grade 38 on the pay scale.
 - d. This will be a reclassification and promotion.
 - e. Add Job Description
5. Add Job Description for Town Manager
 - a. Useful tool that explains the tasks, duties, function and responsibilities of a position.
 - b. Gives an employee a clear and concise resource to be used as a guide for job performance.
 - c. A job description is a measuring tool to ensure that the employee is meeting job expectations.

A motion was made by Commissioner Taylor to approve amendments to classification salary schedule that includes title and grades for Administration and Community Development. The motion was seconded by Commissioner Frye which carried by a unanimous vote 5-0.

Consider Personnel Manual Annual Update

Emily Quance addressed the Board:

I am recommending the following amendments to Town of Mocksville Personnel Policy and Procedures Manual to reflect the classification schedule title changes:

Page 2 – Article II: Organization of the Human Resources System Section 6. Human Resource Designee – ~~Assistant Town Manager/Town Clerk/Finance Director~~ or Human Resources Director/Deputy Town Clerk/Human Resources Specialist 11

Page 11 – Article II: Organization of the Human Resources System, Section 6. Human Resource Designee – ~~Assistant Town Manager/Town Clerk/Finance Director~~ or Human Resources Director/Deputy Town Clerk/Human Resources Specialist

The Town Manager may delegate human resources functions to the Assistant Town Manager/Town Clerk/Finance Director and/or the Human Resources Director/Deputy Town Clerk/Human Resources Specialist as designee(s). Such functions may include the preparation and maintenance of personnel records, onboarding and orientation of new employees, policy interpretation for employees and the performance of such other duties in connection with the human resources program as the Board of Commissioners and/or Town Manager shall require.

Entire Policy: Replace Human Resources Specialist with Human Resources Director.

A motion was made by Commissioner Lambert to approve personnel manual updates. The motion was seconded by Commissioner Stevenson which carried by a unanimous vote 5-0.

Consider Adoption of the 2024 Town Board Meeting Schedule

A motion was made by Commissioner Stevenson to adopt 2024 Town Board Meeting Schedule. The motion was seconded by Commissioner Taylor which carried by a unanimous vote 5-0.

Consider Approval of the FY2024-25 Budget Calendar

A motion was made by Commissioner Frye to approve the FY2024-25 budget calendar. The motion was seconded by Commissioner Taylor which carried by a unanimous vote 5-0.

Consider Planning Board Applicants for Board Reappointments for a Three Year Term Expiring December 2026

A motion was made by Commissioner Taylor to reappoint Clint Junker and Chuck Taylor to the Planning Board terms expiring December 2026. The motion was seconded by Commissioner Lambert which carried by a unanimous vote 5-0.

Consider Agreement for Purchase and Sale of Real Property Between Town of Mocksville and Energy United Electric Membership Corporation

Town Manager addressed the Board:

THIS AGREEMENT, including any and all addenda attached hereto (“Agreement”), is by and between the TOWN OF MOCKSVILLE, N.C. a North Carolina municipal corporation (“Buyer”), and ENERGYUNITED ELECTRIC MEMBERSHIP CORPORATION, a North Carolina corporation (“Seller”).

FOR AND IN CONSIDERATION OF THE MUTUAL PROMISES SET FORTH HEREIN AND OTHER GOOD AND VALUABLE CONSIDERATION, THE RECEIPT AND SUFFICIENCY OF WHICH ARE HEREBY ACKNOWLEDGED, THE PARTIES HERETO AGREE AS FOLLOWS:

Section 1. Terms and Definitions: The terms listed below shall have their respective meaning given them as set forth adjacent to each term.

(a) **“Property”:** (Address) 317 Sanford Ave., 182 S. Salisbury St. and six other parcels in Mocksville, NC to which addresses are not assigned as shown in the attached Exhibit A, together with all buildings and improvements thereon and all fixtures and appurtenances thereto and all personal property, if any, itemized on **Exhibit A.**

\$ 2,000,000.00 (b) **“Purchase Price”** shall mean the sum of Two Million Dollars (\$2,000,000.00), payable on the following terms:

\$ 10,000.00 (i) **“Earnest Money”** shall mean Ten Thousand Dollars (\$10,000.00)

(ii) **Delivery of a promissory note** secured by a deed of trust, said promissory note in the amount of Five Hundred Thousand Dollars (\$500,000.00) being payable over a term of ten years, with an amortization period of no years, payable in annual installments of principal, together with accrued interest on the outstanding principal balance at the rate of zero percent (0.0%) per annum in the amount of \$ 50,000.00 (Fifty Thousand Dollars with the first principal payment beginning on the last day of June following the date of Closing. At any time, the promissory note may be prepaid in whole or in part without penalty and without further interest on the amounts prepaid from the date of such prepayment.

\$ \$1,500,000.00 (iii) **Cash, balance of Purchase Price**, at Closing in the amount of One Million Five Hundred Thousand Dollars (\$1,500,000.00) Dollars.

The second lease is for the use of the Education Center for 24 days annually, the days to be reserved in writing by the Seller. Seller may negotiate for more days at any time. Seller may use all 24 days at Seller’s discretion, for example six days one month and zero days in a different month. The consideration for the second lease is the contents of the Education Center consisting primarily of furniture, which will be conveyed to the Buyer at closing and the Seller’s loan at an interest rate of 0.0%. The term of the second lease shall be for as long as the Buyer owns the Education Center.

Buyer will present two lease agreements to the Seller at closing. The first lease is for the pole yard as identified in Exhibit A. The Buyer will lease the pole yard to the seller for \$1.00 for twelve months and then payment of \$1,500.00 per month beginning on the thirteenth month. After the first year the tenancy shall be month-to-month. The Seller shall move the current lineman training area, including pole and line course, to the pole yard or other off-site location before closing. After the first year, the tenancy will be month-to-month.

A motion was made by Commissioner Lambert to approve agreement for purchase and sale of real property between Town of Mocksville and Energy United Electric Membership Corporation. The motion was seconded by Commissioner Draughn which carried by a unanimous vote 5-0.

Communication from Town Staff

Town Attorney Al Benshoff: Merry Christmas and Happy New Year

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Town Manager Ken Gamble:

Recognizing Brian Moore and his crews and how hard they work especially in the weather conditions they endure during water leaks after hours. The water leak on 601 Friday night in the rain and after hours expecting to send out a boil notice but with outstanding performance and team work the leak was fixed and the notice did not have to take place. His staff also sets up for events and takes down for events and we just want them to know it does not go unnoticed and we appreciate it. Great job!

Recognizing Chris Vaughn and his staff during leaf pick up. No calls have reached me and complained about leaf pick up and the truck being out of service.

Recognizing Lynn Trivette's staff and taking all the phone calls concerning leaf pick up and making sure our customers know we are doing the best we can and keeping them informed in a professional manner.

Recognizing Jennifer Evens and Renee Bradford during this time of the year when all the events are taking place. We had an issue concerning a Façade Grant and it could have ended up ugly and hard feelings but Jennifer stayed on top of it and advocated for the town and all worked out well.

Recognizing Chief Carter and staff finishing the ISO Inspection with the State and they should here back within 90 days of the outcome. Jeanna White will be doing an article on EMS and FD for a lifesaving situation using CPR and the individual came by the FD to give thanks. A great Christmas present for the family.

Chris Vaughn addressed the Board and gave an update on the leaf truck in the shop.

Communication from Mayor and Town Board

Commissioner Lambert: Merry Christmas to everyone. A big five star to public works for last week's water leak issues and taking care of it all in the rain, after hours and on a Friday night. You need to know the Board talks behind the scenes and knows what is going on and how great our departments are. Much appreciated and Merry Christmas.

Commissioner Taylor: Great job to the staff and proud to be a part of the Board. I appreciate everyone here and Merry Christmas.

Commissioner Stevenson: Congratulations to our Commissioners and Mayor. I love working with you all. All the events taken place in town have been wonderful and the hard work shows for all departments and I appreciate it. Merry Christmas and Happy New Year.

Commissioner Frye: I thank all the departments for a job well done. I am out walking and see a lot that goes on during the day. It is much appreciated. I am looking forward to working with the three new elected officials.

Commissioner Draughn: Merry Christmas everybody and I am glad to serve another 4 years with this Board. We have a great group here and appreciate everyone.

Mayor Marklin: Amber and Renee welcome to the team. Jenny and I attended a MS dinner at the Olive Tree which is opening soon and the food was really good. I invited the former Mayor of HP to the bed races and he was blown away by the event that took place. He was impressed with the lights on the

buildings and from an outsider that is a compliment for the town. Looking forward to the next 4 years and serving the town with this Board. I thank the Town Attorney for what he does for the town. Merry Christmas to everyone.

Adjourn

A motion was made by Commissioner Taylor to adjourn the December 5, 2023 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