

TOWN OF NEWLAND  
MONTHLY BOARD MEETING  
DECEMBER 5, 2017  
6:00 PM

PRESENT:

MAYOR: Valerie Jaynes  
ALDERMAN: Kenny Caraway, James C. Johnson, Lauren Turbyfill, Joleta Wise, Greg Seiz  
GUESTS: Misty Watson, Roy Reynolds, Cathy Tolman, Casey Turbyfill, Christie Hughes, Melodie Johnson, Buddy and Melissa Williamson, Julia Jaynes, Clara Dickson, Jane Wise, Frances Banner, Jessica Clawson, Matt Debnam, Tim Gardner, Shannon Seiz  
STAFF: Lise Meinhardt, Keith Hoilman, Byron Clawson, Michael Fields, Crystal Hicks, Tammy Gardner

The Mayor called the meeting to order at 6:00 pm. The Mayor then led the audience in the pledge to the American flag.

Greg Seiz made a motion to approve the proposed agenda. Valerie seconded the motion. No one opposed.

The Mayor made a motion to approve the new proposed agenda. James Johnson seconded the motion.

The Mayor then made a motion to approve the November minutes. Greg Seiz then stated the only adjustments on the minutes was that he made a motion on the emails and withdrew the motion which the minutes did not reflect and he would like that amended. The mayor then made a motion to approve the minutes with that amended. Greg Seiz seconded the motion.

The Mayor then asked for public comments. The Mayor announced the rules for public comments.

Frances Banner asked why the proposed agenda on line was not like the one that was given out at the meeting. The Mayor explained that a few meetings ago they decided to do proposed agendas since they had to be out earlier to the board giving way to add things if they had to before a meeting. Clara Dickson then stated that she would like to address the board in the next meeting.

Misty Watson, the CPA gave the audit report. She gave the board members a booklet and went over the highlights with the board. Misty stated that property tax collection rate was down due to one person not paying yet. She stated the state's minimum is 8%. She stated there were two things looked into, but both have been taken care of. Greg Seiz stated he wanted to go back to the 8% figure about what the state requires? Mr. Seiz stated he had a letter from 2015 for fund balance being down at 44%. He wanted to know what state requires, and what was recommended to get it up. He stated that a typical town of our size is 120%. He stated he wanted to clarify that since it was quiet a big difference. He asked Misty if she knew about that and she stated no she did not. Joleta stated that she would like to add that the letter was actually sent in 2012, 2013, 2014. Misty stated she would have to contact the state to find out. Lise explained that they use a FPA which is a calculation which they do not define

here. Lise stated she could not find it on any treasury website so she is not sure about the ratios. Lise stated she would look into it and send everyone a copy to their emails. Frances stated that Mr. Calvert once stated that the town had a surplus and asks if the town has a surplus. Misty explained the town has a 58% surplus. Greg Seiz asked for her to explain since based on the letter it did not look like there was a surplus. Misty stated she would be happy to contact the state and get back with the answers next month because she was not sure if things were the same then. She stated she was not sure if they were talking about the same thing since she has not seen the letter. Misty explained to Frances that they had enough to pay for about 6 months expenditures. Joe Stated that the one customer with the large tax payment had paid one year's taxes and payment on another. The Mayor thanked Misty.

The Mayor then asked for department reports.

Crystal Hicks gave the tag office report. James told Crystal how wonderfully she and Whitney were doing in the tag office, and how much he appreciated all they did.

Lise Meinhardt gave the financial report. Lise gave the board an audit book and statements which show we are on track with revenue. Lise stated she mailed in the sales tax refund that will be about \$12,000. Greg Seiz stated you won't reflect that till you receive it. Lise stated correct. She stated financial reports come at the last of the month and she would email the full financial statement to each person.

Byron Clawson then gave the police report. He stated that officer Denton was re-certified in child safety seat installment. Byron stated that he had most of the officer's mandatory in-serve certificates for 2017 and will be following up with them before December 31<sup>st</sup>. Valerie asked Byron about the parade. He stated it all went well and faster than he thought it would be. James thanked Byron for all they do and told him how much he appreciated them.

Keith Hoilman gave the administrative and public works report. He stated he will be sending Danny Cole to 1 certification school in April. Keith also stated that they have installed the snow blade and 8ft snow plow. Keith stated that they have the snowflakes up and most of all the Christmas lights up. He stated the Christmas parade went well. Keith then stated he went to an OSHA meeting because on November 20<sup>th</sup> had a couple of citations that equaled \$1600.00, which he stated we could pay them or go to Raleigh for a hearing on it. The chainsaw clip was \$3.05 and the Osha inspection was initiated by two workman's compensation claims that were accidentally filed on the same year but were really a year apart 15<sup>th</sup> and 16<sup>th</sup>. It raised a red flag and that initiated an inspection. Keith stated that Danny Cole was the safety officer and had installed fire extinguishers in the offices. Keith thanked the employees for their work on the float and for the Santa and pictures. Keith stated he had been researching a grant. Keith stated there had been a leak on Banner Hill in which the men worked on Saturday most of the day to repair the leak. Joleta asked if they could read the letter. Valerie then read a letter from Susie Potter thanking the public works employees and telling the board how hard they worked and what a good job they did. Keith stated he knew Danny, James and Eddie would really appreciate that. James asked who handles keeping up with the inspecting. Keith stated he has a book, after talking to Gary, he has planned on some training and a chainsaw tech. James then asked about the backhoe and if it was fixed now, Keith stated it was. James then asked if there was a maintenance schedule. Keith explained they have a log book in which oil changes and everything else is kept. Eddie Johnson keeps it up. Greg Seiz asked if it was part of his job. Keith replied it was. He stated that Gary and the guys were a lot of help. Keith stated that we would move on and that he thought it would make us a safer place. Joleta asked when was the last inspection. Keith stated he had been here 12 years and had never had one. Keith stated he went to Asheville and got the fine dropped 35%. Danny installed fire extinguishers and got everything checked out and up to date.

In old business. Greg Seiz stated he wanted to bring the motion back, that got tabled last month, to move forward for the email accounts for all the alderman and the Mayor. He stated it would cost \$4.00 per person at total of \$24.00 per month. James seconded the motion. James said he agrees with Greg to keep personal and business emails separate and everyone accountable. Joleta asked if the budget was ok for adding that. Lise replied it was. Frances Banner asked if the issues had been fixed from the discussion last month of not being able to get the emails. Lise and Keith explained yes, it's just a matter of how you set it up. Lise stated it was stored in the cloud and there was no reason you shouldn't have your own password. Lise stated it would be easier for her to use it instead of trying to figure out which email to use. All agreed by a show of hands. The motion carried.

James then asked about the moratorium. It was set up to be able to look over policies that were out of date and plan for the future. Keith stated that Greg could probably tell more about it. Keith stated the point was to look over some of the older policies and see if they needed updated and planning for the future. Greg Seiz stated he came here in June or July 2016 and had a \$30,000.00 document put together by the High Country Council of Government to set up a planning committee but it was put on a shelf and was never looked at. Greg stated it was a great piece of reference for the town. Greg stated he made a motion for that and the motion passed but it was never really looked at. Greg stated there was no movement from the board to continue it. Greg stated it was 18 years ago since the policies had been changed. He stated that a lot of policies are out of date and thought the 60 days would help spur a planning committee to get interested in the town and have a planning committee to get interested in the towns growth. It has 30 days left. James stated he thought it could have been done with a planning committee and not a moratorium because it upset the community since people did not understand it and it upset a lot of people. James made a motion to resend the moratorium. Greg Seiz asked Joe Seegers if we must have a public hearing on it. Joe stated no. Joleta seconded the motion but stated she wanted to go on with a planning committee. Lauren agreed. Kenny opposed. Motion carried.

In new business.

The Mayor asked about a pro-tem. Greg Seiz stated that James Johnson was interested in the job. James said yes, he would be. Joleta made a motion to make James the pro-tem. Greg Seiz seconded the motion. All agreed by a show of hands and saying I. Motion carried.

The Mayor then asked about a deputy finance officer (for check signing only) when Lise is not available. Lise explained that when the treasury people were here they strongly suggested to have one in place because a finance officer must sign the checks. Lise explained it could be any of us, an employee, or a board member. James said since all the board members were usually working and might not be available at all time that Tammy Gardner should have that job. Joleta stated that person should be bonded. She stated she highly recommended bonding that person. Lauren made a motion to appoint Tammy Gardner as deputy finance officer for signing checks only. James seconded the motion. All agreed by a show of hands and saying I. Motion carried.

The Mayor then asked about reappointing Joe Seegers as town attorney, Keith Hoilman as town administrator, and Tammy Gardner as town clerk. Greg Seiz made a motion to reappoint Joe Seegers, Keith Hoilman, Tammy Gardner. Kenny seconded the motion. All agreed by a show of hands and saying I. Motion carried.

The Mayor then asked about the revised budget. Lise explained how the auditor, treasury people suggests that the town have a 2-page format, budget ordinance. All it does is change the format of the

budget nothing else. Only difference is if there a profit has gone into the contingency line so that the revenue equals the expenditures. Lise explained not a change in the budget just the format. Joleta made a motion to change the format of the budget. James seconded the motion. All agreed by a show of hand and saying I. Motion carried.

Lise then asked the board about this year's Christmas bonus for the employee's. Lise explained it was \$600.00 last year. She gave the proposal to the board. Greg Seiz asked how much was given last year. Lise stated \$600.00 flat to each employee. Greg then asked how many employee's. Lise stated 12. Joleta asked why it was not included in the initial budget. Lise explained no it was not. Joleta asked if there was a reason the former board did not. Kenny explained they were waiting on Lise to get the budget straightened out then they would know what we could afford. The staff was given \$600.00 last year Kenny stated. Greg Seiz stated was this old business then. Keith stated it was just not put in the budget yet and wanted to see where the town was financially after 3 months into the new budget. Lise explained her feeling was that we were on track with the budget and below expenditures. She explained she does not see any major increases and insurances lowered. Greg Seiz asked if it was in the budget to pay next week with payroll. Lise replied no. James asked if it was voted on and approved when would it be rewarded. Lise responded that payday is the 15<sup>th</sup>, but the best thing is to do a separate payroll because if it's on the same check because it makes the government think it is their normal pay and it takes them into a higher tax bracket. James asked if it could be staggered. Lise replied yes or she could do them a day apart. Lise explained to the board it was a proposal from Keith and her. She stated they think the employees have done a great job this year and deserve one. James stated he wanted to talk about it later after closed session. Greg asked if it can be discussed in closed session. Joleta stated yes it was personnel. The board agreed and tabled it until after closed session.

Clara Dickson spoke up and Greg Seiz made a point of order. Clara stated how many times has the board been out of order. The Mayor stated unfortunately she would have to talk to the board at next meeting during public comments or be on the agenda to speak since public comments were over. Clara stated she would talk to the board in the next meeting.

Greg Seiz made a motion to go into closed session for personnel. James seconded the motion. All agreed by a show of hands and saying I.

Upon returning from closed session the Mayor announced no decision was made.

James asked Lise how difficult it would be to process bonuses on the 15<sup>th</sup>. James then asked Mr. Seegers if it could be done on the 15<sup>th</sup>. He stated they could. James stated he did not want bonus out until the 15<sup>th</sup>. Joleta Wise then made a motion to give the employees a \$500.00 bonus on the 15<sup>th</sup> of December and to amend the budget for \$6000.00. James seconded the motion. All agreed by a show of hands and saying I. Motion carried. James stated that paying people before they work was brought to his attention. Lise explained that she collects time sheets on Wednesday and they deposit on Friday. She stated if someone calls in sick or takes a vacation day it is adjusted the following payday. Lise explained she was open to change. It could be done on the following Tuesday. Lise states it is something the board needs to talk about. James said he would like to do it on the next check since the employees got a bonus. Keith states he would like to talk to the employees first. Lise explained there had been very few adjustments. Greg Seiz states there is money there. Lise states yes that almost everyone has accrued time. Lise states that maybe after the first of the year would be a good time.

Lise asked Joe Seegers if they needed to pay the bill to the County Board of Elections for the remaining balance. Joe explained he had already spoken with them about the lawyer bill and their bill.

James stated the bill for the Board of Elections for \$767.50 needed to be paid. He stated the past is the past and we need to move forward and go ahead and get this behind us. James stated he wants what's best for Newland. Julia Jaynes then stated could she ask a question. Kenny and Greg asked for point of order for motion on the floor since she was talking out of order. Julia stated she may be out of order, but she wanted to ask it anyway. She stated who made the decision to do this and get a lawyer for this, I cannot see paying a bill out of anger and jealousy. The town should not be responsible but the parties that were involved should pay this bill. The Mayor stated she could not do point of order because that was her mother-in-law. Julia states the person who went to the board of elections did it from jealousy and she felt it was the wrong thing to do. Lauren asked if the board of elections made a motion to challenge the letter of Joleta. Joe stated it was not an action taken by the town. Lise stated it was not an action taken by the town however the North Carolina general statutes states that any challenge from any person in challenging is the responsibility of the municipalities and it states the board of elections charges the town. Lauren asked if the town can get it from the person who did it, Lise and Keith explained no. Joe stated that state statutes require the town to pay contested fees, not an individual contesting a candidate's right to run for office. James states we went around and came back to the same thing it must be paid. Lauren states she disagrees with the statutes. Greg Seiz asks if this is something we could get quotes for and represent for the board. Joe stated Board of Elections does that. James states he does not care who did it but he is looking at a bill that needs paid. James made a motion to pay the bill in the amount of \$767.50. Greg Seiz seconded the motion. The mayor asked for discussion. Greg stated the reason he felt is because he does not want a black eye with the town. Greg states he will try to do what is best for the town. He stated people may not always agree with him but that they could call him anytime day or night to discuss the matter on why he made the decision and it will usually be based on fact. He states the attorney bill has been paid and this bill is for the board of elections. He states we need to do business with the county. He states he would like to see us working more with the county because they use a lot of things in our town. He states that is why he agrees and seconded the motion. He states he knows what Joe makes an hour and that everyone knew that amount, and feels we should pay the \$767.50. He states we just spent 15 to 20 minutes going over this again and is a big waste of the board's time. Greg states we really need to stand past the point of order here. The mayor asked for all agreed votes. James and Greg agreed. The mayor then asked for all opposed. Kenny, Lauren and Joleta opposed. Mayor announced motion failed and did not carry.

The Mayor then asked if there was anything else. Lise stated we received a quote from Misty Watson for next year's audit. She states she guesses the state is asking for it earlier because it needs approved. She stated it was \$14,000.00. this year because she did not spend as much time as she thought she would or it would have been \$15,000.00. Joleta stated she would like to take bids. Greg Seiz stated we need to make a motion for that. Joleta made a motion to submit bids for the next audit. James seconded the motion. The mayor then asked for discussion. Greg Seiz made a motion to move it till next month's meeting. Kenny stated that Misty Watson's bid was now a matter of public record and that would not be fair for her. Kenny stated she was cheaper than others. James stated she would get the opportunity to bid and states the bid process is a wonderful thing and a lot of things needed to be bid out. Greg stated it had been tabled until next meeting so point of order. Lise stated it was \$7500 to \$8000 less than the year before. Greg Seiz stated she saved the town around 35%. Mayor stated we would discuss it next month. Greg Seiz stated he had one more thing because he did not want to be the bad guy here. The whole point of order he states that he would love to see it working the way it is supposed to. Back and forth with public comments when a motion is on the table is inappropriate. Greg states he would really like for the public to understand and respect that. James states there is one more thing that is important in looking at this, but thinks the board should move forward. James states he has a mother that lives here and loves dearly but as they grow older he states he would like for the employees to learn CPR. James feels it would help the water department and it will help on the insurance. He states if

his mother came in to pay a water bill and fell over he would like for someone to be able to help her. He states he does it for a living and thinks it will cost about \$7.00 a piece for certification and is good for two years. Joleta thinks it is a great idea. Greg Seiz asks if we could bring it forward on the agenda next month. James then stated he wanted to bring back the Christmas Light Contest and a prize of one free water bill and sewer bill. He states he knows its late but maybe some will participate. James states he believes it would be a positive thing. Keith then asked if there would be a cap amount for the water/sewer bill. James believes it will help with things. James makes a motion to put it in effect tonight. James made a motion to bring back the Christmas Light Contest for one commercial business and one resident one free water and sewer bill. Lauren seconded the motion. James stated the Police Chief and Administrator are in charge of picking a winner. All agreed by and show of hands and saying I.

Lauren made a motion to adjourn the meeting. James seconded the motion all agreed by a show of hand and saying I.

Meeting adjourned at 7:45 pm.

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Mayor, Valerie Jaynes

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Clerk, Tammy Gardner