



Minutes of Regular Town of Fremont Meeting

August 17, 2021

The regular meeting of the Board of Aldermen/Alderwomen for the Town of Fremont, NC was held at 6:30 p.m. on August 17, 2021. Present were:

W. Darron Flowers, Mayor
Joyce M. Artis, Mayor Pro-tem
Beatrice Jones, Alderwoman
Keith L. Spivey, Alderman
Leroy Ruffin, Alderman
Annie Lewis, Alderwoman
Terry Futrelle, Alderwoman

Also in attendance were Town Administrator Tony Howell, Town Clerk Shannon Daly, Finance Officer Cathy Nichols, Public Works Director Tim Howell, Chief Paul Moats, Assistant Chief Greg Bottoms, and Town Engineer Michael McAllister.

Quorum Present: Yes

Call to Order

Mayor Flowers called the meeting to order at 6:30 p.m.

Alderman Ruffin gave the invocation.

Alderwoman Lewis led all in attendance in the Pledge of Allegiance.

Mayor Flowers thanked everyone for being at the meeting.

Approval of Agenda

Mayor Flowers asked for a motion to approve the agenda. Alderwoman Lewis made the motion. Alderwoman Jones seconded it and asked to amend the agenda to add Norwayne Alumni and Friends events and a location for another blessing box to action items. Mayor Flowers asked for a motion to approve the amended agenda to add Norwayne Alumni as item #9 and a blessing box as item #10 under action. Alderwoman Lewis made the motion. Alderwoman Jones seconded it. All were in favor. Motion passed unanimously.

Approval of Minutes

Mayor Flowers asked if the Board had any issues with the minutes. There were no comments. Mayor Flowers asked for a motion to approve the minutes as submitted, both open and closed meetings.(July 23rd, July 26th, July 27th, and July 30th) Alderman Spivey made the motion. Mayor Pro-tem Artis seconded it. All were in favor. Motion passed unanimously.

Oath of Office to New Board Member for District 3

Mayor Flowers administered the Oath of Office to Terry Futrelle as the new District 3 Alderwoman. Alderwoman Futrelle introduced herself to each Board member and staff. She said she hopes to do honor to this position and to serve honorably, morally, and fairly; and she thanked the Board for the opportunity to make Fremont better.

Public Comment

Mayor Flowers opened the meeting for public comment.

There was no comments.

Mayor Flowers closed the meeting for public comment.

Citizen Request

Mr. and Mrs. Krell of 102 S. Aycock Street addressed the Board with a concern about their utility bill. They gave the Board copies of their utility bills and explained what the situation was. There was some discussion and Mayor Flowers asked Mr. Tony Howell to look further into it and if he cannot resolve it, then bring it back to the Board next meeting for action. Alderwoman Futrelle asked if the \$190 that is in question be deferred until this gets resolved and Mr. Tony Howell said yes it can.

Introduction

Mayor Flowers asked Chief Moats to introduce the Police applicant. Chief Moats said that he would like to introduce Jessica Batts, who has been chosen to move forward in the process, for the full time police officer position. He stated that she is from Lucama, has recently graduated from Basic Law Enforcement Training, and has a 4-year Bachelor's Degree in Criminal Justice. He stated that his department is excited about having her and asked Mrs. Batts if she would stand so everyone could meet her. The Board welcomed her and she thanked the Board for allowing her to be there. Chief Moats said that it will take at least 30 days to complete the hiring process and he would keep the Board informed of the progress and hoped to get her in here as soon as possible. Mayor Flowers asked Mrs. Batts to comment if she would like and she said she hopes that she will be able to do things to everyone's liking.

Information

Mayor Flowers pointed out the items for information and asked the Board if they had any comments. There were no comments.

Discussion

Mayor Flowers asked Mr. Tony Howell to speak about the FEMA project. Mr. Tony Howell said that He and Mrs. Nichols are working on the FEMA project for Hurricane Florence; and that they have spoken with Mr. Jeff Welker, from NC EM Grants, who is assisting them in closing out this project.

Mayor Flowers asked Mr. Tony Howell to speak about the solar panels. Mr. Tony Howell stated that Electricities is doing an analysis on interconnection agreements and rating information. He said once they get the information together, he will meet with them to go over it and then it will be brought before the Board.

Mayor Flowers asked Mr. Tony Howell to speak about old water meters. Mr. Tony Howell stated that we do have quite a few water meters, approximately 100, that are old throughout the Town. He said that these meters are operating at a low gallon per minute rate and that they do not have Electronic Reader Transmitters (ERTs), which speeds up the process and makes things more efficient. He said that he would like to replace the old meters, which cost \$170 per meter, and that we may be able to purchase these with the American Rescue Plan (ARP) funds. There was some discussion about how long it would take to replace the meters, which meters are the oldest, how many meters we have on hand, and how long it would take to get the meters in. Mr. McAllister spoke about how important it is to upgrade the meters, because it cuts out a lot of errors and will increase our revenue for water. He said that he believes that the ARP funds can be used for these meters. He gave the Board some information about DEQ and grants that are going to be available in the near future.

Mayor Flowers asked Alderman Spivey to speak about the forensic audit. Alderman Spivey stated that he has contacted several agencies about forensic audits and he has not been able to get anyone that is available at this time. He asked if Chief Moats had any suggestions that he can share with the Board. Chief Moats said he could make some phone calls and reach out to some resources and have them contact Alderman Spivey. Mayor Pro-tem Artis stated that she had some information to share with the Board and gave the Board a handout about Jay Sharpe, an auditor from Sharpe Patel LLC, which is a full-service accounting firm. She told them about the conversation she had with Mr. Sharpe and told the Board if they would like, he would meet with the Board, at their convenience, for a consultation. She said his fees range from \$100 to \$200 an hour. Alderman Spivey stated that the other option would be to go through the NC SBI. Chief Moats said that they would require an audit beforehand. Alderman Spivey asked if the end-of-year audit from Phyllis Pearson would be sufficient, and Chief Moats did not think that would be the type of audit the SBI would need. Mayor Flowers suggested that we reach out to the State Auditor's Office to express our concerns and to see what we can do. He said that we need to look at a less expensive option for the audit and he does not believe we can afford \$100 to \$200 an hour for Mr. Sharpe. Alderman Ruffin said that we do not need to reach out to anyone that we do not want in this audit and we are doing this audit to find out what's going on and are not accusing anyone of anything and we need to see what's going on before we decide who we want involved. He said that we can find out from the Administrator how much funds we actually have to use for this audit. Alderman Spivey asked if it would help instead of having an audit to turn this into an investigation. Chief Moats said that the SBI will require us to have an audit before they would do an investigation. He said that you want to make sure there is something that would warrant an investigation and if there is something an audit would show that. Mayor Flowers questioned Chief Moats. Chief Moats said any time there is a transfer of positions that require a certain liability, you should do an audit. Mayor Flowers said that

he has no idea of what the recommendations are based on. He had some questions about this audit, because he had missed a few meetings when this topic was originated. Alderman Spivey responded to Mayor Flowers and said that at a previous meeting, he asked the question if there was a procedure in place to have a forensic audit done when one Finance Officer leaves and another one is hired. He said this is for an accountability purpose only. There was some discussion about who could do the audit, the cost of the audit, the time it would take to do the audit and where the funds would come from to pay for the audit. Mayor Flowers said that he had a problem with Chief Moats being involved, because that implies that there is a legal, judicial issue. Alderman Spivey said that Chief Moats is involved because he was here at the meeting and he asked a question and nobody knew what to do. Alderwoman Jones said she did not feel that we had anything to lose to have someone come in to talk with us about an audit. She felt that we had money coming in from different resources that could be used to pay for the audit. Mayor Flowers stated that it is the Board's decision on what they would like to do. Mayor Pro-tem Artis made a motion to contact Mr. Jay Sharpe, of Sharpe Patel PLLC, for a consultation with the Board to discuss a forensic audit. Mayor Flowers said that this was not on the agenda for action and that they had decided to keep discussion items as a discussion and action items as action and this was under discussion. Mayor Pro-tem Artis replied to Mayor Flowers that the Board could make a motion on this. Mayor Flowers accepted Mayor Pro-tem's motion. (See Action Item)

Mayor Flowers asked Alderman Ruffin to speak about Town properties. Alderman Ruffin said that he had talked with the Town Clerk about the Town's property and she, along with Mrs. Brooks, got him a list of all the properties. He stated that we should try to sell these properties to create revenue for the Town. He passed out the properties to each Board that had properties in their district that could be sold. He asked if each Board member could look at the properties in their district and see what information they could bring back to the Board. There was some discussion about the properties and about finding out from our attorney the proper procedure to sell them.

Mayor Flowers asked Chief Moats to discuss the naming of the Police Department Building. Chief Moats said that this was discussed with the Board, previously, about naming the building after Chief Walter Braswell who was murdered in 1965. He said due to the fact that we recently have suffered the loss of previous Chief Ben Reid, he said he would like to re-approach the Board about naming the building. He said that Chief Reid is an irreplaceable asset to the Town and to the Police Department. He said he has worked in law enforcement for over 50 years and was dedicated to the Town and its' citizens. He said he would like to make a recommendation that they name the Police Department Building the Reid-Braswell Building. He felt that it's the least they can do to show their respect for the hard work, dedication, and sacrifices they made to this Town over a long period of time. He said he doesn't want to dedicate the building to them as a memorial, but to name the building in remembrance of them. He said they both were active working Chiefs during the time of their passing. Mayor Flowers said that the only concern he has is that it opens the door for others to want to do the same thing. There was some discussion about the process of naming the building and it was determined that a committee would be organized to work on this project. The committee consist of Chief Moats, as the Chairman, Alderman Ruffin, and Alderman Spivey.

Recess

Mayor Flowers called for a 10 minute recess.

Call to Order

Mayor Flowers called the meeting to order.

Action

Mayor Pro-tem Artis made a motion to contact Mr. Jay Sharpe, of Sharpe Patel PLLC, for a consultation with the Board to discuss a forensic audit. Alderman Ruffin seconded the motion. All were in favor and the motion passed unanimously.

Mayor Flowers asked Mr. McAllister to speak about the Agreement for Grant Administration Services for CDBG-CV. Mr. McAllister spoke about the grant and stated that one of the last steps of applying for the funds is to have this agreement approved by the Board. Mayor Flowers asked for a motion to approve the contract for Grant Administration Services for CDBG-CV, which is presented. Alderman Spivey made the motion. Alderwoman Jones seconded it. No discussion. Motion passed unanimously.

Mayor Flowers asked Mr. Tony Howell to speak about the Budget Amendment BA-2022-2. Mr. Tony Howell stated that Mr. Overton wanted to have this Budget Amendment approved following the protocol for the American Rescue Plan that we have been awarded. He stated that \$201,100 has been put in the budget and he is recommending that the Board approve this Budget Amendment as presented. Alderwoman Jones asked why the account was named construction cost. There was some discussion and it was determined that Mr. Tony Howell will contact Mr. Overton to get more information about why the account is named construction cost and that these funds will be in a separate account. Mayor Flowers asked for a motion to approve BA 2022-2. Alderman Spivey made the motion. Alderwoman Lewis seconded it. No discussion. All were in favor. Motion passed unanimously.

Mayor Flowers asked Mr. Tony Howell to discuss Pippin Street Project Quotes. Mr. Tony Howell stated that this project began before he became Town Administrator. He said to finish this project, the sewer lines need to be installed and he has three quotes to complete this job. There was some discussion about the work to be done. Mr. Tony Howell said that he cannot locate a contract that was done with the developer on this project. Mr. McAllister explained in detail of the work that would need to be done on this job. Alderwoman Jones asked if there is a form that each bidder uses to fill in what they will be doing and the charges. Mr. Tony Howell said there was not a form. There was much discussion. Mayor Flowers asked Mr. Tony Howell what his recommendation was. Mr. Tony Howell said that he recommended that we use the lowest bidder, KBS Construction Company, and that we use the American Rescue Plan funds to pay for it. Mayor Flowers asked for a motion to approve the recommendation from Mr. Tony Howell. Alderman Spivey asked if Mr. McAllister would write out exactly what we are going to need for this project and Mr. McAllister said he would write up a scope of work. Alderman Ruffin made a motion to approve KBS Construction Company to do the work in the amount of \$9,940, using the American Rescue Plan to fund the project, with the condition that Mr. McAllister write up a scope of work to be performed. Alderwoman Lewis seconded it. All were in favor. Motion passed unanimously.

Mayor Flowers asked Mr. Tony Howell to speak about the recommendations of the Board of Planning and Adjustment. Mr. Tony Howell said the first one is the Ella

Subdivision, which is a minor subdivision with 6 lots, located in our ETJ on Ballance Road. He said the second one is property on Chestnut Street that is being divided into two lots. He said that 927 and 929 S. Chestnut will be on one lot and 931 S. Chestnut will be on another lot. He said that these two items have been reviewed by the Board of Planning and Adjustment on August 10th and has been approved and is recommending the Board of Aldermen/Alderwomen to give the final approval. He said that the minutes of the August 10th meeting is in the agenda packet under information. He asked Mr. Johnny Pippin, Jr., the Chairman of the Board of Planning and Adjustment, if he would like to speak to the Board. Mr. Pippin gave a brief overview of these items to be approved. He said that there have been some changes recently in legislature concerning the Planning Board and the Board of Adjustment. He stated that the Board of Aldermen/Alderwomen decided to combine both Boards and on August 10th, there was training for the new Board to explain their responsibilities. He said that if the Board acts as the Board of Adjustment, it will be a quasi-judicial hearing, which is a legal proceeding where people will give sworn testimonies and could have lawyers. He said this Board will make the final decision and it would by-pass the Board of Aldermen/Alderwomen. He said he wanted to make sure the Board understood that as it stands right now, the Board of Adjustment will have the final say unless the Board of Aldermen/Alderwomen wants to change that. There was some discussion. Mayor Flowers asked for a motion to approve the two recommendations from the Board of Planning and Adjustment. Alderwoman Jones made the motion. Alderwoman Lewis seconded it. All were in favor. Motion passed unanimously.

Mayor Flowers asked Alderman Ruffin to speak about the street repairs. Alderman Ruffin stated that he asked to put this on the agenda as action, so we can do something about our streets in Fremont. He asked if the Public Works Department could patch these holes or would we have to hire someone to do it. Mr. Tim Howell asked if he was referring to the list of streets that was in the agenda packet and Mr. Ruffin said yes. Mr. Tim Howell said that those would need hot patching and we would need to subcontract that out. Alderman Ruffin stated that there are several streets that need attention, but there are some that are traveled more than the average city streets. He said these streets are 200 W. Norwayne Alumni Way, 100 N. Vance, 400 S. Vance, Norwayne Alumni Way and Goldsboro, 503 S. Vance, W. South, and 202 E. South Street. He said he would like the Board to look at this list and approve to have these streets fixed and allow Mr. Howell to determine which ones to do first according to the amount of funds we have available. Mayor Flowers asked for a motion to approve the hot patches on the streets listed by Alderman Ruffin, subject to the availability of funds and allow Mr. Tim Howell to decide which ones to do first. Alderman Ruffin made the motion. Alderwoman Lewis seconded it. There was some discussion about what hot patch and cold patch was, the cost of each one, what our staff could do, when the last time patching was done, how much money we have to spend, and how much we need to keep in reserve for emergencies. There was some discussion about amended the vote. Mayor Flowers asked for the amendment to the vote. Alderwoman Jones voted to amend the motion to include spending \$39,900, which is already budgeted for this fiscal year. Mayor Pro-tem Artis seconded it. All were in favor. Motion passed unanimously. Mayor Flowers asked for a motion to approve the amended motion. Alderman Spivey made the motion. Mayor Pro-tem Artis seconded it. All were in favor. Motion passed unanimously.

Mayor Flowers asked Mr. Tony Howell to speak about the Christmas Events for 2021. Mr. Tony Howell said that the Christmas Parade will be on December 4th, if the Board approves. He stated that he would like the Board to give us some direction on moving

forward with the Christmas Events. He asked Chief Moats if there were any mandated procedures from the governor that we needed to follow. Chief Moats stated that there is nothing currently in place that mandates any type of procedure and if we want to proceed with the planning process of these events, if anything changes with the state or governor, we will be advised and make the changes accordingly. Mayor Flowers asked for a motion. Alderwoman Jones made a motion to move forward with all events. Alderwoman Futrelle seconded it. There was some discussion about making sure that we follow all mandated procedures and adhere to the rules at the time of the events. All were in favor. Motion passed unanimously.

Mayor Flowers asked Mr. Tony Howell to speak about the budget for refreshments and meals. Mr. Tony Howell stated that we are looking at the budget for refreshments and meals and want the Boards feedback on that. He said that we have \$250 left for the year and there was \$300 budgeted for the year. He wanted to know if we needed to move some funds around to continue to provide meals for the Board. There was some discussion about Mr. Tony Howell being able to move up to \$1,000 without doing a budget amendment. Mayor Flowers asked if the Board wanted to continue with the meals and Alderman Spivey said no because there is a General Statute that states you cannot use money from tax revenue for the sole purpose of the pleasure of the Board, unless it's for the public. He stated that he wants to follow the law, but he would get some more clarification on it. Alderwoman Jones said that this should be tabled until we have more information.

Mayor Flowers asked Alderwoman Jones to speak about the Norwayne Alumni and Friends events. She said Mr. Larry Jones has passed out letters to the Board and staff that gives the information about Norwayne Alumni Annual Homecoming Weekend Activities, which she then read. There was some discussion about the amount of people expected, the requirements of wearing a mask, how much the tickets cost, etc. Mr. Larry Jones said that this is a request they are needing approval from the Board. Mayor Flowers asked for a motion to approve the events. Alderman Spivey made the motion. Mayor Protem Artis seconded it. All were in favor. Motion passed unanimously.

Mayor Flowers asked Alderwoman Jones to speak about the blessing box. Alderwoman Jones stated that we have one blessing box at the park across from Town Hall, and St. James Church of Christ will have one at 514 Memorial Church Road. She stated that they want another one to be at the Martin Luther King Park and is asking for permission to be able to put one there. Mayor Flowers asked for a motion to allow St. James Church of Christ to put up a blessing box at Martin Luther King Park at the corner of Chestnut and Ballance Road. Alderman Spivey made the motion. Alderwoman Lewis seconded it. All were in favor. Motion passed unanimously.

Alderman Spivey made a motion to lower the amount from \$500 to \$300 for department heads to be allowed to make purchases without having to get a purchase order approved by the Town Administrator and Finance Officer. Alderwoman Jones seconded it. All were in favor. Motion passed unanimously.

Reports

Mayor Flowers asked Mrs. Nichols to give the Financial Report. Mrs. Nichols went over the June Billed and July Collected Financial Report, the Cash Balances Report, and the Budget to Actual Report. She told the Board if they would like any other information to

please let her know and she would provide it to them. She said that she is going to implement using the purchase orders again and that would mean that the purchase orders have to be approved by Mr. Tony Howell first, and then she would make sure it's in the budget and sign off on it before the purchase is made. There was some discussion about if we are using purchase orders now, what the process is, and how we need to proceed in the future. Mayor Flowers asked for a motion. (See action Item)

Mayor Pro-tem Artis had a question about the Retiree Hospital Insurance. She said that it was a total of \$18,000 under Admin Department and wanted to know how many employees it was for and Mrs. Nichols said that was for one employee. Mayor Flowers stated that they have talked about in the past to discontinue providing health insurance for retirees because the cost is so high. There was some discussion about the total cost of \$4,716 coded for retiree health insurance being the cost for two employees in a different department, and why it cost \$18,000 for retiree health insurance for just one person in the Admin Department. After some discussion, it was determined that we need to check our personnel policy and look into finding a more reasonable health insurance plan.

Mayor Flowers asked Mr. Tim Howell to give the Public Works Department Report. Mr. Tim Howell said it is time to have thermal imaging on our system, which is infrared scanning the power lines that show trouble spots before they become a problem. He showed the Board pictures of numerous jobs that the Public Works staff have worked on over the past month. There was some discussion about cleanouts, thermal imaging, the new lineman that was hired, the project at Dollar General, and the grapple truck. Alderman Spivey asked what the status was on the grapple truck and Mr. Tim Howell said that they are hoping to get it back tomorrow.

Mayor Flowers asked Chief Moats to give the Police Report. Chief Moats said that he had a few things to cover so that you can answer questions to your constituents about the Police Departments' activities and code enforcement. He stated that it is his understanding that there have been some complaints about some possible drug residences. He stated that they have been pro-active in the drug investigations and arrests and he had the files on several residences with numerous reports and arrests that have been done. He stated that there are three known residences that have drug activity complaints. He said one has been shut down, one is inactive due to the lack of utilities, and the other one is currently being investigated. He asked the Board to keep in mind that they are short-handed and stated that just because they get a call, they cannot bust in doors and make arrests. He said that they have to follow the guidelines of the law, deal with probable cause, and the court system. He said they are working the drug cases and making arrests, but the courts are letting them out of jail and they are coming back smarter than they were before. He said in addition to working these cases and being short-handed, he is aware that there are code enforcement issues and assured the Board that they are being addressed and that he has documentation that abatements are being done. He wanted the Board to understand that it is a process and that his department is not turning a blind eye and they are working on both the abatements and the drug issues in Town. He stated that until the courts start working for them instead of the criminals, they are going to have to deal with the same issues over and over again. He told the Board if they have any issues, his door is always open and he encourages them to speak with him about them. He said he wanted the citizens to not think they don't care, due to the lack of their understanding of the officers' job, and he is making the Board aware of what they are doing and what they are facing. Mayor Flowers stated that there is a difference in using and selling and wanted to know if there is selling in all of the

locations that were mentioned. Chief Moats said that there is a limited amount of selling in Fremont, but the problem is with methamphetamine and some heroin use. He said the trouble is outside of Fremont on Hwy 117 North, Hwy 117 South toward Pikeville, and Hwy 222 East. He said the problem with working meth cases now is the difficulty of catching them, because the production is quite simple. He said the complete cooking process can be done in a Gatorade bottle and transported in the trunk of a car or backpack. He said they recently had an arrest for meth and that case is going federal and there will be a substantial amount of time given. He said they usually deal with users after they have overdosed and this is going on all over Wayne County. He said that there have been more issues with heroin and meth use during the pandemic. There was some discussion about the process of abatements.

Close Regular Board Meeting

Mayor Flowers asked for a motion to adjourn. Alderman Spivey made a motion to adjourn. Alderwoman Jones seconded it. All were in favor and the motion passed unanimously.

W. Darron Flowers, Mayor

Shannon L. Daly, Town Clerk