



Minutes of Special Called Meeting March 7, 2023

The Board of Aldermen/Alderwomen for the Town of Fremont, NC held a Special Called Meeting at 3:00 p.m. on March 7, 2023. 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

Also in attendance were Town Administrator Tony Howell, Town Clerk Shannon Daly, Finance Officer Cathy Nichols, and Public Works Director Brian Harvey.

Quorum Present: Yes

Call to Order: Mayor Flowers called the meeting to order at 3:00 p.m.

Invocation: Alderman Spivey gave the invocation.

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

Approval of Agenda: Mayor Flowers asked for a motion to approve the agenda. Alderman Spivey made the motion. Alderman Ruffin seconded it. All were in favor. Motion passed unanimously.

Discussion:

Budget for Fiscal Year of 2023/2024

Mr. Howell stated that Mr. Harvey will be given his budget for the departments in Public Works.

Mr. Harvey stated that he will give the operating budgets for Public Works, and the Finance Officer will handle the administrative part of the budget. He gave the operating budget for the Street Department, Water Department, Sewer Department, and Electric Department. The following is a list of changes that Mr. Harvey recommended for his budget:

	22-23	23-24
Funding line	current	requeste d
10-5600-1700	7,000	9,808
30-8100-1700	1,000	4,700
30-8100-3600	700	1000
30-8200-1600	29,500	55,960
30-8200-1700	10,000	7,000
30-8200-3300	10,000	4,000
31-8320-1600	12,000	19,690
31-8320-3300	26,600	28,200
31-8320-3700	6,500	10,000
New capital		
Street investment		9,700
Water investment		92,000
Sewer Investment		41,000
Electric Investment		129,000

***Streets** capital improvement- 3 weed eaters \$1,500 and two blowers \$200. New gator \$8,000

***Water** capital improvement- New truck \$12,000/year, \$30,000 new meters, new urts and FCS hardware upgrade. \$50,000 investment in EPA requirement.

***Sewer** capital improvement- fixed generator \$25,000 and upgrade flow meters for \$16,000

***Electric** capital improvement- replace two reclosers \$50,000 each= \$100,000. 12 new 25kva transformers \$16,000 and 10 new 15kva transformers \$10,000 new utility poles \$3,000

There was some discussion about the rates going up on the Town and how this will affect our citizens. There were different ideas discussed, but it was determined that this will be determined later, after more information is provided.

Mr. Harvey was excused from the meeting.

Alderman Jones commented that our personnel policy needs to be updated and had concerns about upper management positions starting out with the same benefits as other lower-level staff.

Alderman Spivey had two concerns, one concerning sewer and the other concerning finance. He said in 2020 or 2021 there was a sewer bill for \$330,000 for the Town of Eureka. He wanted to know what happened and the status on this bill. Mrs. Daly explained that in 2021, we were charged an over-capacity rate from Goldsboro and in turn, after Mr. Howell read the contract with the Town of Eureka, we charged Eureka an over-capacity rate. She said that Brian Pridgen said that we could go back 3 years and charge for the over-capacity rate, and she did the research and a spreadsheet and the amount that they owed was approximately \$330,000. Alderman Spivey asked had we collected anything yet and Mr. Howell said that the LGC turned us down, in conversation with Sharon Edmundson. Mr. Howell said that after he recited case laws, she had attorneys in the room with her, and she said they would not be able to pay it. Mayor Pro tem Artis said from her recollection, Mrs. Edmundson said they could make payments and Mr. Howell said no what she said was that we could charge them the over-capacity

rate going forward, but we can't go back and get anything. Mrs. Daly said that she was not aware of that conversation, and she recalled a phone conversation with Sharon Edmundson and their attorney, where the attorney wasn't familiar with the case laws and said that she would need some time to research it and will get back with us in a week. Alderman Spivey said that we have an obligation to go after funds that are owed to the Town, because that's what we are supposed to do as a municipality. He said somebody else came along and said they understand that this happened, but we are going to negate that, based upon the situation that Eureka was in, and what they have just done by negating that \$330,000, has now put that on the backs of the citizens of the Town of Fremont and we are OK with that? Mr. Howell said he did call them and sent them a letter and he can get that documentation. Mayor Pro tem Artis said so you are saying that Sharon Edmundson told you that we cannot collect, and Mr. Howell said that is correct. Alderman Spivey asked did they cite case law or something to substantiate the reason behind that. Mr. Howell said that he could try to find that file and see what documentation we have on it. He said that he went through our attorney before he sent the letter and that we had case laws to support us going back 3 years to collect, but he said Sharon Edmundson said give me a little while to work on it. He said this was all through correspondence, the best he recollects, and the little while didn't never come through so he made another call and that is when she finally told us that we can't do that, we can't go back that far. Mayor Pro tem Artis asked did she say how far we could go back. Mr. Howell said she said we could not go back and all we can do is try to move forward with charging the over-capacity rate on anything over 54,000 gallons a day, and that is what we are doing now. Mrs. Daly stated that she didn't know that Mr. Howell had a conversation with Sharon Edmundson, and she thought that Sharon never called back, because she kept asking Mr. Howell about it for at least 3 weeks. Mr. Howell said she may not have called us; he may have called her. Mrs. Daly asked how can the LGC, that knows General Statute Law, which states that we not only have a right but an obligation to charge for services, say that the Town of Eureka does not have to pay what is owed to us. She said, but I am obligated to charge our citizens and collect, which I have done numerous times. She said she has letters that have been sent in the past to Wayne County Schools, Food Lion, Hooks Farms, and others, where we went back 3 years and collected for services the Town provided. She said we did this because Brian Pridgen gave us General Statute that said we have an obligation to collect, so why is the LGC above the law? Mr. Howell said that he would be glad to put together another letter to send to them. Alderman Spivey asked Mr. Howell to get together all of the documentation that he has and send it to the Board so that they can look at it and figure out the best course of action, because if he has to spear head it, he will. He said if we can go back and charge a resident, then why can't we go back and charge a municipality. He said that's not fair and ultimately the Town of Fremont is paying a bill when we did not cause it. Mr. Howell said he would send the Board all the documentation he has on this matter.

Alderman Spivey asked Mr. Howell how in depth was he in putting together this year's budget, because he is the Budget Officer. Mr. Howell said he was the Budget Officer by default and Alderman Spivey said not by default, but by Ordinance and Mr. Howell agreed. Mr. Howell said that this is the first time he has delved into it. Alderman Spivey asked if he has gotten any training or classes pertaining to the budget and Mr. Howell said, not yet, but he does need to take some classes for sure. Mr. Howell said that the LGC mandates that he has to get 6 hours of training and the Town Clerk has to keep up with it. Alderman Spivey said so since you have come on board, you have not taken any classes and Mr. Howell said no, but it is his goal to take some.

Alderwoman Jones had some concerns about the letter that Mr. Howell wrote to the LGC, because we are on the unit assistant list, pertaining to our audit. There was much discussion and it was determined that Mr. Howell will change the letter to add the suggestions that the Board had made and he will have it available for their signatures at the next meeting on March 14th.

Mayor Pro tem Artis asked the Board if they wanted to pick another date for the next budget workshop. There was much discussion about who is going to do the budget and how much involvement each person had in it last year, and how much involvement each

person will have in this year's budget. After some discussion, it was determined that Mrs. Daly, Mrs. Nichols, and Mr. Howell will all work together on the budget and the next budget workshop would be March 28th at 11:00 a.m.

Alderman Jones asked when are we going to make a decision on a grant writer and Mayor Pro tem Artis said that it was determined at the last Board meeting that we will decide on the grant writer at the next Board meeting. There was some discussion and it was determined that the grant writer will be added to the agenda for the meeting on March 14th.

Alderman Jones asked if we had decided on any salary increases and Mr. Howell asked if she was talking about merit raises or COLA. Alderman Lewis stated that she thinks that the Board needs to get a raise. There was some discussion, and it was determined that this will be discussed during the time that we go over administration in the budget.

Mr. Howell stated that he sent the Board a letter pertaining to Mr. Hall. He said that he has spoke to our attorney about this individual for his advice on how to deal with him. He said he did not want to create a hostile work environment for the staff and was concerned about Mr. Hall being harassing and/or threatening. There was some discussion, and the Board gave Mr. Howell some suggestions on how the letter should read. Mr. Howell said he will make the changes and will email it to the Board for their approval. Alderman Ruffin stated that he will have a conversation with Mr. Hall, in addition to us sending him a letter.

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

Encouraging Quote: "When you choose peace, it comes with a lot of goodbyes." – Unknown

The meeting ended at 5:58 p.m.

W. Darron Flowers, Mayor

Shannon L. Daly, Town Clerk