

**Village of Misenheimer
Council Minutes
Community Building
October 14, 2013 6PM**

Council Present: Michael Riemann, Mayor
Michael Herron, Mayor Pro Tem
Michael Burrage, Finance Officer
Jim Gullede

Visitors Present: Brian Graves, SNAP
Peter Ascutto, County Commissioner

Staff Present: Pam Humphrey, Administrator/Clerk
Erik McGinnis, Chief of Police

Council Absent: Peter Edquist

Call to Order: Mayor Riemann called the Council meeting to order at 6:00 PM declaring a quorum present.

Introduction of Visitors: Mayor Riemann welcomed visitors and staff attending the meeting as named above.

Approval of October 14, 2013 Council Meeting Agenda: Herron made a Motion to approve the Agenda as presented. Burrage seconded the Motion and it was approved by a vote of 4/0.

Approval of September 9, 2013 Council Minutes: Burrage made a Motion to approve the Council Minutes as presented with no revisions. Herron seconded the Motion and it was approved by a vote of 4/0.

Public Comment Period: Peter Ascutto, Stanly County Commissioner, requested to speak. He commented that he has been visiting and attending Council meetings around the county. The purpose of his visit was to become more acquainted with the people, elected officials, and the issues facing the northwestern portion of the county. He discussed how unique the northwestern portion of the county is with its focus on education (Gray Stone Day School, Pfeiffer University, and the soon to be opened Tarheel Challenge Academy in New London). He stated that he, the other County Commissioners, and the County Manager are available to assist the Village. In addition, he thanked the Village Council and staff for their public service to the community.

Administrative Report-September 2013 (Mayor, Police Chief, and Administrator): Mayor Riemann updated Council regarding the engagements that he had attended and/or participated in since the last meeting's Administrative Report.

In addition, Mayor Riemann advised Council regarding the following:

- Mayor Riemann advised Council that the NCDOT contractors had completed the bridge work on Reeves Island Road. NCDOT contractors recently began work on the Wesley Chapel Road bridge. This bridge work is estimated to be complete by December 20, 2013.
- Mayor Riemann advised Council that the NCDOT is ramping up to implement the Strategic Transportation Investments (STI) Strategic Mobility Formula. House Bill 817 was signed into law on June 26, 2013, which changes the way NCDOT funds projects. Projects that impact our community are those that are along NC Highway 49 and US Highway 52. Stanly County is included in NCDOT Division 10 which includes Mecklenburg County. A concern would be the balance between funding urban vs. rural road projects.
- Mayor Riemann advised Council that he has been pleased with all of the progress that has been able to be made during his service to the Village as Mayor since 2009. He mentioned that he is particularly proud of the regional collaboration with Richfield and New London in signing a waste/recycle contract, in working on the Carolina Thread Trail corridor design, and in having the Mayors meet regularly for updates and community radio programming. He was also proud of the work that the Village had done to purchase and start preservation of the historic Gladstone Academy property.

Council members Herron and Edquist reported that they had attended the Planning Board's meeting on September 17, 2013 as Council representatives. In addition, Herron and Riemann attended the Planning Board's meeting on October 10, 2013 as Council representatives. David Fencl, NC Department of Commerce (NCDOC), continues to facilitate the Board's review of the Village's zoning map, plan, and Ordinances. There has been a lot of hard work done and good

consensus reached. Herron commented that it may be Spring 2014 when the revised Zoning Ordinances are ready for Council's consideration.

Council member Herron attended the Stanly County Community Growth Workshop on September 10, 2013.

Gulledge attended the RRRPO TAC meeting with Mayor Riemann on September 19, 2013.

Burrage attended the Richfield Party in the Park Veterans Memorial opening on October 12, 2013.

Chief McGinnis advised Council regarding the following items:

- Officers will attend Taser training before the end of October.
- Officer Brady is working on the Village street signage needs and estimates.
- Chief McGinnis advised that he had discussed the beaver dam situation on the creek off of Mattons Grove Church Road with the NC Wildlife Department. Beavers can be removed if they are causing a nuisance even if it is not during the legal NC Beaver Trapping season. He has not received any further calls regarding this situation.

Gulledge made a Motion that the Zoning Officer be approved to have the beavers removed from the Village flood plain off of Matton's Grove Church Road as they are considered a nuisance. Herron seconded the Motion and it was approved by a vote of 4/0.

Pam Humphrey, Administrator/Clerk, requested that Council members advise her of their attendance status regarding upcoming dates requiring Village attendance at meetings and/or events. She also advised that the Fall 2013 Newsletter would be mailed out to residents by October 17, 2013.

Radio System Update: Chief McGinnis advised Council that the Stanly County Law Enforcement radio replacement program's implementation date has been revised to have the system active starting January 2014. The Village did not budget for this capital outlay in the FY 13/14 Budget as at the time it was perceived that the radio replacement would occur during FY 14/15. Chief McGinnis presented a quote from Motorola with NC state contract pricing effective through 10/29/13 totaling \$29,222.20 for six (6) radios.

Herron made a Motion to approve a FY 13/14 Budget Amendment to utilize \$29,222.00 in Unreserved General Fund Balance to purchase the radios and to post the purchase in the Public Safety Capital Outlay Expenditure line item. Burrage seconded the Motion and it was approved by a vote of 4/0.

Planning Board & Board of Adjustment Board Member Appointment Change Request: Nancy Henderson has advised Council that she can no longer serve on the Planning Board or the Board of Adjustment. Jon Byers, Planning Board Alternate, was contacted to inquire if he could move from serving as an Alternate Planning Board member to a full Planning Board Member and Board of Adjustment Member. He confirmed that he would accept Council's appointment to fill Nancy Henderson's terms through 6/30/16 upon Council's approval.

Herron made the Motion to appoint Jon Byers as a full Planning Board Member and Board of Adjustment Member to fulfill Nancy Henderson's remaining terms through 6/30/16 effectively immediately. Burrage seconded the Motion and it was approved by a vote of 4/0.

Council would like to recognize and thank Nancy Henderson for her volunteer community service serving by on both Village Boards. Candidates for the vacant position of Planning Board Alternate will be solicited by Council for their consideration and approval at a future Council meeting.

FY 13/14 Financial Status-Unaudited at 9/30/13: Humphrey, Administrator, advised Council that the figures presented were unaudited. Two previously approved FY 13/14 Budget Amendments had been included in the unaudited financial status at 9/30/13. The General Fund balance at 9/30/13 was \$502,953 and the restricted Powell Bill Fund Balance was \$21,284. The first semi-annual Powell Bill deposit from the NCDOT was received in September 2013.

E-Verify Contract Requirement: Pam Humphrey, Administrator, advised Council that during the 2013 session of the North Carolina General Assembly, the legislature enacted the RECLAIM NC ACT (S.L. 2013-418; HB786). HB 786 was passed September 4, 2013 and became effectively immediately. Municipalities have been considering various ways to determine that their vendors comply with HB786. Municipalities are modifying their contract verbiage and E-Verify affidavits and certifications are being considered.

The Village had Mac McCarley, Village Counsel, review E-Verify certification verbiage on a document that would be given to all applicable vendors. He advised that the verbiage that we were proposing to utilize to certify E-Verify compliance would be suitable. Council reviewed the E-Verify Certification document presented.

Herron made a Motion to accept the E-Verify Certification document as presented. Gulledge seconded the Motion and it was approved by a vote of 4/0.

Review and Approve Municipal Records Retention Amendment: Gulledge made a Motion to approve the Municipal Records Retention Schedule Amendment made August 29, 2013 by the NC Department of Cultural Resources-Division of Archives and Records as presented. Herron seconded the Motion and it was approved by a vote of 4/0.

Blue Cross Blue Shield (BCBS) Health Insurance Early Contract Renewal on 12/1/13: Pam Humphrey, Administrator, provided a quote from Eben Concepts/BCBS to renew health insurance on 12/1/13 vs. 3/1/14. Eben Concepts and BCBS are evaluating their clients with early 2014 renewals to have them consider an earlier renewal on 12/1/13 pending the full implementation of the Affordable Care Act (ACA). Our current health insurance cost is \$1,117.91 per month. The early renewal cost will be \$1,026.90. The monthly savings for this 12 month renewal period starting 12/1/13 will be approximately \$91.01 per month.

Per Eben Concepts, the 12/1/13 early renewal will require employees to start their deductibles over. In addition, in order to allow any employee to decline health coverage, we are allowed to adjust our employer paid percentage from 100% to 99% in paying for employee coverage. The 1% employee portion of coverage to be paid can be waived with the employer continuing to pay the entire amount of employee coverage. In addition, the plan's grandfather status remains intact.

Herron made a Motion to accept the BCBS early renewal at 12/1/13 and to reduce the employer paid portion of employee health coverage from 100% to 99% and waiving the 1% to be paid by employees for their health coverage. Gulledge seconded the Motion and it was approved by a vote of 4/0.

Community Building Use Stipulations Review and Consideration for Approval: Humphrey, Administrator, provided Council with a draft of Community Building Use Rules for their review and their adoption consideration. The Use Rules were crafted from review of other small municipalities' rules and specific considerations regarding the Village's Community Building.

Council had numerous questions requiring further investigation by Humphrey, Administrator, so that the Community Building Use Rules could be revised and presented at the next Council meeting.

Review and Consideration of Compression Braking Ordinance Process: Chief McGinnis provided Council with an example of a Compression Braking Ordinance from New London. He explained that there is a process to work with NCDOT to request that an Ordinance be allowed. Chief McGinnis advised Council that he will provide details of the process and research enforcement options to be presented at the next Council meeting.

Present and Review for Consideration of Utilizing Reserve Officers Ordinance: Chief McGinnis provided Council with a draft of an Auxiliary Police Officer Ordinance for their review. He advised Council that he would plan to utilize auxiliary officers for events requiring more staff than usually scheduled. The Village could mandate that a certain number of

volunteer hours are required to secure and maintain an auxiliary officer status. After discussion with Council, Chief McGinnis advised that he would perform additional research to determine if an Ordinance or a Resolution is more suitable.

Carolina Thread Trail (CTT) Update: Mayor Riemann advised Council that he continues to contact and meet with property owners where easement is needed along the CTT corridor. There are approximately thirty (30) property owners along the New London, Richfield, and Misenheimer portion of the proposed CTT. A re-routing of the proposed trail corridor may be required as discussions with some property owners indicate that they may not be interested in allowing easements on their property for the trail corridor. Mayor Riemann indicated that he plans to submit a CTT grant proposal in January 2014 instead of by October 18, 2013. It is anticipated that funds awarded would be utilized to assist in securing trail easements.

Mayor Riemann advised Council that the New London, Richfield, and Misenheimer CTT Committee's purpose will be to raise funds to utilize to maintain the CTT. It is intended to have a CTT Committee of nine (9) members (three (3) from each municipality noted above) to represent the municipalities. Mayor Riemann requested that Council appoint these Committee members at the next Council meeting as the Committee By-Laws are currently being prepared.

Anniversary Celebration Committee Update: Humphrey, Administrator, advised Council that the Village had sponsored an ice cream event at Gray Stone Day School as part of their Homecoming festivities on Friday, 10/11/13. Chief McGinnis attended the event. This is the last planned Village 10th Anniversary Celebration event for 2013 so that the Anniversary Celebration Committee can be disbanded. There are no Committee Minutes as no formal Committee meetings were held.

The Village BBQ event held on Sat, 9/28/13 at the Community Building was well attended. Discussion ensued regarding the degree of success achieved regarding planning and communicating a RSVP catered event vs. a drop in event. The sponsored events at the Pfeiffer University Homecoming event were well received. The University gave the Village some stage time where Peter Edquist announced the celebration of the 10th Anniversary of the incorporation of the Village.

Gladstone Academy-Update: Mayor Riemann advised Council that he had met with Ted Alexander of Preservation North Carolina (PNC) (The Historic Preservation Foundation of North Carolina, Inc.) to review preservation options for the Gladstone Academy historic property. PNC recommends entering into a Historic Preservation Agreement (HPA) at a cost of \$3,600 which would provide covenants and restrictions regarding the preservation and utilization of the historic property. A \$200 annual PNC membership fee is required for a minimum of at least one year. In addition, PNC recommends that the Village create a committee to determine the purpose and utilization of the Gladstone Academy property. Securing grant funding will be more successful with these two (2) recommendations implemented.

Mayor Riemann advised Council to review the PNC proposed HPA. He also indicated that he would continue to research possible HPA considerations with PNC and have that information available for staff to present at the next Council meeting.

Herron made a Motion to support the formation of a Gladstone Academy Committee to consider possible uses of the property in order to present their recommendation to Council for their consideration and approval. Burrage seconded the Motion and it was approved by a vote of 4/0. Possible Committee members will be solicited by Council for their consideration and approval at a future Council meeting.

Other Business:

Chief McGinnis advised Council that full time Officer Brown had decided to take a job with the Ocean Isle Police Department and will be leaving toward the end of October 2013. Part time Officer Helms will serve in his place until a full time replacement is secured.

Gulledge inquired regarding the volume of the Pfeiffer University Chapel chimes and hymns. Chief McGinnis advised that he and Pastor McKim will check out the sound level when the leaves are off the trees later in November 2013. The MPD has not received any citizen calls regarding the chimes and hymns being too loud or too often.

Gulledge also asked Chief McGinnis if there is a direct dial on the Pfeiffer University phone system as there had been in the past prior to the phone system upgrade. Chief McGinnis advised that he has been working with Pfeiffer University's IT Department Head to address and resolve this situation.

Gulledge thanked Mayor Riemann for his service to the Village. The Village is also appreciative of Mayor Riemann's ongoing volunteer civic involvement regarding grant procurement for the CTT and the historic Gladstone Academy. Mayor Riemann stated that he appreciated Council and staff's support and involvement during his term of service in order to continue to explore and secure a vital future for the Village and its residents.

Adjournment: Council adjourned the meeting at 7:20 PM.

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Mayor	Date	Pam M. Humphrey, Administrator/Clerk	Date

The next Council Meeting is scheduled for Monday, November 18, 2013 at 6PM at the Community Building.
The next Planning Board Meeting is scheduled for Thursday, November 14, 2013 at 6PM at the Community Building.
The next Board of Adjustment Meeting is scheduled for Thursday, January 9, 2014 at 6PM at the Community Building.