

**Town of Robbinsville
Regular Meeting Minutes
December 12, 2018**

A regular Town of Robbinsville meeting was called to order by Mayor Steve Hooper at 1 p.m. at the Town Hall.

Council present: Brian Johnson, Debbie Beasley, Shaun Adams

Others present: Ellen Davis-Town attorney, Carrie Stewart, Dirk Cody, Shari Birchfield, Michelle Shiplet @ 1:05

Approval of meeting minutes: Taco motioned to approve the September 5th meeting minutes. Debbie seconded. Vote 2-1. Taco motioned to approve the November 7th meeting minutes. Debbie seconded. Vote unanimous.

Approval of agenda: Debbie motioned to approve the agenda. Shaun seconded. Vote unanimous.

Old business:

Employee contracts: Steve asked the board if he had a motion to terminate Employment Agreements entered on or about December 1, 2017 by and between the prior Board and all Town employees excepting one? Shaun made a motion that all the Town employee contracts entered into on or about December 1, 2017 be terminated because the employee contracts lack validity. The contracts are in violation of State mandated regulations for disability and short term medical leave. The contracts are void because the written employment contracts failed to engage in the three (3) steps of the pre-audit process including the pre-audit certificate in violation of the North Carolina Local Government Budget and Fiscal Control Act. The prior Town Board failed to make a Budget Resolution when making an expenditure of Town funds that were not in the Budget approved by the North Carolina State Treasury and the contracts are void as against Public Policy in that an employee can only be dismissed for a few crimes; dismissal for poor performance or for absenteeism requires the Town to make full payment of the four (4) year term even if an employee has engaged in unethical deeds. Debbie seconded. Vote unanimous.

Church Mouse lease questions: Michelle Shiplet inquired about (1) 10 year lease agreement versus if the Town wanted the property back before the lease was up/investments of Church Mouse (2) property taxes (3) repairs (4) subletting. Town attorney, Ellen Davis stated that the Town as of now doesn't see any need for the property in the foreseen future and that the Town has made a good faith effort for 10 years. She also stated the Church Mouse will not have to pay any property taxes and since the Town is leasing you the property, you cannot sublet out Town property to someone. As far as repairs, the board advised Ms. Shiplet to inform Mayor Hooper and then he could discuss with them.

Huddle House Satellite annexation: Roger Kersch unable to attend meeting-tabled until January 7, 2019 meeting.

New business:

Public comment: Michelle Shiplet asked the board about needing an extra water outlet for the garden. Steve stated that could just tie into the existing line which is metered. Ms. Shiplet expressed her concern with loitering/drugs. The board suggested she speak to the Sheriff. Dirk Cody commented on the loitering and the drug issues being an epic problem and stated that the Sheriff's Department is patrolling the streets and putting notices on the businesses to show they are checking them at night. Dirk asked the board when the speed bumps he purchased from the Town would be installed on Cody Street. Steve stated that it is on the list to do. Dirk questioned who is clerk to the board now? Brian stated that it has been the Finance Director even with the previous board. Dirk stated to let Shari be clerk to the board since segregation of duties is a big issue with Sharon Edmundson and the auditors. Shaun stated he agreed. Steve stated that doing so would not help with the segregation of duties. With no further public comment, Brian motioned to close public comment. Vote unanimous.

Employee of the year: Brian motioned to name Frank (Bud) Carpenter Employee of the Year. He is 93 years old and has worked for the Town for 43 years. Shaun seconded. Vote unanimous.

Water Plant repairs: ORC Carrie Stewart discussed the repair costs needed on a valve control meter at the Long Creek water plant. Brian motioned to approve the repair. Debbie seconded. Vote unanimous.

Local Water Supply Resolution: ORC Carrie Stewart informed the board of needing to adopt a LWSP Resolution per North Carolina General Statute 143-355 which states that each unit of local government that provides public water service must have a Local Water Supply Plan. Brian motioned to adopt a LWSP resolution, Debbie seconded. Vote unanimous.

Hometown Tax/shared meter: Steve informed the board that property owners Josh/Terri Phillips had stated to him that they haven't rented the apartment since 2012 and have no intentions of renting it and would like to request only having one meter. The board told Steve to have the Phillip's to do a letter stating the circumstances and noting that if they ever did decide to rent/sell the property, it would have to be plumbed for a separate meter.


Access to public records: Council Shaun Adams stated he is being denied access to public records. Mayor Hooper told Shaun that he wasn't being denied the information but to keep the files in order, was only asked to let Sonya/Shari retrieve what he wanted. Steve informed Shaun that the NC School of Government recommends public records requests whether it is an elected official or citizen that is should be done in an orderly manner and gave him the contact information of whom to speak to. Town attorney, Ellen Davis stated that her recommendation is to use the Public Records Request Form to assure an orderly manner to request the information whether an elected official or a citizen due to not everything is public record. Finance Director Sonya Webster supplies Mr. Adams with a check register which shows all checks that are done. The board discussed noting which items on the check register that needed more inquiry and fill out a public records request form.

Sharon Edmundson letter: Ms. Edmundson informed the Town of Robbinsville that they are no longer on the Unit Assistance List due to significant improvements being made on internal controls and the financial condition of the Water/Sewer Fund.

WBHN 94.1 Radio Station Holiday greetings: Mayor Hooper presented the board with the cost of Holiday Greetings/Christmas Music Sponsor and requested a motion to approve the purchase. Due to the radio signal not good in our area, the motion died due to lack of a motion.

Closed session- GS143-318.11©,(a)3. The board had no issues that required closed session.

With no further business, Brian motioned to adjourn @ 2:40 p.m. Debbie seconded. Vote unanimous.



Steve Hooper, Mayor



Brian Johnson, Council Member



Shaun Adams, Council Member



Debbie Beasley, Council Member

ATTEST:



Shari Birchfield, Town Clerk