

**Minutes of the Meeting of
The Town Board of Commissioners
Town of Hamilton, NC
October 5th, 2023**

The Board of Commissioners of the Town of Hamilton met in a regular meeting on Thursday October 5th, 2023, at 7:04 p.m. at the Town Hall, 109 N Front Street, Hamilton, NC.

PRESENT Mayor: Ervin Williams

Commissioners: William Freeman, Judith Stewart, and Larry Jackson, Linda Goodrich, Kerry Spivey

ABSENT None

The meeting was called to order by Mayor Williams, the prayer was given by Commissioner Stewart. The pledge was recited by all.

Approval of the agenda or Adjustments to agenda

Adjustments made to agenda to add Memorial Presentation to Judy Mobley tabled until next month due to being unavailable to attend; added to New Business - NCEMPA by Mayor Williams.

Motion to approve the agenda with the adjustments as stated was made by Commissioner Stewart, seconded by Commissioner Goodrich. Motion Carried 5-0.

Approval of Minutes

Motion to approve the minutes without any adjustments was made by Commissioner Jackson, seconded by Commissioner Freeman. Motion Carried 5-0.

Memorial Presentation to Judy Mobley Postponed

PUBLIC COMMENTS

Patirica Moring last month asked the board about the fire hydrates and to check to see if this action is done quarterly or how often they are serviced or checked. Commissioner Goodrich states they flush the ends of hydrates. Requested to know if the town has a list of Hamilton EMS & Hamilton Fire Department. Mayor Williams states that anyone could check with the chiefs from each of the departments and request a roster.

Jeffery Taylor would like to congratulate Mike Pickle on cleaning up the fire ants at the cemetery. Questions were raised about the EMS paying for usage for utilities and not paying rent on the property they are using. Mayor Williams states that he will address the concerns with the department about the utility's usage. Resident at 109 Taylor Street was evicted from her property and she stated she was informed by the Mayor that she did not have to pay the outstanding balance. Unless they bring it to the board.

Drew Robinson Chief Deputy Police Department – General discussion on Morris Lynch Center rental property rules and regulations and what to do if there is a large crowd. The rules and regulations we have in place have solid, specific standards. The town will give the sheriff's department a letter with the rules and regulations needed to enforce violations. Without a letter to act as the Town's agent the sheriff's department is not allowed to enforce these regulations. The clerk will let them know about the building rentals. Memorandum of understanding between the town and the sheriff's department was recommended per Town Attorney Lynn Coleman.

OLD BUSINESS

Dilapidated Properties

Commissioner Stewart stated we have several ordinances that are not getting enforced. Attorney Lynn Coleman stated that the town should inform Hamilton Hardware their time had run out and make him pay out anything owed at this time. Coleman requested to know if any changes have been made to the property. She suggested a fire Marshall come into the location to address any violations to fire codes and other hazards. Despite what goes into his letter or how he feels he should handle the ordinance passed allowing the town to contract a cleanup crew at the property owner's expense. The town should proceed to put together an ordinance with an amended letter to fit the situation and as an ordinance to get everything into the works. An ordinance to allow the clean-up would require our ordinance to adapt to the situations as needed. Resident Moring asked if the town has lifetime rights to the location beside the subject property and asked if it is documented in the town's office. Resident Sullivan noted in defense of the subject property the town's failure to address other different locations. Commissioner Goodrich states the town's officials and maintenance staff should ride around and note all the addresses in violation.

Hamilton Festival

The festival is scheduled for October 7th, 2023. We have everything coming together. Mayor was unable to get a stage due to the event being scheduled on a busy weekend. There will be 25 vendors attending the festival. Kids area is ready to go, and we added items for the older kids to help bring them in. Historic walks will have brochures to guide them throughout the town. 18 artists will display their art throughout the town at historic locations throughout the town. The open house at Edna Andrews will be used for parking and they will be digging up a time capsule from 40-50 years ago. Fire department will bring their trucks out for the kids to tour at the fire department.

Public Power Week

Commissioner Freeman stated a public power week celebration will be on October 12th 2023 at 3:00PM. All in town residents are invited to attend and join us at the Town Hall.

Cellular Tower Update

Verizon started the project and now they have assigned the towers to Southern Towers. The meeting minutes from tonight will be used to get our building permit with an estimated 3-4 weeks to start construction and then about 6-8 weeks to get everything up and running the 280 ft tower. In addition, 4-5 weeks will be needed to install their equipment. A ribbon cutting will be held at

the location. It will be designed for 4 different carriers - Verizon, AT&T, US Cellular, Teen mobile, and Dish network.

Cee Cee's Flooring Invoice Update

Finance officer Roebuck states that recent issues of the flooring invoice have been updated since an email and prior approval was sent out on September 25th, 2023. The clerk requested a response that informed you of the change in names and invoices. The email stated "A bill has been submitted for floor work done at the Morris Lynch Center at Edna Andrews. The Board approved CC's out of Raleigh to do the work. However, the bill shows Cathy Griffin, DBA Kitties Kleaning, 900 E Green Street, Robersonville, NC. This email is to make you aware of the change of vendor. Please let us know if you have any questions." The new updated invoice has been paid prior to the meeting to Cathy Giffin with DBA Kitties Kleaning in the amount of \$3,500. This new written invoice was brought into the office and updated to reflect changes for the work done to the locations on September 27th, 2023. Commissioner Stewart requested three bids on projects for larger cost.

Business Operations

Commissioner Spivey announced he felt compelled to bring back the issue of our business office operations due to the continued use of the Town Hall outside of office hours even after the board voted months ago that it should no longer be allowed. In addition, a recent email was received from the LGC and the state treasurer's office on September 18th, 2023, in regards to the recent request for EWAG grant money. Clerk Roebuck states that from this point forward any grants, any loans or anything the town may be eligible to apply for must be approved by the Local Government Commission and the State Treasurer due to the town being on the LGC's watch list. Spivey noted the town should always conduct business from here in a straightforward and transparent manner with our finance officer.

Spivey further noted both offices at Town Hall should be used for needed storage space for files away from the utilities and collections of money area and a separate office for the finance officer. Goodrich suggested the elimination of any other named offices in the building. Business hours are posted and should be followed as the board has voted on and approved. Town attorney Lynn Coleman added that the town board of commissioners make the "laws" of the town and once motioned and passed, they should be followed. She suggested the best practice for additional changes would need to be done in a motion form.

The Mayor noted that he would often meet with people wanting to have a conversation with him asking for his review of the utilities billing statement. The mayor stated the attorneys at the League of Municipalities said he was correct in talking with customers. Attorney Coleman then stated she can only assume this was referencing talking outside of normal business hours. Commissioner Stewart states that utilities should only be discussed with the Clerk who handles all the billing. Attorney Coleman states that one problem with any billing services within town is they do not have 24/7 hours service in a small town and the resident will have to wait until the office returns and opens.

Commissioner Spivey wants the town to follow legal and standard operations. Resident Carry Sullivan suggested using the library at the old town hall as a meeting area since tables are already

set up for meetings. Commissioner Freman states that all of the commissioners hold keys to the town hall office. Spivey states that all commissioners should turn in their keys to the town hall.

A motion was made by Commissioner Spivey to revert back to using the Town Hall building to operate as a finance and utilities billing office only, as well as eliminate the offices previously designated for the Mayor and Commissioners having them to be used for the finance officer's use and the offices for storage of files and any for office staff use only. All commissioners currently holding keys should return them to town hall. The motion was seconded by Commissioner Goodrich.

Motion Yea - K. Spivey, L. Goodrich & J. Stewart; Nay - Jackson & Freeman: Motion 3-2.

NEW BUSINESS

North Carolina Eastern Municipal Power Agency

Lynn Coleman has received, as well as the Town a copy from Duke Energy and their recent changes to the contract do nothing to cause you any concerns or liabilities; they need the towns and county to agree. Clerk Roebuck will have the entire packets and copies that were sent in for the board of commissioners to review at the Town office for review.

Motion to consider the ordinance as presented by Commissioner Spivey & Commissioner Stewart. 5-0

Mosca Designs Banners

Design will be available at the office to pick the ones that are needed.

Gov Deals

Motion to put the old sewer machine on govdeals.com to sell as a profit back to the town by Commissioner Goodrich. Seconded by Commissioner Spivey. Motion 5-0.

Financials / Budget Amendments

Motion to approve and accept the financials as presented by Commissioner Stewart, seconded by Commissioner Jackson. Motion carried. 5-0.

COMMISSIONER REPORTS

Commissioner Jackson nothing at this time

Commissioner Stewart already reported prior referencing the upcoming festival.

Commissioner Spivey no report.

Commissioner Goodrich Storm damaged one resident power poles and broken by the wind on east street, window on the backhoe busted water leak. The backhoe went out with a transmission problem, and they will be coming out to repair when the backhoe is repaired.

Commissioner Freeman requested to fix the current leak at the Morris Lynch Center in the kitchen. Replacing the mop heads & broom needs to be replaced down there. Needs new trash cans once rented. He asked what time in the evening parties should end with loud music. Commissioner Spivey noted it was a small town and violations of the rules set forth in use of the building.

Mayor Williams requested to know if the Board read that letter from the LGC. He will contact Sharon Em.

Clerks Report Town Clerk and Finance Officer requested that all agenda items need to be added to the agenda if any items require any motions and or votes. Items listed on our agenda is intended to stay on the agenda until voted on. As mentioned earlier the recent LGC approval needed for any loan grant or any monies over \$50,000 requested by the town due to on the Unit Assist List. Recent meeting with NCLM Mandy Valiquette to review changes and updates for the town employees benefits and risk management discussion.

Motion to adjourn at 8:30PM made by Commissioner Spivey, seconded by Commissioner Freeman. Motion carried 5-0.

Submitted By:

Approved By:

Allison Roebuck, Town Clerk & Finance Officer

Ervin Williams, Mayor