

AGENDA
Snow Hill Board of Commissioners
Monday, 10 November 2014; 6:30 pm
G. Melvin Oliver Town Hall
201 N Greene Street

- | | | |
|-----|---------------------------------------------------------------------------|------------------------------------------------------------|
| 1. | Call to Order | <i>Invocation / Pledge of Allegiance</i> |
| 2. | Roll Call | |
| 3. | Consider Agenda Approval | |
| 4. | Consider Minutes Approval | <i>13 October 2014</i> |
| 5. | Program / Presentations | |
| | FYE 2014 Audit Presentation | <i>John Pollard, CPA</i> |
| 6. | Report of Officers: | |
| | a. Mayor | |
| | 1. Veteran's Day Ceremony | <i>11 November, 11am</i> |
| | 2. Christmas Extravaganza | <i>12 December, 6pm</i> |
| | 3. Staff Christmas Dinner | |
| | b. Town Administrator / PW Director | |
| | 1. Vehicle Maintenance | <i>Information</i> |
| | 2. Parade Plans | <i>Discussion</i> |
| | 3. Personnel Policy Amendment | <i>Action Request</i> |
| | 4. Tractor / Mower Purchase | <i>Action Request</i> |
| | 5. Funding for Creek Cleaning | <i>Information</i> |
| 7. | Report of Boards: NONE | |
| 8. | Public Comments | |
| 9. | Action Items | |
| | 1. Consider Adoption of Resolution 2014-2; Charter Amendment | |
| | 2. Consider Appointment of Dana Hill as Town Manager / PW Director | |
| | 2. Consider Approval of Resolution 2014-3; Personnel Policy | |
| | 3. Consider Authorizing the Purchase of Tractor / Mower Package | |
| 10. | Closed Session | <i>Property Acquisition</i>
<i>Contract Negotiation</i> |
| 11. | Commissioner Comments | |
| 12. | Adjourn | |

Any person who has a disability requiring a reasonable accommodation to participate in this meeting should contact Town Hall prior to the meeting date. Requests for an interpreter require five (5) working days notice. Proposed agenda current as of 11-6-14

**MINUTES
SNOW HILL BOARD OF COMMISSIONERS
G. MELVIN OLIVER TOWN HALL
201 N. GREENE STREET
SNOW HILL, NC 28580**

- 1. Call to Order – Mayor Liles called the meeting to order at 6:30 p.m. The Prayer was offered by Commissioner Hagans. The Pledge was led by Commissioner Wilkes.**
- 2. Roll Call – The roll was called by Town Clerk, Cathy Webb. All members were present. A quorum was declared.**
- 3. Consider Agenda Approval – A motion was made by Commissioner Washington, seconded by Commissioner Hagans to accept the agenda as presented. Motion carried.**
- 4. Consider Minutes Approval – A motion was made by Commissioner Washington, seconded by Commissioner Shackelford to accept the September 18, 2014 minutes as presented. Motion carried.**
- 5. Program/Presentations –
Public Hearing – A motion was made by Commissioner Washington, seconded by Commissioner Wilkes to begin the Public Hearing to discuss the Charter Amendment changing our form of government. Motion carried.**

Mayor Liles asked if anyone had a question/concerns about the amendment.

Carolyn Newcomb asked “Why the Change?” Mayor Liles responded that overall he thought it would help the Town. Mr. Hill said that the biggest change would be that the Manager would have personnel authority-hiring/firing etc. She reiterated that she just hated to see the change-the Charter had been in place since 1977. She said that Mr. Hill was doing a great job but once we went to a Manager-that is a whole different State Statue.

Gene Riddle said that many times he had been in Mr. Hill’s office and someone would call and a decision had to be made –but it could not be made until the Board could meet. This would allow him to make a decision. He said that he thought this would be better for the Town.

Ms. Newcomb asked if the Administrator was a created position. Mr. Hill said that was correct. She said that a Manager is not a created position-once it is put in the Charter the town would have to have a Manager. She said that she hoped that Mr. Hill would be in this position for a long time. But he will not always be here-but the Position of Manager will.

Attorney Pridgen said that the main thing that changes in this is that the personnel authority would go to the Town Manager and this would help with the efficient flow of operation of Government. The Board will no longer have to be involved with personnel matters and the Town Manager will have the authority to make these decisions in a timely manner. He said that this would free up the Board to focus on other issues other than personnel. The Board sets the personnel policy. Ms. Newcomb asked if the hiring/firing would have to come before the Board. Attorney Pridgen said no if the proposed change takes place but the Board would be notified of his decision. Ms Newcomb asked if the duties of hiring/firing could be given to the Administrator. Mr. Pridgen said that authority could be passed down to the Administrator by the Board. Ms. Newcomb said that she was sorry that there were not more citizens in attendance to know what this major change would be. Attorney Pridgen said that the vote for this change could be at the next meeting and the change would have to be in place for at least two years and after that could be changed back if necessary.

A motion was made by Commissioner Washington, seconded by Commissioner Shackelford to close the Public Hearing and reconvene to regular session. Motion Carried.

6. Report of Officers –

a. Mayor

- 1. Veteran's Day Ceremony – This event will be held on November 11, 2014 at the National Guard Armory at 11:00 a.m.**
- 2. Christmas Extravaganza –This event will be held on December 12, 2014 beginning at 6:00 p.m.**
- 3. Maury Correctional - Will host an open house on Wednesday, October 22, 2014 from 9-11 a.m. & 4-6 p.m.**

b. Town Administrator/PW Director

- 1. Sign Replacement/Additions – Mr. Hill gave an update on the entrance sign at the intersection of Hwy. 58 & 258. This has been completed. Also some directional signs have been added and he would like to add some more.**

2. **Operational Changes – Mr. Hill said that he had made some change in the maintenance of the cemetery. He decided to move our lawn crew to the cemetery and the contractor to other areas. Everything seems to be working better.**
3. **Updates: Projects and Audit- Mr. Hill said that the water line replacement project had begun on Second Street and hopefully DOT can resurface the road shortly. The contractors will then move on to 3rd and 4th Streets.**

He announced that the 2013-2014 Audit was complete and had been sent to LGC for review. Mr. Pollard will be here for the November meeting to present the audit.

4. **Purchasing Policy – Mr. Hill said that he had included a purchasing policy in the packets. He said that we did not currently have a purchasing policy on file. The policy outlines and expands on procedures that are already in place. Commissioner Washington asked if the time for submitting requisitions (Article III-Section 3) could be more specific. She asked if 30 days in advance could be included in this section. Mr. Hill said that he could do this.**

c. Town Clerk/Finance Officer-

1. **Budget Amendment II – The Clerk presented a budget amendment moving monies for the Police Department from one line item to another due to unforeseen expenditures in the vehicle maintenance line item. (not an increase in the budget) Also, the budget was amended for insurance proceeds from monies received as a result of storm damages.**
2. **Tax Release – Parcel #08-01139-Douglas & Joyce Tabron –The parcel had been incorrectly assessed. A letter was received from Greene County releasing the value for years 2013 and 2014.**

7. Report of Boards – NONE

8. **Public Comments – Carolyn Newcomb asked about the Budget Amendment for the Police Department. She also asked about the Modular home on 2nd Street. Mr. Hill said that it was the same as a stick built building. She also said that she could not open the August minutes online. Mr. Hill Said he would look into this matter and get it resolved.**

9. Action items

1. **Consider Adoption of Budget Amendment II – Motion made by Commissioner Washington, seconded by Commissioner Shackleford to approve this amendment. Motion carried.**
2. **Consider Approval of Tax Release for Douglas and Joyce Tabron- Motion made by Commissioner Washington, seconded by Commissioner Hagans to approve this release. Motion carried.**
3. **Consider Adoption of Purchasing Policy – Motion made by Commissioner Washington, seconded by Commissioner Shackleford to approve the policy with a correction on Page 6-Section 3 – Processing time –time limit of 30 days in advance for submission of a requisition. Motion carried.**

10. Closed Session – Personnel

Motion made by Commissioner Washington, seconded by Commissioner Shackleford to go into closed session. Motion carried.

Motion made by Commissioner Washington, seconded by Commissioner Shackleford to reconvene to regular session. Motion carried

11. Commissioner Comments – NONE

12. **Adjourn- There being no further business to come before the Board, a motion was made by Commissioner Wilkes, seconded by Commissioner Shackleford to adjourn. Motion carried. Meeting adjourned at 7:45 p.m.**

Mayor

Clerk

RESOLUTION 2014-2

RESOLUTION OF ADOPTION OF THE BOARD OF COMMISSIONERS OF THE TOWN OF SNOW HILL AMENDING THE CHARTER OF THE TOWN OF SNOW HILL AND CODE OF ORDINANCES CONCERNING ITS TOWN ADMINISTRATION

WHEREAS, the Town of Snow Hill presently operates under the mayor-council form of government and employs a Town Administrator to carry out its directives; and

WHEREAS, North Carolina General Statute 160A-102 permits municipalities to amend their form of government by adoption of an ordinance amending the governing charter; and

WHEREAS, the Town Board of Commissioners held a public hearing on October 13, 2014 and received comments from the Town of Snow Hill citizens and residents concerning changing the Town of Snow Hill form of government; and

WHEREAS, it is the determination of the Town of Snow Hill Board of Commissioners that a conversion of the Town's form of government from a mayor-council form to a council-manager form would be in the best interest of the Town of Snow Hill and would best promote the efficient management and efficient operation thereof;

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF THE TOWN OF SNOW HILL that pursuant to North Carolina General Statute 160A-102, the Town Board of Commissioners hereby adopts this ordinance amending the Town Charter and Town Code of Ordinances to change the form of government of the Town of Snow Hill from the mayor-council form of government to the council-manager form of government. Adopted amendments to the Town Charter and Town Code of Ordinances are as follows:

SECTION 1: Amendments to the Town Charter:

SEC. 4-1. FORM OF GOVERNMENT.

The town shall operate under the council-manager form of government, in accordance with Part 2 of Article 7 of Chapter 160A of the General Statutes.

SEC. 4-2. TOWN MANAGER

- (A) Appointment. Compensation: The Board of Commissioners shall appoint an officer whose title shall be town manager and who shall be the chief executive officer of the town and the head of the administrative branch of the town government. The town manager shall be chosen by the Board of Commissioners solely on the basis of his executive and administrative

qualifications with special reference to his actual experience in, or knowledge of, accepted practice in respect to the duties of his office as hereinafter prescribed. At the time of his appointment he need not be a resident of the town, but shall reside therein during his tenure of office. No person elected as mayor or as a member of the Board of Commissioners shall be eligible for appointment as town manager until one year shall have elapsed following the expiration of the term for which he was elected. The town manager shall serve at the pleasure of the Board of Commissioners and shall receive such salary as the Board of Commissioners shall fix. In case of absence or disability of the town manager, the Board of Commissioners may designate a qualified officer or employee of the town to perform the duties of the office during such absence or disability.

- (B) Chief administrator: The town manager shall be responsible to the Board of Commissioners for the proper administration of all the affairs of the town. As chief administrator, the town manager shall have the power to appoint and removal all officers, department heads, and employees in the administrative service of the town, except the town attorney, who shall be appointed as provided in Section 4-3. Neither the mayor nor the Board of Commissioners nor any of its committees or members shall direct or request the appointment of any person to, or his removal from, office by the town manager, or in any manner take part in the appointment or removal of officers and employees in the administrative service of the town. Except for the purpose of inquiry, the mayor and the Board of Commissioners and its members shall deal with officers and employees in the administrative service only through the town manager, and neither the mayor nor the Board of Commissioners nor any of its members shall give orders or directions to any subordinate of the town manager, either publicly or privately.
- (C) Duties of town manager. It shall be the duty of the town manager to supervise the administration of the affairs of the town; to see that the ordinances, resolutions, and regulations of the Board of Commissioners and the laws of the state are faithfully executed and enforced; to make such recommendations to the Board of Commissioners concerning the affairs of the town as he shall deem expedient; to keep the Board of Commissioners advised of the financial condition and the future financial needs of the town; to attend all meetings of the Board of Commissioners and to prepare and submit to the Board of Commissioners such reports as he may deem expedient or as may be required of him by the Board of Commissioners, and to perform all other duties as may be required of him by the Board of Commissioners.

SEC. 4-4. TOWN CLERK.

The Town Manager shall appoint a town clerk to keep a journal of the proceedings of the board, to maintain in a safe place all records and documents pertaining to the affairs of the town, and to perform such other duties as may be required by law or as the Town Manager may direct.

SEC. 4-5. TOWN FINANCE OFFICER.

The Town Manager shall appoint a town finance officer to perform the duties of the finance officer as required by the Local Government Budget and Fiscal Control Act.

SEC. 4-6. TOWN BUDGET OFFICER.

The Town Manager shall appoint a town budget officer to perform the duties of the budget officer as required by the Local Government Budget and Fiscal Control Act.

SEC. 4-7. TOWN TAX COLLECTOR.

The Town Manager shall appoint a town tax collector to collect all taxes, licenses, fees and other moneys belonging to the town, subject to the General Statutes, the provisions of this charter and the ordinances of the town. The town tax collector shall diligently comply with and enforce all the laws of North Carolina relating to the collection of taxes by municipalities.

SEC. 4-8. CONSOLIDATION OF FUNCTIONS.

The Town Manager may consolidate any two (2) or more positions of town clerk, town tax collector, town budget officer and town finance officer, or may assign the functions of any one or more of these positions to the holder or holders of any other of these positions, subject to the Local Government Budget and Fiscal Control Act.

SEC. 4-9. OTHER ADMINISTRATIVE OFFICERS AND EMPLOYEES.

Consistent with applicable state laws, the Town Manager may establish other positions, provide for the appointment of other administrative officers and employees, and generally organize the town government in order to promote the orderly and efficient administration of the affairs of the town.

SECTION 2: Amendments to the Town Code of Ordinances:

CHAPTER 31

§ 31.03 TOWN MANAGER.

For provisions concerning the Town Manager, see Charter, Article 4, Sec. 4-2 and G.S. 160A-148.

CHAPTER 32

§ 32.20 ESTABLISHMENT.

The Fire Department shall consist of the Chief of the Fire Department and a sufficient number of firefighters to maintain and operate the department.

§ 32.40 COMPOSITION.

The Police Department shall consist of a Chief and as many police officers as the Town Manager shall from time to time determine necessary and appoint, and as many special policemen as they may deem necessary to appoint for special purposes.

§ 32.42 SUPERVISION OF POLICE DEPARTMENT.

The Town Manager shall have general supervision and personnel authority of the Police Department. The chief of police shall have the immediate direction and control of the force; subject, however, to the supervision of the Town Manager and to such rules, regulations and orders as the Board of Commissioners may prescribe. The Town Manager shall promulgate all orders, rules and regulations for the government of the police department.

CHAPTER 34

§ 34.01 PERSONNEL OFFICER; APPOINTING AUTHORITY.

The Town Manager shall be the chief personnel officer and shall appoint and remove all town employees, except those whose appointment is otherwise provided for by law.

§ 34.02 COMPENSATION.

All officers and employees of the town shall receive such compensation as may be established from time to time by the Town Manager.

§ 34.03 CLASSIFICATION PLAN.

The Town Manager shall establish, administer and maintain a current plan of classification of all positions in the classified service, and shall allocate and reallocate positions to classes on the basis of kind and level of duties and responsibilities.

§ 34.04 COMPENSATION PLAN.

- (a) The Town Manager shall establish, administer and maintain a current plan of compensation for all positions in the classified service, and shall assign and reassign positions and classes of positions to the pay ranges created by the compensation plan.
- (b) Salaries or compensation of town officers and employees are hereby fixed in amounts with the positions and pay ranges established in the compensation plan or as the same may be amended. The annual budget adopted by the council and amendments thereto shall constitute the approval and control by the council of salaries or compensation.
- (c) Each year with the submission of their budget recommendations, or at any other time, the department heads may recommend in writing to the Town Manager those employees who in the opinion of the supervisor and the department head deserve performance increases, stating the reasons why the employee deserves the increase.
- (d) The Board of Commissioners may, upon recommendation of the Town Manager, appropriate funds each fiscal year to be utilized at the discretion of the Town Manager to provide salary increases to individual employees on the basis of performance. Nothing in this section shall prevent the Town Manager from providing for regular salary increases for employees participating in apprenticeship and on-the-job training programs, and for other employees or groups of employees as the Town Manager shall see fit.

CHAPTER 50

§ 50.55 POWERS OF TOWN MANAGER.

(A) The Town Manager shall endeavor to assure compliance with the requirements of these regulations by conferences and persuasion.

(B) If these efforts, over a reasonable period of time, are futile, the Town Manager shall take formal action as provided hereafter.

§ 50.58 PROCEDURES FOR TERMINATION OF SERVICES.

In any case involving a person who is discharging waste into the sanitary sewerage system and where the Town Manager finds that that person has failed to comply with any of these regulations, or has failed to pay any applicable and duly adopted sewer use charges within the time limits prescribed for those payments, the procedure for enforcement shall be as follows:

(A) The Town Manager shall give notice to that person by registered mail stating the specifics of the failure of compliance and requiring that the person remedy the failure within 72 hours.

(B) If, after the expiration of 72 hours, that person has not remedied the failure, the Town Manager shall report the facts to the Board of Commissioners in writing.

(C) The Town Manager may thereupon, without further notice, cause the water service from the public water system to be discontinued for that person or cause the connection to the sanitary sewer system to be severed for that person.

(D) In any case where water service is discontinued or the sewer connection is severed by the Board of Commissioners for enforcement purposes, the restoration of service shall be conditioned on full compliance by that person and payment of any expense incurred in the enforcement proceeding and in the restoration of service.

(E) The Board may, in its discretion, continue or restore water or sewer service in a case of failure of compliance on condition that such person furnish a bond or other security, with terms as specified by the Board, to hold harmless the town from any loss or expense that it may incur as a result of the noncompliance or any future noncompliance.

(Res., passed 6-1-81)

§ 50.59 ENFORCEMENT AGAINST NON-USERS.

(A) In any case involving a person who fails to comply with any of these regulations but who is not discharging waste into the sanitary sewerage system, the Town Manager shall give notice to that person by registered mail stating the specifics of the failure of compliance and requiring that the person promptly remedy the failure.

(B) At the same time, the Town Manager shall report the facts of the case, in writing, to the Board of Commissioners and to such other government agency as may have jurisdiction and power to take appropriate enforcement action.

§ 50.60 APPEALS.

(A) The Board of Commissioners shall be the reviewing authority for all appeals of actions or administrative determinations under the provisions of these regulations.

(B) Notice of an intent to appeal and request for a hearing shall be addressed to the Town Manager in writing and shall detail the nature of the appeal.

(C) An early date for the hearing shall be set by the Board and the appellant shall be promptly notified in writing.

(D) The decision of the Board after the hearing shall be final and conclusive and shall be conveyed to the persons involved in writing.

WASTEWATER

Section 1.08 Town Manager shall mean the chief administrative officer of the Town. As used herein, it may also include any other Town employee delegated to act for the Town by the Town Manager or by the Town Board of Commissioners.

Section 4.10 The applicant for the building sewer permit shall notify the Town Manager when the building sewer is ready for inspection and connection to the public sewer. The connection and testing shall be made under the supervision of the Town Manager or his representative.

Section 8.02

(b)(3) If meters as required under 1. and 2. above have not been installed, by an estimate, made by the Town Manager, of the proportion of the water purchased which is used for industrial purposes and returned to the sanitary sewerage system.

Section 10.01 The industrial waste and/or other pollutants being discharged by any person into the sanitary sewerage system shall be subject to periodic inspection. A determination of character and strength of said wastes may be made annually, or more often as may be deemed necessary by the Town Manager or his authorized assistants.

Section 10.03 The determination of the character, strength, or quantity of the wastes as made by the Town Manager, or his authorized assistants, shall be binding as a basis for computation of charges, or for actions by the Town Board of Commissioners.

When requested by the person discharging, the samples may be split to permit analysis by the discharger, or a qualified independent laboratory, for the discharger's information.

The person discharging wastes may request additional sampling and analyses which will be performed, as soon as practical, with all costs, as determined by the Town, being borne by the discharger.

Section 11.01 The Town Manager and other duly authorized employees of the Town, bearing proper credentials and identification, shall be permitted to enter upon all properties for the purpose of inspection, observation, flow measurement, sampling, and testing of industrial waste and other pollutants, in accordance with these Regulations.

Section 11.02 The Town Manager and other duly authorized employees are authorized to obtain information concerning industrial processes which have a direct bearing on the kind and source of discharge to the wastewater collection system. The industry may withhold information if the industry can establish that the revelation of the public of the information in question might result in an advantage to competitors.

Section 11.03 While performing the necessary work on private properties referred in Section 11.01 above, the Town Manager and duly authorized employees of the Town shall observe all safety rules applicable to the premises established by the company, and the company shall be held harmless for injury or death to the Town employees, and the Town shall indemnify the company against loss or damage to its property by Town employees and against liability claims and demands for personal injury or property damage asserted against the company and growing out of the gauging and sampling operation, except as such may be caused by negligence or failure of the company to maintain safe conditions as required in Section 9.01.

Section 12.01 No person shall maliciously, willfully or negligently break, damage, destroy, deface, tamper with or remove any equipment or materials or properties of the Town. Only persons authorized by the Town Manager will be allowed to uncover, adjust, maintain, and remove such equipment and materials and property.

Section 13.01 The Town Board of Commissioners of the Town of Snow Hill shall be the reviewing authority for all appeals of actions or administrative determinations under the provisions of these Regulations. Notice of an intent to appeal an request for a hearing shall be addressed to the Town Clerk in writing and shall detail the nature of the appeal. An early date for such hearing shall be set by the Board of Commissioners and the appellant

promptly notified in writing. The decision of the Board of Commissioners after such hearing shall be final and conclusive and shall be conveyed to the persons involved in writing.

Section 14.02 The Town Manager shall endeavor to assure compliance with the requirements of these Regulations by conference and persuasion. If such efforts, over a reasonable period of time, are futile the Town Manager shall take formal actions provided hereafter.

Section 14.03 In any case involving a person who is discharging waste into the sanitary sewerage system and where the Town Manager finds that such person has failed to comply with any of these Regulations, the procedure for enforcement shall be as follows:

- a. The Town Manager shall give notice to such person by registered mail stating the specifics of the failure of compliance and requiring that the person remedy the failure within seventy-two (72) hours.
- b. The Town Manager may thereupon, without further notice, cause the water service from the public water system to be discontinued for such person or cause the connection to the sanitary sewer system to be severed for such person.
- c. In any case where water service is discontinued or the sewer connection is severed by the Town for enforcement purposes, the restoration of such service shall be conditioned on full compliance by such person and payment of any expense incurred in the enforcement proceeding and in the restoration of service.
- d. The Town may, in its discretion, continue or restore water or sewer service in a case of failure of compliance on condition that such person furnish a bond or other security, with terms as specified by the Town, to hold harmless the Town from any loss or expense that it may incur as a result of such noncompliance or any further noncompliance.

Section 14.04 In any case involving a person who fails to comply with any of these Regulations but who is not discharging waste into the sanitary sewerage system, the Town Manager shall give notice to such person by registered mail stating the specifics of the failure of compliance and requiring that the person promptly remedy the failure. At the same time, the Town Manager shall report the facts of such case, in writing to the Town Board of Commissioners and to such other government agency as may have jurisdiction and power to take appropriate enforcement action.

Section 15.03 The Town Manager shall approve or disapprove all applications in writing. Reason(s) for disapproval will be provided.

Section 21.03 The Town Board of Commissioners shall be the final reviewing authority for all appeals.

PRIVATE WATER SUPPLY

4. Issuance of Permit for Well Not for Human Consumption. If the Town Manager, or Zoning Administrator if the Town Manager so designates, determines that the application for a private well under Section Three (3) above is in order, he shall issue a permit for said well; provided, however, that the permit shall require as a condition of its issuance that the recipient of said permit shall not hold the Town liable or responsible in any way for any failure of said well to produce due to any current or future use by the Town of ground or shallow wells for its municipal water supply, regardless of where any such wells might be located, or due to any other reason.

CHAPTER 98

§ 98.15 EXCAVATION PERMIT REQUIRED.

It shall be unlawful for any person, for any purpose whatever, to dig any ditch, trench, or hole, or otherwise to disturb, injure, alter, change, dig into or break the surface of construction of any roadway, sidewalk, either or both or any part thereof, no matter how small the part affected, without first applying for and obtaining from the Town Manager a written permit so to do.

§ 98.16 APPLICATION TO TOWN CLERK.

(A) The Town Manager may grant a permit if he determines that it is necessary. If he is in doubt of the expediency of granting such a permit, he shall refer the application to the Board of Commissioners, and its decision shall be final.

(B) If the Town Manager should refuse to act on any application, the applicant may appeal to the Board, who shall grant or dismiss it in their discretion.

§ 98.17 BOND; FAILURE TO PERFORM.

(A) No permit shall be granted until the applicant shall have filed with the Town Manager or Clerk and Finance Officer of the town a good and sufficient indemnifying bond, with surety, payable to the town and conditioned that the applicant shall, in the exercise of his permit, repair any and all damage done to the roadway or sidewalk, or both, and restore the same to its former or better condition, immediately upon the completion of the work done by him and for which the permit was granted.

(B) The Town Manager shall be the judge of the amount of the bond. Upon reference of the application by him, or on appeal by the applicant to the Board of Commissioners, the Board shall adjudge the amount and sufficiency of the bond.

(C) Of the obligor or obligors in any such bond, as aforesaid, shall fail in the performance of the conditions, or any one of the conditions laid down and set out in the bond, the authorities of the town may, upon ten days' notice, cause a suitable action to be brought on the bond, and the authorities may proceed at once to remedy and repair any and all damage done in the exercise of any such permit as aforesaid, and the cost thereof shall be a charge against the parties responsible therefor.

§ 98.19 PERMIT REQUIRED FOR CONSTRUCTION; BOND.

(A) It shall be unlawful for any person to build a sidewalk of any type of brick, wood, or any other material, without first obtaining a written permit from the Town Manager, application for which shall be made as provided in § 98.16.

(B) No indemnifying bond shall be required unless the construction should result in breaking or disturbance of existing sidewalks or roadways.

CHAPTER 150

Building Code

§ 150.26 BUILDING INSPECTOR; POWERS AND DUTIES.

(A)(4) Perform such other duties as may be prescribed herein or assigned to him by the Town Manager.

SECTION 3:

That it is the intention of the Board of Commissioners, and it is hereby ordained that the provisions of this ordinance shall become and be made part of the Charter and Code of Ordinances of the Town of Snow Hill, North Carolina, and the sections of the charter and ordinance shall be renumbered to accomplish such intention.

SECTION 4:

That if any section, subsection, sentence, term or portion of this ordinance or any application thereof to any person or circumstance is adjudged unlawful by a court of competent jurisdiction, such portion shall be deemed severable and such adjudication shall not affect the validity of any remaining portion of the ordinance or its application to any other person or circumstance.

SECTION 5:

That this ordinance shall become effective immediately upon its adoption.

DULY ADOPTED this the 10th day of November, 2014.

TOWN OF SNOW HILL

Dennis Liles, Mayor

ATTEST:

Cathy Webb, Town Clerk

(SEAL)

RESOLUTION 2014-3

RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE TOWN OF SNOW HILL AMENDING THE TOWN OF SNOW HILL PERSONNEL POLICY

WHEREAS, the Town of Snow Hill presently provides health insurance benefits for all full-time employees;

WHEREAS, the give employees additional benefit options, the Town of Snow Hill desires to adopt a "Cafeteria Plan" to allow employees with alternative health care insurance the option to receive alternative compensation from the Town of Snow Hill.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF THE TOWN OF SNOW HILL that the Town of Snow Hill Personnel Policy is hereby amended as follows:

SECTION 1: Amendments of Personnel Policy:

ARTICLE VI. EMPLOYEE BENEFITS

Section 5. Payment In-Lieu of Health Insurance

- 5.1 The purpose of the payment-in-lieu of health insurance program is to allow employees who have double health insurance coverage to drop the Town's insurance and receive a payment-in-lieu.
- 5.2 Effective pay date July 1, 2014, employees who qualify for and participate in the payment in-lieu of health insurance program will receive fifty percent (50%) of the Town's contribution toward their health insurance. The Town will retain the remaining fifty percent (50%) of that contribution.
- 5.3 The payment-in-lieu of health insurance program is available to full-time employees who are not on a reduced workweek or unpaid leave and have alternate group health coverage. To qualify, an employee must provide proof of alternate group coverage to the Town Clerk. Alternate coverage must be acceptable by the Town.
- 5.4 Enrollment in the payment-in-lieu of health insurance program can only be done during the first thirty (30) days of employment, during the annual open enrollment period, or within thirty (30) days of a qualifying event (defined in the Personnel Policy as a change in marital, dependent or work status of the employee or the employee's spouse) occurring anytime during the year. Employees who miss the thirty (30) day time limit after a qualifying event must wait until the next open enrollment period to enroll in the payment-in-lieu of insurance program. Enrollment in the payment-in-lieu of insurance program

may be canceled by the employee only during the annual open enrollment period unless the employee loses alternate group coverage. Enrollment or cancellation during the open enrollment period will become effective the first pay period following renewal of the health insurance policy.

- 5.5 Payments for the in-lieu insurance program will be discontinued if an employee becomes ineligible for the program. An employee's ineligible status would include but not be limited to the following situations, employment status changes from full to part time, employee is on an unpaid leave of absence, employee is on a reduced work week, or employee loses or does not have alternate insurance coverage. An employee whose in-lieu payments are discontinued may enroll, if eligible, in a health plan during the next annual open enrollment period or as soon as permitted by the Town and the health insurance carrier.
- 5.6 If an employee loses alternate coverage, the employee may enroll in a Town health plan outside of the open enrollment period. To be eligible the employee must provide verification that alternate coverage has been lost. The employee must pay all unpaid premiums (Town and employee contributions) and refund any excess in-lieu payments required to make the coverage effective on the date when alternate coverage ceased. Re-enrollment in the plan shall be in accordance with the health insurance carrier's enrollment procedures.
- 5.7 The Town reserves the right to amend this policy and the contributions made thereunder at anytime to conform with the Affordable Care Act, IRS regulations, health insurance carrier requirements, and/or the Town of Snow Hill Personnel Policy.

SECTION 2:

That it is the intention of the Board of Commissioners, and it is hereby resolved that the provisions of this resolution shall become and be made part of the Personnel Policy of the Town of Snow Hill, North Carolina, and the sections of the Personnel Policy may be renumbered to accomplish such intention.

SECTION 3:

That if any section, subsection, sentence, term or portion of this resolution or any application thereof to any person or circumstance is adjudged unlawful by a court of competent jurisdiction, such portion shall be deemed severable and such adjudication shall not affect the validity of any remaining portion of the Personnel Policy or its application to any other person or circumstance.

SECTION 4:

That this resolution shall become effective immediately upon its adoption.

DULY ADOPTED this the 10th day of November, 2014.

TOWN OF SNOW HILL

Dennis Liles, Mayor

ATTEST:

Cathy Webb, Town Clerk

(SEAL)

SNOW HILL POLICE DEPARTMENT

MONTHLY CRIME SUMMARY

1) Larceny-	3
2) Assaults-	2
3) Breaking/Entering-	2
4) Robbery-	0
5) Sex Offenses-	0
6) Homicide-	0
7) Fraud-	2
8) Damage to Property(Vandalism)	3