

AGENDA
Snow Hill Board of Commissioners
Monday, 8 February 2016; 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>11 January 2016</i> |
| 5. | Program / Presentations: | |
| | NONE | |
| 6. | Report of Officers: | |
| | a. Mayor | |
| | b. Town Manager / PW Director | |
| | 1. Gym Acquisition | <i>Information</i> |
| | 2. ETJ Boundaries | <i>Information</i> |
| | 3. FY 16-17 Budget Calendar | <i>Information</i> |
| | 4. Ordinance Codification | <i>Action Request</i> |
| | 5. 2016 Capital Projects | <i>Action Request</i> |
| | c. Town Clerk / Finance Officer | |
| | 1. Tax Release | <i>Action Request</i> |
| 7. | Report of Boards: PB / BOA | <i>Information</i> |
| 8. | Public Comments | |
| 9. | Action Items: | |
| | 1. Consider Setting a Public Hearing on Code of Ordinances Adoption | |
| | On 14 March 2016 | |
| | 2. Consider Which Project(s) to pursue | |
| | 3. Consider Authorizing Tax Release for Media Cast and NFINITY Link | |
| 10. | Closed Session | <i>NCGS 143-318.11(a)(5)Property</i>
<i>NCGS 143-318.11(a)(6) Personnel</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 1-29-16

MINUTES
SNOW HILL BOARD OF COMMISSIONERS
MONDAY, JANUARY 11, 2016
G. MELVIN OLIVER TOWN HALL
201 N. GREENE STREET
SNOW HILL, NC 28580

- 1. Call to Order** **Invocation/Pledge of Allegiance**
Mayor Liles called the meeting to order at 6:30 p.m. Commissioner Hagans offered the Prayer and Commissioner Taylor led the Pledge.
- 2. Roll Call – Cathy Webb**
Members present were: Mayor Liles, Commissioners Hagans, Shackleford, Taylor, Washington and Wilkes. A quorum was declared.
- 3. Consider Agenda Approval** – Motion made by Commissioner Hagans, seconded by Commissioner Shackleford. Motion carried.
- 4. Consider Minutes Approval – December 13, 2015**
Motion made by Commissioner Washington, seconded by Commissioner Shackleford to approve the December 13, 2015 minutes as presented. Motion carried.
- 5. Program/Presentations-**
FYE 2015 Audit Report – Andrew Harris, CPA
Mr. Harris said that the Town received an unqualified opinion in an audit of its 2014-2015 fiscal year. He said that the unqualified opinion is the highest form of assurance that you can receive on a set of audit and financial statements. He said that he found the Town to be in good financial standing. Mr. Harris highlighted several parts of the audit, including the Town's assets and the tax collection rate which was 97.5%, which is higher than the state average.
(A copy of the audit is available for viewing at the Town Office)
- 6. Report of Officers –**
 - a. Mayor** – Mayor Liles thanked Mr. Hill and Mrs. Webb for their services to the Town in having such a good audit.
 - b. Town Manager/PW Director**
 - 1) Pending Special Use Permit** – Mr. Hill stated that the Planning Board would meet on January 12th at 7:00 p.m. to hear a special use request from Carolina Poultry, an Energy Production Facility, that will be located behind Yamco. The Planning Board will then send a written recommendation to the Board of Adjustments and that Board will meet on January 28th at 7:00 p.m.

- 2) **Gym Acquisition** – Mr. Hill has given the County Manager all the Information that the County Board requested from the Town. He thinks they have all the information that they need and will consider passing the Property to the Town.
- 3) **ETJ Boundaries** – Mr. Hill said that the ETJ Boundaries need to be cleaned up to take the boundaries out to a physical mark. A Public Hearing will need to be held. The Board consented to having the hearing at the March 14th meeting.
- 4) **Patrol Vehicles** – The Town Manager asked for permission to negotiate Patrol Car Sale/Acquisition at a cost not to exceed \$30,000.

c. Town Clerk/Finance Officer

1. **Tax Release-** The Clerk asked for a release of \$115.43 for Donald Tabron, Parcel #08-03607 for his 2015 property taxes, due to an exclusion approved by the County.

7. Report of Boards: NONE

8. Public Comments –

Mrs. Sharon Ginn presented the 2016 Schedule of Exhibits for the Museum.

9. Action Items:

1. **Consider Authorizing ETJ Boundary Extension Process and set Public Hearing for March 14, 2016.** Motion made by Commissioner Washington, seconded by Commissioner Shackelford. Motion Carried.
2. **Consider Authorizing Manager to Negotiate Patrol Car Sale/Acquisition at a cost not to exceed \$30,000.** Motion made by Commissioner Wilkes, seconded by Commissioner Hagans. Motion carried.
3. **Consider Authorizing Tax Release for Donald Tabron in the amount of \$115.43.** Motion made by Commissioner Washington, seconded by Commissioner Hagans. Motion carried.

10. Closed Session – NCGS 143-318.11(a)(6)Property

Motion made by Commissioner Shackelford, seconded by Commissioner Hagans to enter into closed session. Motion carried.

Motion made by Commissioner Washington, seconded by Commissioner Shackelford 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 Shackelford, seconded by Commissioner Taylor to adjourn. Motion carried.

MEMORANDUM

29 January 2016

To: Mayor Liles
SH Commissioners

From: Cathy Webb, Finance Officer
Dana Hill, TM

Re: FYE 2017 Budget Calendar

11 April 2016

Present working document to Mayor and Board for review and preliminary feedback

9 May 2016

Budget work session and final revisions

1 / 8 June 2016

Advertise Public Hearing

13 June 2016

Public Hearing and adoption

* Please submit any suggested funding changes by e-mail or memo prior to the 11 April Board meeting, or at the meeting. I have enclosed a current year budget for reference.

TOWN OF SNOW HILL									
BUDGET - GENERAL FUND									
FOR THE FISCAL YEAR ENDING JUNE 30, 2016									
Account Number	Account Description	Prior Year Budget	Current Year Budget	Approved FY 15-16	Remarks				
Revenues									
10-3010-0000	AD VALOREM TAX CURRENT YEAR	309,000	310,000	315,000					
10-3010-0100	AD V TAX 1ST PRIOR YEAR	3,000	3,000	3,000					
10-3010-0200	AD V TAX 2ND PRIOR YEAR	2,000	2,000	2,000					
10-3010-0300	AD V TAXES 3RD PRIOR YEAR	500	500	500					
10-3010-0400	AD V TAX 4TH PRIOR YEAR & OTHERS	2,000	2,000	2,000					
10-3010-1000	VEHICLE TAX CURRENT YEAR	20,000	25,000	30,000					
10-3010-1100	VEHICLE TAX PRIOR YEARS	3,000	3,000	3,000					
10-3170-0000	TAX PENALTIES/INTEREST	3,000	3,000	3,000					
10-3180-0000	TAX DISCOUNTS								
10-3190-0000	LICENSE TAGS	5,000	6,000	6,000					
10-3280-0000	VIDEO PROGRAMMING	5,000	5,000	5,000					
10-3290-0000	INTEREST INCOME	1,100	1,100	1,000					
10-3290-0100	HISTORIC COMM INCOME								
10-3291-0000	PEG CHANNEL	31,000	31,000	69,000					
10-3293-0000	TELECOMMUNICATION TAXES	32,000	30,000	26,000					
10-3300-0000	HILLVIEW STREET FEES	1,600	1,600	1,600					
10-3310-0000	GREENE LAMP RENT	6,600	6,600	6,600					
10-3310-0100	RENT GREENE COUNTY	6,700	6,700	6,700					
10-3310-0200	GREENE LAMP/ELECTIONS ELECTRIC	6,600	6,600	7,500					
10-3310-0400	COMMUNITY CENTER LEASE	6,000	6,000	3,000					
10-3350-0000	MISCELLANEOUS INCOME	3,000	3,000	3,000					
10-3350-0100	PD FINES	10,000	17,000	20,000					
10-3350-0200	SALE OF EQUIPMENT/PROPERTY	12,000	12,000						
10-3350-0400	ZONING FEES	600	700	500					
10-3350-0600	GRANT AWARD INCOME								
10-3370-0000	FRANCHISE TAX	50,000	50,000	50,000					
10-3380-0000	PIPED NATURAL GAS	4,500	5,000	5,000					
10-3410-0000	BEER AND WINE TAX	5,000	5,000	6,000					
10-3430-0000	PB ALLOCATION	42,000	45,000	45,000					
10-3440-0000	SOLID WASTE DIST TAX	1,100	1,100	1,000					
10-3450-0000	LOCAL OP SALES TAX 1%	134,000	134,000	150,000					
10-3470-0000	GREENE CO ABC BOARD	1,500	2,000	4,000					
10-3590-0000	WASTE COLLECTION FEES	100,000	100,000	100,000					
10-3610-0000	SALE OF LOTS	15,000	18,000	19,000					
10-3610-0100	GRAVE OPENINGS	30,000	32,000	32,000					
10-3610-0200	INSTALL GRAVE MARKERS	1,000	1,000	1,000					
10-3600-0000	FUEL TAX		600	400					
10-3990-0000	APPROPRIATION FROM FUND BALANCE	0							
Total Revenues		853,800	875,500	927,800					

TOWN OF SNOW HILL
BUDGET - GENERAL FUND
FOR THE FISCAL YEAR ENDING JUNE 30, 2016

Account Number	Account Description	Prior Year Budget	Current Year Budget	Approved FY 15-16	Remarks
Governing Body:					
10-4110-0121	SALARIES AND WAGES	32,760	32,760	32,760	
10-4110-0180	RETIREMENT				
10-4110-0181	FICA & OTHER EMPLOYMENT TAXES	2,520	2,510	2,510	
10-4110-0190	PROFESSIONAL SERVICES	16,000	16,000	16,000	
10-4110-0260	OFFICE SUPPLIES & MATERIALS	200	200	200	
10-4110-0310	TRAINING	300	300	300	
10-4110-0450	INSURANCE & BONDING	2,350	2,500	1,600	
10-4110-0499	MISCELLANEOUS	800	800	1,000	
Total Governing Body		54,930	55,070	54,370	
Administration:					
10-4120-0121	SALARIES AND WAGES	31,440	32,000	25,700	
10-4120-0122	SALARIES - OVERTIME				
10-4120-0126	SALARIES - TEMP & PT	1,800	1,300	1,300	
10-4120-0127	"SALARIES - BONUS, LONGEVITY, STIPEND"	640	700	570	
10-4120-0180	RETIREMENT	2,250	2,350	1,750	
10-4120-0181	FICA & OTHER EMPLOYMENT TAXES	2,600	2,600	2,110	
10-4120-0182	HOSP. INSURANCE	1,310	1,610	1,400	
10-4120-0183	LIFE/DENTAL INSURANCE	320	350	350	
10-4120-0184	401K	100	100	50	
10-4120-0185	UNEMPLOYMENT RESERVE	131	131		Not Required
10-4120-0190	PROFESSIONAL SERVICES	9,000	9,000	13,000	
10-4120-0191	TAX COLL FEE - GREENE CO	1,000	1,000	1,000	
10-4120-0192	INTEREST TO DMV	900	3,000	3,000	
10-4120-0200	SUPPLIES & MATERIALS	1,000	1,300	1,000	
10-4120-0211	JANITORIAL SUPPLIES/SERVICES	250	250	300	
10-4120-0212	UNIFORMS				
10-4120-0260	OFFICE SUPPLIES & MATERIALS	1,900	1,500	1,500	
10-4120-0310	TRAVEL & TRAINING	1,000	1,000	1,000	
10-4120-0320	TELEPHONE & POSTAGE	6,200	6,200	6,200	
10-4120-0330	UTILITIES	17,000	17,000	17,000	
10-4120-0351	BUILDING REPAIR & MAINTENANCE	2,500	3,000	3,000	
10-4120-0352	EQUIPMENT REPAIR & MAINTENANCE	3,000	2,500	2,000	
10-4120-0354	SOFTWARE/SUPPORT MAINT.	700	760	800	
10-4120-0391	LEGAL ADVERTISING	1,000	1,000	500	
10-4120-0450	INSURANCE & BONDING	4,800	5,100	7,200	
10-4120-0491	DUES & SUBSCRIPTIONS	3,000	3,000	3,000	
10-4120-0499	MISCELLANEOUS	8,000	6,500	3,500	
10-4120-0500	CAPITAL RESERVE				
Total Administration		101,841	103,251	97,230	
Election:					

TOWN OF SNOW HILL					
BUDGET - GENERAL FUND					
FOR THE FISCAL YEAR ENDING JUNE 30, 2016					
Account Number	Account Description	Prior Year Budget	Current Year Budget	Approved	Remarks
10-4170-0399	ELECTION EXPENSE	5,000		FY 15-16 5,000	
Total Election		5,000		5,000	

TOWN OF SNOW HILL									
BUDGET - GENERAL FUND									
FOR THE FISCAL YEAR ENDING JUNE 30, 2016									
Account Number	Account Description	Prior Year Budget	Current Year Budget	Approved FY 15-16	Remarks				
Public Safety:									
10-4300-0121	SALARIES AND WAGES	145,310	148,500	147,000					
10-4300-0126	SALARIES- TEMP & PT	6,000	19,000	20,000					
10-4300-0127	BONUS, LONGEVITY, STIPENDS	340	900	1,300					
10-4300-0180	RETIREMENT	10,650	11,450	10,600					
10-4300-0181	FICA & OTHER EMPLOYMENT TAXES	11,600	12,900	12,900					
10-4300-0182	INSURANCE	7,900	8,500	13,800	Staff Change				
10-4300-0183	DENTAL / LIFE	1,160	2,100	2,100					
10-4300-0184	401 K	8,000	8,100	7,400					
10-4300-0185	UNEMPLOYMENT RESERVE	920	1,050		Not Required				
10-4300-0190	PROFESSIONAL SERVICES	500							
10-4300-0200	SUPPLIES & MATERIALS	4,000	7,500	5,000					
10-4300-0211	JANITORIAL SUPPLIES								
10-4300-0212	UNIFORMS	3,000	3,000	3,000					
10-4300-0251	MOTOR FUELS	14,000	14,000	14,000					
10-4300-0260	OFFICE SUPPLIES & MATERIALS	500	500	500					
10-4300-0310	TRAVEL & TRAINING	500							
10-4300-0320	TELEPHONE & POSTAGE	2,000	2,500	2,700					
10-4300-0352	EQUIPMENT REPAIR & MAINTENANCE	0							
10-4300-0353	VEHICLE REPAIR & MAINTENANCE	2,500	4,500	7,000					
10-4300-0354	SOFTWARE MAINTENANCE	2,700	2,760	2,800					
10-4300-0499	MISCELLANEOUS	500	500	1,000					
Total Public Safety		222,080	247,760	251,100					
Streets:									
10-4510-0121	SALARIES AND WAGES	16,040	16,200	15,100					
10-4510-0126	SALARIES - TEMP & PT	3,700	3,700	10,000					
10-4510-0127	"SALARIES - BONUS, LONGEVITY, STIPEND"	490	450	550					
10-4510-0180	RETIREMENT	1,430	1,460	1,360					
10-4510-0181	FICA & OTHER EMPLOYMENT TAXES	1,550	1,560	1,950					
10-4510-0182	HOSP. INSURANCE	1,270	1,590	3,710	*Allocations				
10-4510-0183	LIFE/DENTAL INSURANCE	150	210	200					
10-4510-0184	401K	210	210						
10-4510-0185	UNEMPLOYMENT RESERVE	125	125		Not Required				
10-4510-0190	PROFESSIONAL SERVICES	5,000	5,000	5,000	Tree Removal				
10-4510-0200	SUPPLIES & MATERIALS	2,000	1,500	1,500					
10-4510-0211	JANITORIAL SUPPLIES								
10-4510-0212	UNIFORMS	500	500	500					
10-4510-0251	MOTOR FUELS	4,200	4,200	4,200					
10-4510-0260	OFFICE SUPPLIES & MATERIALS								
10-4510-0310	TRAVEL & TRAINING	500	500	500					
10-4510-0330	UTILITIES	40,000	40,000	44,000					
10-4510-0352	EQUIPMENT REPAIR & MAINTENANCE	1,500	1,500	2,000					
10-4510-0353	VEHICLE REPAIR & MAINTENANCE	2,000	2,000	2,000					
10-4510-0354	SOFTWARE/SUPPORT MAINTENANCE	400	380	380					

TOWN OF SNOW HILL						
BUDGET - GENERAL FUND						
FOR THE FISCAL YEAR ENDING JUNE 30, 2016						
Account Number	Account Description	Prior Year Budget	Current Year Budget	Approved FY 15-16	Remarks	
10-4510-0356	EQUIPMENT LEASE		1,520	1,520	Mowers	
10-4510-0391	LEGAL ADVERTISING	100	100	100		
10-4510-0450	INSURANCE & BONDING	6,100	7,850	6,300		
10-4510-0499	MISCELLANEOUS	200	200	200		
10-4510-0500	CAPITAL OUTLAY	3,000		3,000	Equipment Shelter	
Total Streets		90,465	108,085	104,080		

TOWN OF SNOW HILL BUDGET - GENERAL FUND FOR THE FISCAL YEAR ENDING JUNE 30, 2016					
Account Number	Account Description	Prior Year Budget	Current Year Budget	Approved FY 15-16	Remarks
Sanitation:					
10-4710-0121	SALARIES AND WAGES	11,775	12,000	13,750	
10-4710-0122	SALARIES - OVERTIME				
10-4710-0126	SALARIES - TEMP & PT	5,100	5,300	8,500	
10-4710-0127	"SALARIES - BONUS, LONGEVITY, STIPEND"	310	360	530	
10-4710-0180	RETIREMENT	1,200	1,250	1,160	
10-4710-0181	FICA & OTHER EMPLOYMENT TAXES	1,300	1,330	1,750	
10-4740-0182	HOSP. INSURANCE	310	380	5,360 * Allocations	
10-4710-0183	LIFE/DENTAL INSURANCE	100	135	130	
10-4710-0185	UNEMPLOYMENT RESERVE	80	110		Not required
10-4710-0190	PROFESSIONAL/CONTRACT SERVICES				
10-4710-0191	WASTE COLLECTION	85,000	80,000	90,000	
10-4710-0200	SUPPLIES & MATERIALS	300	300	300	
10-4710-0212	UNIFORMS	250	250	250	
10-4710-0251	MOTOR FUELS	3,100	3,100	3,100	
10-4710-0260	OFFICE SUPPLIES & MATERIALS	100			
10-4710-0300	WASTE COLLECTION/YARD	12,500	10,000	5,000	
10-4710-0310	TRAVEL & TRAINING	200	200	200	
10-4710-0352	EQUIPMENT REPAIR & MAINTENANCE	1,500	1,500	1,500	
10-4710-0354	SOFTWARE/SUPPORT/MAINT	1,000	1,130	1,140	
10-4710-0353	VEHICLE REPAIR & MAINTENANCE	3,000	3,000	2,500	
10-4710-0391	LEGAL ADVERTISING	100	100	100	
10-4710-0450	INSURANCE & BONDING	2,350	2,560	2,760	
10-4710-0499	MISCELLANEOUS	100	100	100	
10-4710-0500	CAPITAL OUTLAY				
Total Sanitation		129,675	123,105	138,130	
Cemetery:					
10-4740-0121	SALARIES AND WAGES	25,075	25,500	22,250	
10-4740-0122	SALARIES - OVERTIME	5,200	5,200	5,200	
10-4740-0126	SALARIES - TEMP & PT	5,100	5,300	13,760 Staff Change	
10-4740-0127	"SALARIES - BONUS, LONGEVITY, STIPEND"	630	550	590	
10-4740-0180	RETIREMENT	2,160	2,630	2,450	
10-4740-0181	FICA & OTHER EMPLOYMENT TAXES	2,350	2,800	3,200	
10-4740-0182	HOSP. INSURANCE	1,310	1,610	1,480	
10-4740-0183	LIFE/DENTAL	250	300	300	
10-4740-0184	401K	360	200	30	
10-4740-0185	UNEMPLOYMENT RESERVE	170	170		Not Required
10-4740-0190	PROFESSIONAL SERVICES	18,000	18,000	5,000 No Mowing Contract	
10-4740-0200	SUPPLIES & MATERIALS	500	500	1,000	
10-4740-0211	JANITORIAL SUPPLIES				
10-4740-0212	UNIFORMS	250	250	250	
10-4740-0251	MOTOR FUELS	800	1,000	2,000	
10-4740-0260	OFFICE SUPPLIES & MATERIALS	200			

TOWN OF SNOW HILL						
BUDGET - GENERAL FUND						
FOR THE FISCAL YEAR ENDING JUNE 30, 2016						
Account Number	Account Description	Prior Year Budget	Current Year Budget	Approved FY 15-16	Remarks	
10-4740-0310	TRAVEL & TRAINING					
10-4740-0330	UTILITIES	400	400	400		
10-4740-0351	BUILDING REPAIR & MAINTENANCE					
10-4740-0352	EQUIPMENT REPAIR & MAINTENANCE	1,000	1,000	2,000		
10-4740-0353	VEHICLE REPAIR & MAINTENANCE	200	200	200		
10-4740-0354	SOFTWARE/MAINTENANCE	500				
10-4740-0450	INSURANCE & BONDING	2,350	2,560	3,630		
10-4740-0499	MISCELLANEOUS	700	700	200		
10-4740-0500	CAPITAL OUTLAY	1,200	1,200	5,000	Equipment Garage	
Total Cemetery		68,705	70,070	68,940		

TOWN OF SNOW HILL							
BUDGET - WATER SEWER FUND							
FOR THE FISCAL YEAR ENDED JUNE 30, 2016							
Account Number	Account Description	Prior Year Budget	Current Year Budget	Approved FY 15-16	Remarks		
Revenues							
60-3710-0491	WATER DEPOSIT INTEREST INCOME						
60-3710-0492	INTEREST ON INVESTMENTS	500	500	350			
60-3710-0510	WATER SALES	365,000	380,000	390,000			
60-3710-0511	SEWER FEE RECEIPTS	470,000	493,700	510,000			
60-3710-0516	RECONNECTION FEES	5,000	5,000	6,400			
60-3710-0517	SHUT OFF FEES	23,000	23,000	26,000			
60-3710-0518	UTILITY SERVICE CHARGE	75,000	77,000	80,000			
60-3710-0520	SERVICE CHARGE - RETURNED CHECKS	6,000	6,000	5,000			
60-3710-0521	WATER TAP ON FEES	2,000	2,000	2,000			
60-3710-0522	SEWER TAP-ON FEES	2,000	2,000	1,000			
60-3710-0523	Septic Tank Waste Fees						
60-3710-0800	MISCELLANEOUS INCOME	1,000	1,000	1,000			
60-3710-0802	RURAL CENTER CREAT						
60-3710-0820	SALE OF EQUIPMENT						
60-3710-0850	DISASTER PAYMENT						
60-3710-0851	INSURANCE PROCEEDS						
Total Revenues		949,500	990,200	1,021,750			

TOWN OF SNOW HILL									
BUDGET - WATER SEWER FUND									
FOR THE FISCAL YEAR ENDED JUNE 30, 2016									
Account Number	Account Description	Prior Year Budget	Current Year Budget	Approved FY 15-16	Remarks				
Water Department:									
60-7130-0121	SALARIES AND WAGES	99,450	101,000	108,100					
60-7130-0122	SALARIES - OVERTIME								
60-7130-0126	SALARIES - TEMP & PT	20,500	20,800	18,800					
60-7130-0127	"SALARIES - BONUS, LONGEVITY, STIPEND"	3,040	2,450	2,230					
60-7130-0180	RETIREMENT	8,100	8,300	8,060					
60-7130-0181	FICA & OTHER EMPLOYMENT TAXES	9,400	9,450	9,880					
60-7130-0182	HOSPITAL INSURANCE	10,000	12,500	12,500					
60-7130-0183	LIFE/DENTAL INSURANCE	1,200	1,275	1,260					
60-7130-0184	401K	900	400	230					
60-7130-0185	UNEMPLOYMENT RESERVE	690	720		Not Required				
60-7130-0190	PROFESSIONAL SERVICES	50,000	65,000	67,000					
60-7130-0191	DEBT SERVICE	44,000	44,000	44,000	Line Replacement, AMR				
60-7130-0192	WATER SAMPLES EXPENSE	6,000	4,000	4,000					
60-7130-0193	ALTERNATIVE SUPPLY	75,000	77,000						
60-7130-0200	SUPPLIES & MATERIALS	24,500	20,000	20,000					
60-7130-0212	UNIFORMS	500	500	1,000					
60-7130-0251	MOTOR FUELS	9,500	11,000	11,000					
60-7130-0260	OFFICE SUPPLIES & MATERIALS	1,000	1,000	1,000					
60-7130-0310	TRAVEL & TRAINING	4,500	4,500	4,500					
60-7130-0320	TELEPHONE & POSTAGE	8,000	8,000	10,000					
60-7130-0330	UTILITIES	25,000	27,000	28,000					
60-7130-0351	BUILDING REPAIR & MAINTENANCE	1,000	1,000	5,000	Wellhouse Exteriors				
60-7130-0352	EQUIPMENT REPAIR & MAINTENANCE	15,000	15,000	18,000					
60-7130-0353	VEHICLE REPAIR & MAINTENANCE	2,000	5,500	5,500					
60-7130-0356	EQUIPMENT LEASE		1,520	1,520					
60-7130-0654	SOFTWARE/SUPPORT	2,500	2,640	3,000					
60-7130-0391	LEGAL ADVERTISING	500	2,500	1,000					
60-7130-0450	INSURANCE & BONDING	13,250	13,800	19,660					
60-7130-0491	DUES & SUBSCRIPTIONS	2,000	2,500	2,500					
60-7130-0499	MISCELLANEOUS	4,000	4,000	4,000					
60-7130-0500	CAPITAL RESERVE	3,000	3,000	26,970	Equipment Replacement				
60-7130-0501	CONTINGENCY	22,105	20,000	25,000					
60-7130-0502	DEPRECIATION								
60-7130-0503	RURAL CENTER GRANT								
Total Water Department		466,635	490,355	463,710					

TOWN OF SNOW HILL							
BUDGET - WATER SEWER FUND							
FOR THE FISCAL YEAR ENDED JUNE 30, 2016							
Account Number	Account Description	Prior Year Budget	Current Year Budget	Approved FY 15-16	Remarks		
Sewer Department:							
60-7140-0121	SALARIES AND WAGES	106,950	108,300	116,200			
60-7140-0122	SALARIES - OVERTIME						
60-7140-0126	SALARIES - TEMP & PT	23,800	24,000	18,800			
60-7140-0127	"SALARIES - BONUS, LONGEVITY, STIPEND"						
60-7140-0180	RETIREMENT	3,400	2,670	2,410			
60-7140-0181	FICA & OTHER EMPLOYMENT TAXES	8,900	9,100	8,580			
60-7140-0182	HOSPITAL INSURANCE	10,230	10,300	10,500			
60-7140-0183	LIFE/DENTAL INSURANCE	10,650	13,200	13,300			
60-7140-0184	401K	1,200	1,370	1,350			
60-7140-0185	UNEMPLOYMENT RESERVE	1,360	600	160			
60-7140-0190	PROFESSIONAL SERVICES	750	780		Not Required		
60-7140-0192	SEWER TESTING SERVICE	13,000	20,000	20,000			
60-7140-0194	SLUDGE DISPOSAL	13,000	10,000	10,000			
60-7140-0195	PERMIT FEES	15,000	15,000	15,000			
60-7140-0200	SUPPLIES & MATERIALS	1,800	1,800	1,800			
60-7140-0211	JANITORIAL SUPPLIES	15,000	15,000	16,000			
60-7140-0212	UNIFORMS						
60-7140-0251	MOTOR FUELS	500	500	1,000			
60-7140-0260	OFFICE SUPPLIES & MATERIALS	5,170	7,500	7,500			
60-7140-0310	TRAVEL & TRAINING	600	600	600			
60-7140-0320	TELEPHONE & POSTAGE	4,500	4,500	4,500			
60-7140-0330	UTILITIES	8,000	8,000	8,000			
60-7140-0351	BUILDING REPAIR & MAINTENANCE	45,600	45,000	45,000			
60-7140-0352	EQUIPMENT REPAIR & MAINTENANCE	500	1,000	1,000			
60-7140-0353	VEHICLE REPAIR & MAINTENANCE	40,000	40,000	50,000			
60-7140-0354	SOFTWARE/MAINT/SUPPORT	2,000	4,500	4,500			
60-7140-0356	EQUIPMENT LEASE	2,400	2,640	3,000			
60-7140-0391	LEGAL ADVERTISING		1,520	1,520	Mower		
60-7140-0450	INSURANCE & BONDING	100	100	200			
60-7140-0491	DUES & SUBSCRIPTIONS	17,350	21,200	26,620			
60-7140-0499	MISCELLANEOUS	1,000	1,000	1,000			
60-7140-0500	CAPITAL RESERVE	3,000	4,500	4,500			
60-7140-0501	DEBT SERVICE	3,000	3,495	40,000	Equipment Replacement		
60-7140-0502	CONTINGENCY	102,000	101,670	100,000	99100 WWTP / 2570 Sweet		
		22,105	20,000	25,000			
Total Sewer Department							
		482,865	499,845	558,040			
Total Water Sewer Fund							
		949,500	990,200	1,021,750			

LEGAL AND EDITORIAL RESEARCH AND REPORT SNOW HILL, NORTH CAROLINA AMERICAN LEGAL PUBLISHING CORPORATION

Introduction

This report has been created in conjunction with the preparation of a preliminary manuscript of the code of ordinances for Snow Hill, North Carolina and is intended to assist in the review of the preliminary manuscript of your code. It describes editorial decisions made in creating the manuscript and provides a list of questions which need to be addressed by the town.

PLEASE NOTE THAT ANY QUESTIONS OF A LEGAL NATURE CONTAINED IN THIS REPORT SHOULD BE ADDRESSED TO YOUR TOWN ATTORNEY. THIS EDITORIAL REPORT SHOULD NOT BE CONSIDERED AS A SUBSTITUTE FOR THE COMPETENT ADVICE OF YOUR TOWN ATTORNEY, AND WE ARE IN NO WAY ASSUMING THE ROLE OF ATTORNEY FOR THE TOWN.

Upon receipt of your answers to the following comments, we will be able to complete production of your new code. The contractual review period (during which the town is to review the preliminary manuscript and respond to this report) is **90 DAYS** following the receipt of this report, **YOUR RESPONSES WILL BE DUE BY JANUARY 22**. Please feel free to make changes and suggestions to the preliminary manuscript in addition to those discussed in the following comments. Upon receipt of your responses, we will finish and ship the first edition of the code to you within ten to twelve weeks. If you will need to extend this review period, please let us know.

Please remember that the "preliminary" manuscript is for review purposes only. An index and parallel reference tables, which will indicate the location of each state statute, resolution, and ordinance within the code, will be inserted in the final version of the code. The final code will also contain tab dividers before each title, the index, and the parallel reference tables and will be printed on white paper.

General Comments

- 1) We have organized the new code into the following titles with chapters, subchapters, and sections:

Title I	General Provisions	Title IX	General Regulations
Title III	Administration	Title XI	Business Regulations
Title V	Public Works	Title XIII	General Offenses
Title VII	Traffic Code	Title XV	Land Usage

- 2) Definitions and rules of construction contained in Title I will not be repeated throughout the code unless a variation of the definition or rule applies to a particular code provision.
- 3) Severability provisions throughout the code have been eliminated, as they are covered by the severability provisions of § 10.07.
- 4) A simplified penalty reference ("Penalty, see § . . .") has been placed in a separate line at the end of the text of each section, where appropriate.

- 5) As histories for the code sections, we have listed the specific number and passage date of the original ordinance and amending ordinances, if any. Example: (Ord. 19, passed 1-1-1960; Ord. 20, passed 1-1-1970; Ord. 30, passed 1-1-1980).
- 6) A "G.S." cite included in the history indicates that the text of the section reads either verbatim or substantially the same as the statute. Example: (G.S. § 160A.11) (Ord. 10, passed 1-17-80; Ord. 20, passed 1-1-1985). A "G.S." cite set forth as a "statutory reference" following the text of the section indicates that the reader should refer to that statute for further information. Example:

§ 39.01 PUBLIC RECORDS AVAILABLE.

This municipality shall make available to any person for inspection or copying all public records, unless otherwise exempted by state law.

Statutory reference:

Inspection of public records, see G.S. §§ 132-1 et seq.

- 7) Note that the titles in your new code are separately paginated, for ease of supplementation. If, for example, the town adds material to Title III during a supplement, then the page numbers in Title III will shift accordingly. The page numbers in the remaining titles (V through XV) will not shift, because they have self-contained pagination. Because the town will pay a charge per changed page in supplementation, this style of pagination will actually save the town money. If someone is concerned about ability to locate material quickly, please remember that the final product will have tabbed dividers before each title, clearly marked with the name of that title.
- 8) In order to complete your new code, we need you to return to us the below-listed items, all in one packet if possible:
 - a) Your responses to this report. We recommend that you simply write your responses directly on this report. Or, you may return your responses on a separate sheet of paper, or mark them on your blue manuscript and return it to us.
 - b) A copy of each new ordinance passed since you received your draft manuscript, and any ordinances not included in your draft manuscript which you wish to add to your code.
 - c) Other changes you wish to make, if any. We suggest that you mark such changes directly on your blue draft manuscript, and return it to us. Please note that we will retain the returned manuscript, so you may want to make a copy of the affected pages for your records.
- 9) Many municipalities insert prior to the actual code sections a page acknowledging the current officials of the municipality. If you desire such an acknowledgment, the responses to this report should include a current list of the any officials the town wants to include. Should such an acknowledgment page be added to the code? If so, please provide a list of Town Officials. *Yes. Attached*
- 10) Your codification contract base price is \$9,600, based upon an estimated 450 pages. Your draft manuscript is currently 324 pages. We anticipate that the index should add an additional 32 pages. Please keep in mind that your final page count will be affected by your responses to this report and you will be billed per the terms of your contract relating to any overage that may occur.

Research and analysis

Responses

COMMENTS - FORMATTING, USAGE, GENERAL MATTERS

11) Most comments in this report require only a "yes" or "no" response. Please note that if you do not supply a response to a particular comment, we will simply retain the code section as currently edited unless otherwise indicated.

12) The below listed sections contain fines, fees or other dollar amounts which are more than five years old and may need to be updated. If you wish to update them, please specify the code section and new amount. Please note that in the alternative to setting forth a specific amount, you may use general text stating that "the amount shall be as set by the Town Council from time to time". Unless otherwise instructed, we will retain these amounts as presently edited.

35.01, 35.02, 51.999, 52.16, 52.20, 52.99, Ch. 52, App. A, 70.35, 70.36, 70.37, 70.99, 90.02, 93.99, 113.11, 133.99, 150.03, 151.99, 153.11

Insert General Text

CHARTER

13) We have included your charter as is and have not corrected any typos or the like. Because we recognize that any alteration to the charter normally needs to be done through your legislature, we will not make any changes to your charter unless you specifically direct us to do so. We would, however, like to point out the following observations for your consideration.

14) The chapter analysis in the Charter includes Article 6: Secs. 1.01 - 1.05. These sections do not exist in the text of the Charter. Should Article 6 be deleted from the chapter analysis?

15) Sec. 4-2 Town Manager. Division (B) contains the phrase "...the power to appoint and removal all officers..." Shall we change the word "removal" to "remove"?

16) Sec. 4-3: There is no Sec. 4-3 in the Charter because Resolution 2014-2 amended the Charter and did not have a Sec. 4-3.

a) Was this the town's intention to not have a Sec. 4-3?

b) If there is not a Sec. 4-3, we recommend deleting the mention of Sec. 4-3 in text of Sec. 4-2 division (B), in which the phrase "who shall be appointed as provided in Section 4-3" will be deleted. Shall we make this change?

yes

yes

no

yes

TITLE I: GENERAL PROVISIONS

17) Chapter 10: General Provisions.

a) The purpose of this chapter is to reduce duplication and create consistency throughout the code. To this end, we have replaced obsolete and repetitive ordinance sections with comprehensive, general code provisions, most of which are self-explanatory in nature and need no particular comment; however, we ask that you review the chapter and advise if anything is unclear or unsatisfactory.

b) Please note that we used model provisions from another North Carolina client in creating this chapter. Is this chapter acceptable as currently edited?

18) § 10.99 General Penalty. The penalty in this section references G.S. § 14-4 as authority for the \$50/30 days penalty, however, please note that G.S. § 14-4 only sets out the maximum fine; it does not mention imprisonment. G.S. § 160A-175 specifically authorizes imprisonment for ordinance violations, so the penalty imposed in this section is clearly authorized under that statute. We have no recommended changes, but simply wanted to point out that G.S. § 14-4 does not track the imprisonment language for which it is cited in this section. Unless otherwise instructed, we will retain this section as presently edited.

TITLE III: ADMINISTRATION

19) § 31.10 Building Inspector. We deleted the cross-reference that reads: "Building Inspector to serve as Flood Control Administrator, see §§ 151.20 and 151.21," because the town's newest version of the Floodplain Ordinance appoints the Town Administrator as Floodplain Administrator. Was this editorial decision correct?

20) § 31.12 Superintendent of Cemeteries. This section references G.S. § 160A-349, which is an incorrect citation. We believe the correct reference is G.S. § 160A-348. Shall we correct this citation?

21) §§ 31.25 through 31.31: Employment Policies. These sections were originally in Prior Code Ch. 34, and were amended by Resolution 2014-2, however, because of conflicting section titles, it was unclear whether Res. 2014-2 amended all of §§ 31.25 through 31.31, or only the sections listed in the resolution. Should these sections be replaced with the amendments in Res. 2014-2, or should only those sections listed in Res. 2014-2 be amended?

22) § 31.26 Holidays. Division (A)(6) reads: "Thanksgiving Day and Friday (Veterans Day)." Should this read "Thanksgiving Day and the Friday after," with a new entry for Veterans Day?

23) § 32.02 County Board of Elections to Conduct Town Elections. This section references G.S. § 163-285, which has been repealed. G.S. § 163-284 pertains to administration by the County Board of Elections. We suggest replacing G.S. § 163-285 with G.S. § 163-284. Shall we make this change?

24) Ch. 34 Civil Emergencies. The statutory reference for this chapter cites G.S. §§ 14-288.12, which has been repealed. Shall we delete this reference?

Read:
Clerk-Finance Officer

- 25) § 35.01 Purchasing Procedures. Division (B) refers to the Treasurer-Clerk and it is unclear whether the town has this position. Should this read "Treasurer-Clerk" or "Clerk"?

TITLE V: PUBLIC WORKS

- 26) Ord. passed 3-8-2004 amended the town's Water, Sewer and Garbage Billing Policies Book, which we did not receive. For this reason, this amending ordinance was not included in the draft. Was this editorial decision correct?
- 27) Resolution 2014-2 amended Prior Code's §§ 50.55, 50.58, 50.59, and 59.60, however, these sections did not exist after Chapter 50 was replaced with Ord. passed 9-10-2001. Should these provisions be included in Title V?
- 28) Ch. 50 Garbage and Trash. The statutory reference located after the chapter analysis is to G.S. § 160A-192, which has been repealed. G.S. § 160A-312 gives municipalities authority to regulate solid waste disposal, therefore we suggest revising the statutory reference to read: "Authority to regulate solid waste collection and disposal systems and facilities, see G.S. § 160A-312." Shall we make this change?
- 29) § 51.037 Delinquent Accounts. This section provides for the termination of water service for nonpayment of a bill. Please note that the U.S. Supreme Court case of *Memphis Light, Gas, and Water Division v. Craft*, 436 U.S. 1 (1978), held that a municipality may not terminate utility service without giving the customer a fair opportunity to avoid termination either by paying the bill or questioning its accuracy. The customer must be notified not only of the possibility of termination but also of a procedure for challenging a disputed bill. This section does not meet these standards because it is unclear whether there is notice sent to the customer and there is no mention of procedures in place for the customer to challenge or appeal.

Enclosed with this report is a model provision designed to comply with federal standards. We suggest incorporation of the model material into either your code (by adding it as part of this section), or into the policies used by the Board for disconnection. If you would like to add the enclosed model to your code, please specify where you wish it to be added. Unless otherwise instructed, we will retain this section as presently edited.

- 30) § 51.066 Compliance with Federal and State Law. This section references several federal and state laws. To assist users in locating these acts, we suggest inserting the corresponding citations, to read: "...the Federal Safe Drinking Water Act, being 42 U.S.C. §§ 300f et seq., the North Carolina Drinking Water Act, being G.S. §§ 130A-311 et seq. and the State Building Code, being G.S. § 143-138..." Shall we make this change?
- 31) § 52.05 Excluded Wastes. Division (A)(3) contains the phrase "...at temperatures between 0° and 65°..." Are these temperatures Fahrenheit or Celsius?

TITLE VII: TRAFFIC CODE

- 32) § 70.99 Penalty. Please note that we used a model provision from another North Carolina client in creating this penalty section. Is this section acceptable as currently edited?

yes

No

yes

For Amended or Attached
Insert into 51.037

yes

f

yes

TITLE IX: GENERAL REGULATION

- 33) Ch. 90 Animal Regulations. Please review this chapter. Section 90.02 adopts livestock regulations. It is unclear whether these livestock regulations supercede county regulations that are adopted in § 90.01. If this is the case, then an Editor's Note can be added to explain that § 90.02 supercedes any conflicting regulations adopted in § 90.01. Shall we add an Editor's Note? Unless otherwise instructed, we will retain these sections as presently edited.
- 34) Ch. 91 Cemeteries. We received a one page document that we were unsure whether or not to include in this chapter. It wasn't set up like an ordinance but is policy about veteran supplemental burial benefits. Would you like this policy to be included in Ch. 91? If so, please provide an ordinance number, if available, in order for us to track the ordinance number and history.
- 35) Ch. 91 Cemeteries. There was a handwritten note on the Prior Code which read: "vault or grave liner required." If you wish to have something additional included in this chapter, please specify how you want it to read.
- 36) Ch. 92 Fire Protection and Prevention. There was a handwritten note on the Prior Code which read: "Dana - do not issue permits because it is picked up by town. 9-6-11." If you wish to have something additional included in this chapter, please specify how you want it to read.
- 37) § 93.01 Nuisances Declared. The ordinance in this section contained a handwritten note referring to division (A), in which "24" was crossed out and "12" was written in. Shall we make this change?
- 38) § 93.43 Right to Probable Cause Hearing Before Sale or Final Disposition of Vehicle. This section references G.S. § 20-222, which has been repealed. G.S. § 20-219.11 pertains to notice and probable cause hearing for a towed vehicle. We suggest replacing the repealed citation with G.S. § 20-219.11. Shall we make this change?

TITLE XI: BUSINESS REGULATIONS

- 39) Ch. 110 General Provisions. The statutory reference located after the chapter analysis is to G.S. § 160A-211, which has been repealed effective July 1, 2015. We suggest deleting this statutory reference. Shall we make this change?
- 40) § 113.01 Definition. The definition of Taxicab references G.S. §§ 63-3(17) and 63-3(18), which are incorrect references. We believe the correct references are G.S. §§ 62-3(17) and 62-3(18). Shall we correct these references?

TITLE XIII: GENERAL OFFENSES

- 41) Ch. 132 Offenses Against Public Peace and Safety. Sections 132.15 through 132.17 were included in the chapter analysis of the Prior Code, but did not exist in the text. If these sections are supposed to be included, please send them with your responses to this report.

*Editor's Note**No**Include in 91.20
"All burials require a vault
or grave liner"**92.02 - Remove reference
to a permit
x See below**yes**yes**yes**yes*

* 92.01 - Fire limits should be defined as only the corporate limits of the town
- Remove remaining language

- 42) § 133.03 Curfew and Enforcement. Division (H)(1) references G.S. § 14-288.12, which has been repealed. G.S. § 166A-19.31 pertains to power of municipalities and counties to enact ordinances to deal with states of emergency, so we suggest replacing the repealed citation with G.S. § 166A-19.31. Shall we make this change?

yes

TITLE XV: LAND USAGE

- 43) § 150.35 In Rem Action by Inspector; Placarding. Division (B) of this section references G.S. § 160-443(5), which is an incorrect citation. We believe the correct citation is to G.S. § 160A-443(5). Shall we correct this citation?

yes

- 44) § 150.36 Imposition of Lien on Premises. This section references G.S. § 160A-446(6). There is not a division (6) in § 160A-446. We believe the correct citation is to G.S. § 160A-443(6). We suggest replacing G.S. § 160A-446(6) with G.S. § 160A-443(6). Shall we make this change?

yes

- 45) § 152.02 Definitions.

- a) The definition of Hazardous Waste Management Facility references G.S. § 130A-9, which is an incorrect citation. We believe the correct citation is to G.S. § 130A-290. Shall we correct this citation?

yes

- b) The definition of Historic Structure references the National Historic Preservation Act of 1966. To assist users in locating this act, we suggest inserting, "being 16 U.S.C. §§ 470 et seq." Shall we make this change?

yes

- 46) § 152.22 Duties and Responsibilities of the Floodplain Administrator. Division (N) references the Privacy Act of 1974. To assist users in locating this act, we suggest inserting, "being 5 U.S.C. § 552a." Shall we make this change?

yes

- 47) § 153.12 Design Standards. Division (C)(2) contains text that we were unsure how to format. It is presented below in a suggested format. Please review the table below. If there are any changes you wish to make, please specify exactly how to want this division to read. Unless otherwise instructed, we will insert this division (C)(2) as presented below:

✓

- (2) The maximum grades in percent shall be:

	Design Speed, MPH			
	60 Desirable (50 Minimum)	60 Desirable (40 Minimum)	50 Desirable (40 Minimum)	40 Desirable (30 Minimum)
Type of Topography				
Flat - NSHC Division 1	3 (4)	3 (5)	4 (5)	5 (6)
The minimum grade in no case shall be less than 0.3%				
Grades for 100 feet each way from intersections should not exceed 5%				

- 48) § 153.12 Design Standards. Division (C)(3) contains material which was unclear, and may need to be re-arranged. Please review this division. If there are any changes you wish to make, please specify exactly how to want this division to read. Unless otherwise instructed, we will retain this division as currently edited. ✓
- 49) § 153.13 Plat Requirements. In the subdivision ordinance, following division (C)(13)(d), there was a handwritten note that reads: "A corporate bond from an insurance company is required by the Clerk of Court." If you wish to have something additional included in this section, please specify how it should read. ✓
- 50) § 153.16 Eater Supply/Sewage Disposal. Division (B)(6) references the Sedimentation Pollution Control Act of 1973. To assist users in locating this act, we suggest inserting, "being G.S. §§ 113A-50 et seq." Shall we make this change? yes
- 51) Ch. 154 Zoning. Please note that we have adopted by reference the town's zoning provisions, in accordance with the town's instructions. Is this acceptable? yes

Report prepared by:

Laura Moser

Laura Moser
Staff Attorney
October 15, 2015

UTILITY DISCONNECTION SAMPLE
(See comment #29)

§ XX.XX DISCONNECTION FOR LATE PAYMENT.

(A) It is the policy of the town to discontinue utility service to customers by reason of nonpayment of bills only after notice and a meaningful opportunity to be heard on disputed bills. The town's form for application for utility service and all bills shall contain, in addition to the title, address, room number, and telephone number of the official in charge of billing, clearly visible and easily readable provisions to the effect:

(1) That all bills are due and payable on or before the date set forth on the bill; and

(2) That if any bill is not paid by or before that date, a second bill will be mailed containing a cutoff notice that if the bill is not paid within ten days of the mailing of the second bill, service will be discontinued for nonpayment; and

(3) That any customer disputing the correctness of his bill shall have a right to a hearing at which time he may be represented in person and by counsel or any other person of his choosing and may present orally or in writing his complaint and contentions to the town official in charge of utility billing. This official shall be authorized to order that the customer's service not be discontinued and shall have the authority to make a final determination of the customer's complaint.

(B) Requests for delays or waiver of payment will not be entertained; only questions of proper and correct billing will be considered. In the absence of payment of the bill rendered or resort to the hearing procedure provided herein, service will be discontinued at the time specified, but in no event until the charges have been due and unpaid for at least 30 days.

(C) When it becomes necessary for the town to discontinue utility service to a customer for nonpayment of bills, service will be reinstated only after all bills for service then due have been paid, along with a turn-on charge in the sum of \$20.

25
\$20


List of Town Officials:

Mayor	Dennis Liles
Mayor Pro-Tem	Lorraine Washington
Commissioner	William Hagans
Commissioner	Geraldine Shackleford
Commissioner	Bobby Taylor
Commissioner	Rosa Wilkes

- Charter 4-2 Remove Residency Requirement
- 31.08under general supervision of the Town Manager
- 31.27 "each full time employee shall receive vacation time in accordance with the
Snow Hill Personnel Policy
- 33.45-55 Remove
- 35.02 Replace Mayor with Manager
- 92.01 Fire limits- corporate limits of town
- 94.03-10 Remove
- 110.15 Remove

MEMORANDUM

TO: Dana Hill, Town Manager

FROM: Brian Pridgen 

DATE: December 2, 2015

SUBJECT: Recodification of Town Code of Ordinances

I have reviewed the draft revisions of the Town Code of Ordinances and offer the following comments and suggestions. Should you have any questions regarding the same, please do not hesitate to contact me.

1. **Charter §4-3:** This was an inadvertent exclusion in the form of government change process. The following section should be added and can be done so through this recodification process through the authority granted in N.C. Gen. Stat. 160A-496:

4-3: The board of commissioners shall appoint a town attorney who shall be licensed to engage in the practice of law in the State of North Carolina. It shall be the duty of the town attorney to prosecute and defend suits against the town; to advise the mayor, board of commissioners and other town officials with respect to the affairs of the town; to draft all legal documents relating to the affairs of the town; to inspect and pass upon all agreements, contracts, franchises, and other instruments with which the town may be concerned; to attend meetings of the board of commissioners; and to perform other duties required by law or as the board of commissioners may direct.

2. **§35.02:** N.C. Gen. Stat. 160A-266(c) permits municipal governing boards to delegate disposal authority of personal property valued at less than \$30,000 to any municipal official. The current version of the Town's ordinance gives this authority to the Mayor, but limits the authority to items valued at less than \$500. The Town could amend this ordinance to increase the dollar amount and/or designate an official other than the mayor, such as the manager.

3. **Chapter 52: Wastewater:** The chapter pertaining to Wastewater includes specific amounts for deposits (52.16), reconnections (52.20(E)), minimum monthly charges, excess charges, out-of-town rates, and taps (Appendix A: Sewer Charges). To make future adjustment of these amounts simpler, it is recommended that all amounts be removed from the ordinance and replaced a reference to the Town's schedule of rates and fees. If this approach is taken, an updated schedule of rates and fees would need to be adopted incorporating these amounts.

4. **Chapter 93: Nuisances:**

- A. **§93.01:** Add subsection (G) - Nuisance trees. For purposes of this section, a nuisance tree is defined as:
(1) any dead, diseased or damaged trees or plant materials which may harbor serious insect or pests or disease injurious to other trees or plants;
(2) any tree in such a state of deterioration that any part of the tree is likely to fall and damage property or cause injury to a person; or
(3) any trees or plants that have been allowed to grow in such a manner that they block public sidewalks or other types of right of way or impede pedestrian or vehicle traffic or make travel on sidewalks or roadways unsafe.
- B. **§93.03:** Change "Town Clerk" to "Town Manager or his/her designee".
Change "15 days" to "7 days".
- C. **§93.04:** Change "Town Clerk" to "Town Manager or his/her designee".
Change "15 days" to "7 days".

5. **Criminal Penalty Opt-out** - To ensure that the Town can retain civil fines collected for ordinance violations, criminal penalty provisions must be removed. The following amendment of 10.99 would satisfy that need for most of the Town's ordinances:

§10.99: Amend as follows:

Whenever in this code any act is prohibited or is made or declared to be unlawful or an offense and where no specific penalty is provided therefore, the violation of such provision shall be punishable a fine not exceeding Five Hundred (\$500.00) Dollars. Each day that the violation of this Code or of any ordinance shall continue shall constitute a separate offense. Such penalties are to be recovered by the town in a civil action in the nature of debt if the offender does not pay the penalty within a prescribed period of time after he or she has been cited for violation of the ordinance.

The criminal penalty provisions set forth in North Carolina General Statute 14-4 shall not apply or be available for enforcement by the Town except where specifically stated within this Code.

Mr. Dana Hill
December 2, 2015
Page Three

Notwithstanding the above penalties, the town may enforce its lawful ordinances by appropriate equitable remedy issuing from a court of competent jurisdiction, including but not limited to injunction and/or abatement or by any remedy authorized by NCGS 160A-175 and 160A-389.

The following are other specific penalty sections within the Code of Ordinances along with a recommendation of whether or not to remove the criminal penalty. In some instances, it may be preferable to impose a criminal sanction.

§93.07: Nuisances - remove criminal penalty

§93.20: Nuisance parties - do not remove criminal penalty

§93.99: (B)(3) Penalty- limit to 93.08-09
(C)(3): do not remove criminal penalty
(E): do not remove criminal penalty

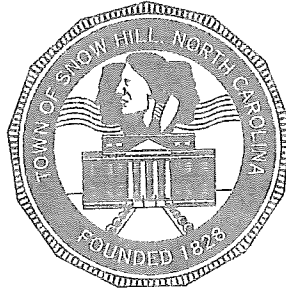
§133.99: do not remove criminal penalty

§150.37: Abandoned Structures - remove criminal penalty

6. **Minimum Housing Ordinance:** This chapter of the ordinance was not included and should be incorporated into the new code.

JBP/slf

MAYOR
DENNIS K. LILES
MAYOR PRO-TEM
LORRINE B. WASHINGTON
COMMISSIONERS
WILLIAM (DONNELL) HAGANS
GERALDINE E. SHACKLEFORD
ROBERT L. (BOBBY) TAYLOR, JR.
ROSA S. WILKES



TOWN ADMINISTRATOR
PUBLIC WORK DIRECTOR
DANA D. HILL
TOWN CLERK / FINANCE OFFICER
CATHY WEBB
DEPUTY CLERK / UTILITIES
ADDIE WATSON
CHIEF OF POLICE
JOHN C. REA

Memo

To: Town of Snow Hill Board of Commissioners
From: Cathy Webb, Town Clerk/Finance Officer
Date: 1/29/2016
Re: Tax Releases

Parcel #03-01396 appraisal was incorrectly stated due to a software problem by the County. The assessed value of the property was overstated by \$73,210.

Dale Media, Inc. overpaid \$256.24 in 2014. NfinityLink overpaid \$256.24 in 2015. I am requesting that the overstated value be released and that the two companies be refunded the overpayment.

Becky R. Sutton
Tax Administrator



229 Kingold Blvd.
P.O. Box 482
Snow Hill, NC 28580

(252) 747-3615
FAX (252) 747-5067

January 22, 2016

Town of Snow Hill
Attn: Mrs. Cathy Webb
201 N. Greene St.
Snow Hill, N.C. 28580

Re: Dale Media Inc., - Parcel 0301396

Dear Mrs. Webb:

Research revealed today that an error was made in the assessed values billed on the above parcel for 2014 and 2015 in our office. The error was made when an export was done from our appraisal software to our billing software. The assessed value that should have been billed for 2014 and 2015 was \$188,400. The assessed value that was billed by our office was \$261,610. The value assessed in error was \$73,210.

Please submit this request to your board for a consideration of a refund for 2014 and 2015 due to this error. Please note that the 2015 bill was paid to our office by NfinityLink Communications who was responsible for the 2015 bill according to their lease/purchase agreement.

Should you have any questions, please do not hesitate to call me.

Sincerely,


Becky R. Sutton

2015
$$\begin{array}{r} 261,610 \\ 188,400 \\ \hline 73,210 \end{array} \times .35 = 256.24$$

Refund to NfinityLink

776 2014
$$\begin{array}{r} 261,610 \\ 188,400 \\ \hline 73,210 \end{array} \times .35 = 256.24$$

Refund to MediaCast

DRAFT MINUTES
SNOW HILL PLANNING BOARD
7:00 P.M. TUESDAY, 12 JANUARY 2016
SNOW HILL TOWN HALL
201 NORTH GREENE STREET, NORTH CAROLINA 28580

Order of Business

1. **Call to Order:** 7pm by Donald Beaman, Chair
2. **Prayer:** Mr. Beaman inquired as to whether or not there was anyone present that would like to offer prayer. Being none, Beaman offered invocation
3. **Roll Call:** Members present were Donald Beaman, Bobby Taylor, Jimmy Davenport, and Salvador Tinoco. Sam Edmonds was unable to attend due to a death in family. Staff present were Dana Hill, Zoning Administrator and Brian Pridgen, attorney
4. **Approval of Agenda:** Motion to approve by Taylor, Second by Davenport, Carried
5. **Reading and Approval of Minutes: 25 August 2015** Motion to approve by Davenport, Second by Taylor, Carried

** Mr. Taylor announced that due to his ownership of adjoining property, and the potential appearance of conflict of interest, he would officially recuse himself from this deliberation and left the table.*

6. **Old Business:**
NONE

7. **New Business:**

1. **Special Use Request:** Section 6.07C(a) Carolina Poultry 310 Kingold
Make Recommendation to Board of Adjustment to Approve (with or without conditions) or Deny

Hill briefed the board on the request which is to build and operate a facility containing a boiler that will burn a mixture of turkey litter and wood shavings to create steam for Yamco and electricity for Duke Progress. Hill introduced Rich Denning, Sam McLamm, Frank Seymore, and Bailey Suggs representing Carolina Poultry Power and turned the floor over to them for a presentation (attached). They provided a sample of the fuel product in an unprocessed form to show that no smell is emitted.

The following were responses based on Board members questions:

- The lot will be leased to CPP by Yamco
- Surrounding property values should not be affected
- Heat from boiler creates steam for power
- 27 similar existing boilers in NC and SC with different fuel sources
- Ash waste goes to the fertilizer industry

- Ten truck per week will deliver fuel source- 1.5 trucks will leave with ash
- Will be required to meet all NC and Federal air quality regulations
- No mercury or arsenic is present
- Guarantee no odor- trucks are covered and building will maintain negative air pressure
- Material will be stored dry off site
- Local economy will be boosted through construction and installation, operations, and increased property tax value
- Certified staff will remain on site at all times
- This would replace existing natural gas boilers in use currently at Yamco

At this time, Chairman Beaman opened the floor for public comments and questions

- Concern was expressed that no other facility was in operation with a proven record of no negative effects
- Concern about what would happen to the facility if Yamco goes out of business: the facility would be dis-assembled and relocated
- Mr. Perry Jones read a statement from the Greene County NAACP with concerns about the project
- Representatives explained that the emissions would be heavily regulated by EPA and would be cleaner than burning ¼ of a cord of firewood
- Applicant assured the group that there would be no expansion on the site
- Mr. Gene Riddle pointed out the emissions would likely be cleaner than what is produced by daily traffic
- An Environmental study will be conducted as part of the permitting process

Mr. Pridgen reviewed the process for approval whereby the Planning Board hears the request, allows for open dialogue with the public, and then forwards a recommendation to the Board of Adjustment. The BoA conducts a quasi-judicial hearing in which parties are allowed to deliver sworn testimony based on evidence and a decision is reached based on findings of fact outlined in the Snow Hill Zoning Ordinance.

Motion by Tinoco to recommend approval to the BoA with the condition that the applicant submits regular air quality sample results to a third party engineer for town review. Second by Davenport, Carried

8. Public Comments

9. Zoning Administrator Comments Hill advised that the process to extend ETJ boundaries has been approved by the Board of Commissioners and the he will work with the GC Planner to establish revised boundaries

10. Board Comments Davenport thanked the public for their attendance and input

11. Adjourn Motion by Davenport, Second by Tinoco, Carried at 9:15 pm

Approved: _____

Respectfully Submitted:

Dana Hill

SNOW HILL POLICE DEPARTMENT

MONTHLY CRIME SUMMARY

1) Larceny -	5
2) Assaults-	0
3) Breaking/Entering	0
a. Residential	
b. Commercial	
c. Motor Vehicle	
d. Storage Buildings	
4) Robbery-	1
5) Sex Offenses-	0
6) Homicide-	0
7) Fraud-	4
8) Damage to Property(Vandalism)	0