

The Madison County Board of Commissioners met in special session on Tuesday, January 26, 2021 at 5:30 p.m. at the Madison County Administration Building in Room 26 located at 5707 Hwy 25-70, Marshall, North Carolina.

In attendance were Chairman Mark Snelson, Vice-Chairman Craig Goforth, Commissioner and Interim County Manager Norris Gentry, Commissioner Matt Wechtel, County Attorney Donny Laws, Clerk Mandy Bradley. Commissioner Michael Garrison attended the meeting via electronic means.

The meeting was called to order at 5:30 p.m. by Chairman Snelson.

Item 1: FY 20 Audit Presentation, Mauldin and Jenkins

Commissioner Gentry notified the Board that the audit presentation would be deferred for two weeks until the next regular meeting of the Board.

County Attorney Donny Laws joined the meeting at 5:33 p.m.

Upon motion by Chairman Snelson and second by Commissioner Gentry, the Board voted unanimously to allow Commissioner Garrison to vote during the meeting.

Item 2: Solid Waste Ordinance Amendment Consideration

County Attorney Donny Laws presented and discussed a proposed amendment to the current Solid Waste Ordinance for the County. Mr. Laws noted that the amendment pertains to the billing and collection of the availability fee for Solid Waste and that currently there is no appeals process in place for this fee. Mr. Laws discussed that in order to set up an appeals process, the Solid Waste or Tax Department would need to give a ruling on each individual appeals request and if there was not a satisfactory resolve, the appeal could go to an appeals board and then if necessary, to the Board of Commissioners for a final ruling if the appeals board was unable to resolve the matter. Mr. Laws read into record the proposed amendment to add a paragraph to Section No. 6 of the Solid Waste Ordinance as follows:

"For the Madison County tax year 2020 any and all appeals from the solid waste fee assessment assessed on those Madison County properties appearing on the Madison County ad valorem tax statements relative to solid waste fees may be appealed to the Madison County Board of County Commissioners for review provided that said appeal for a review is requested to the Madison County Board of Commissioners on or before the regularly scheduled meeting of the Madison County Board of Commissioners set for the month of February, 2021. The procedure for the review shall be in a manner set by the Board at its discretion."

Discussion was had by the Board and Mr. Laws regarding the amount of time currently available for an appeal to be filed and that the current Solid Waste cards issued at this time expire on February 15, 2021. Upon motion by Commissioner Wechtel to move the date to the February 23, 2021 work session of the Board for appeals and second by Commissioner Gentry, with recommendation by Chairman Snelson that the date of the current Solid Waste cards be extended to March 15, 2021, and clarification by Mr. Laws, the Board voted unanimously to approve.

Discussion was had by the Board regarding the fee that businesses are currently paying.
(Attachment 2.1)

Item 3: Overtime and Compensatory Policy and Pay Discussion

Brooke Ledford, Human Resources Director presented and discussed with the Board; Overtime, Compensatory, Shift Differential, and Holiday Pay Policy drafts. Discussion was had by the Board regarding the issues of these items specific to the Sheriff's Office, Emergency Management, and the Health Department as well as staff shortages. The need for additional deputies at the Sheriff's Office and three (3) Part-Time, Temporary Administrative employees at the Health Department as well as in-service accruals for the Sheriff's Office were discussed by the Board.

Ms. Ledford also presented and discussed sample policies that budget for accruals in each department with respect to paying out those accruals and current operating salaries were also discussed with the Board. Information regarding salary increases versus increases with paying shift differential and holiday pay to employees was provided to the Board by Ms. Ledford.

Discussion was had by the Board regarding the approval of the three (3) Part-Time, Temporary Administrative employees at the Health Department and paying overtime to employees through the current budget cycle by beginning overtime pay with a review after three (3) pay cycles and then implementing further policies in the next fiscal year with Commissioner Gentry verifying that the policies would be implemented county wide. Upon motion by Chairman Snelson and second by Commissioner Wechtel, the Board voted unanimously to fund three (3) temporary positions recommended by the HR Director for the Health Department at a projected rate of \$33,933.62 for the remainder of this fiscal year.

A motion stating that from now until June 30th, to pay overtime and revisit in March with the remainder of \$110,000 for the remainder of the fiscal year for 911 and the Sheriff's Office as needed was placed on the floor by Chairman Snelson with second by Vice-Chairman Goforth. Discussion was had by the Board with Commissioner Wechtel calling for a restate of the motion. Chairman Snelson stated that \$34,000 would be allocated to the Health Department positions with the remainder of \$110,000 going toward overtime for 911 and the Sheriff's Office. Commissioner Gentry noted that the overtime would be revisited in three (3) pay cycles and that management will manage it. Discussion was had by the Board and council was provided by Mr. Laws who recommended that the motion be amended to make the appropriate budget amendments that are going to be required and that Finance will need to bring those to the Board before they are paid. Commissioner Gentry noted that at the February 9th meeting, a budget amendment will be approved by the Board and that it could also make the payments retroactive back to January 27th. Mr. Laws noted that the Board would need to authorize Ms. Ledford to make the appropriate policy changes. Clarification of the motion was requested for the record. Council was provided by Mr. Laws who discussed the current Overtime Policy with the Board and discussed the need for budget amendments to be made as necessary in regards to overtime payments before they are paid. Mr. Laws noted that the Board would need to authorize the County Manager to pay overtime pay to the Sheriff's Department and 911 Office as needed so he can put up to certain amounts in that account as he authorizes pay to be made. Upon motion by Chairman Snelson and Vice-Chairman Goforth, the Board voted unanimously to approve with Commissioner Garrison clarifying that the Sheriff's Office overtime is anything more than eighty-six (86) hours.

Item 4: Personnel

Ms. Ledford presented information regarding the review of the salary for the position of County Manager. Discussion was had by the Board with consensus of members that the salary would be set at a rate of \$80-100,000 based on experience with an annual travel allowance of \$7,200.

Council was provided by Mr. Laws. Upon motion by Commissioner Gentry and second by Commissioner Wechtel, the Board voted unanimously to enter into closed session pursuant to NCGS 143-318.11(a)(6).

A member of the audience approached the Board to speak regarding the implementation of a tier system for Solid Waste fees being charged to business entities.

Upon motion by Commissioner Gentry and second by Vice-Chairman Goforth, the Board voted unanimously to return to open session.

Ms. Ledford requested that on behalf of the Transportation and Operations Department, that David Whitson be hired as a Full-Time Custodian. Upon motion by Commissioner Gentry and second by Commissioner Wechtel, the Board voted unanimously to approve.

Item 5: Adjournment

Upon motion by Commissioner Gentry and second by Commissioner Wechtel, the Board voted unanimously to adjourn.

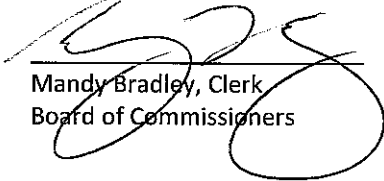
This the 26th day of January, 2021.

MADISON COUNTY



Mark Snelson, Chairman
Board of Commissioners

ATTEST:



Mandy Bradley, Clerk
Board of Commissioners

**AMENDMENT TO AND REINSTATEMENT OF
THE MADISON COUNTY SOLID WASTE ORDINANCE**

THAT WHEREAS, Madison County has heretofore adopted the Madison County Solid Waste Ordinance which adoption occurred on 9 August, 1999, (hereinafter "Ordinance"); and

WHEREAS, pursuant to the terms and provisions of the Ordinance, Madison County has charged certain solid waste fees and adjusted the same from time to time as appears in the official minutes of the Madison County Board of Commissioners as authorized under Section 6; fees, paragraph b of the Ordinance; and

WHEREAS, the Ordinance did not provide for or allow for any party to appeal from assessment of a solid waste fee; and

WHEREAS, Madison County is currently undergoing a review and modification of the Ordinance and the Madison County Board of Commissioners desire to immediately amend its Ordinance to provide for an appeal process applicable to the solid waste fees charged during the 2020 Madison County tax year.

NOW, THEREFORE, in order to provide a uniform and comprehensive procedure for the administration, collection and disposal of solid waste in Madison County, North Carolina, the Madison County Board of Commissioners does hereby adopt the following Ordinance pursuant to the provisions of North Carolina General Statutes Chapter 153A and any amendments thereto.

- 1) The Ordinance is amended to add a new paragraph to Section No. 6 of the Ordinance as follows:

Paragraph K: For the Madison County tax year 2020 any and all appeals from the solid waste fee assessment assessed on those Madison County properties appearing on the Madison County ad valorem tax statements relative to solid waste fees may be appealed to the Madison County Board of County Commissioners for review provided that said appeal for a review is requested to the Madison County Board of Commissioners on or before 23 February, 2021 at which time all appeals will be heard at a specially called meeting of the Madison County Board of Commissioners. The procedure for the review shall be in a manner set by the Board at its discretion. All existing solid waste cards shall be valid through and until March 15th, 2021.

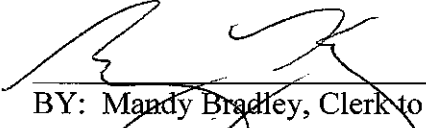
- 2) Except as amended as set forth herein, all other terms and provisions of the Ordinance remain in full force and effect.
- 3) This Ordinance becomes effective upon adoption.

This Ordinance is adopted this the 26th day of January, 2021 by the unanimous vote of all five (5) members of the Madison County Board of Commissioners.



Mark Shelton, Chairman

ATTESTED TO:



BY: Mandy Bradley, Clerk to the Board

(SEAL)