

**TOWN OF BISCOE
BOARD OF COMMISSIONERS MEETING
October 12, 2020**

The Biscoe Town Board of Commissioners met in a regular session on Monday, October 12, 2020 at 7:00 pm in the Municipal Building.

Board Members Present:

Mayor Eddie Reynolds, Commissioner Gene Anderson, Commissioner Kay Kinch, Commissioner Dutch Anliker, Commissioner Lashaunda Ryan, and Commissioner Barry Jackson.

Members of Management Present:

Town Manager Brandon Holland, Town Clerk Laura Morton, Public Works Director Sam Stewart and Police Chief Shane Armstrong.

Call to Order/Moment of Silence/Pledge of Allegiance

Mayor Reynolds called the meeting to order at 7:00 pm. The Pledge of Allegiance to the American Flag was recited and a moment of silence was observed.

Conflict of Interest Statement

Town of Biscoe Code of Ethics provides that public officials and employees be independent, impartial and responsible to the public; that governmental decisions and policy be made in proper channels of the governmental structure; that public office not be used for personal gain; and that the public have confidence in the integrity of its government. In recognition of these goals and in keeping with the ethical standards of conduct for town public officials and its employees, disclosure of interest in legislative action must be stated for the public record. The mayor or any member of the town council who has an interest in any official act or action before the council shall publicly disclose on the record of the council the nature and extent of such interest, and shall withdraw from any consideration of the matter if excused by the council pursuant to G.S. 160A-75.

Public Comment Forum

No one spoke during the public comment forum.

Adoption of the Agenda

A motion was made by Commissioner Ryan, seconded by Commissioner Anliker, and so the motion carried unanimously to adopt the agenda.

AYES: 5; NAYS: 0

Approval of the Consent Agenda

A motion was made by Commissioner Cagle, seconded by Commissioner Jackson, and so the motion carried unanimously to approve the following items on the Consent Agenda:

- a) Approval of October 2020 Monthly Financial Report
- b) Approval of UPDATED Planning Board Schedule
- c) Notification of Disposition of Files

AYES: 5; NAYS: 0

Attachment #1

Proposed Annexation

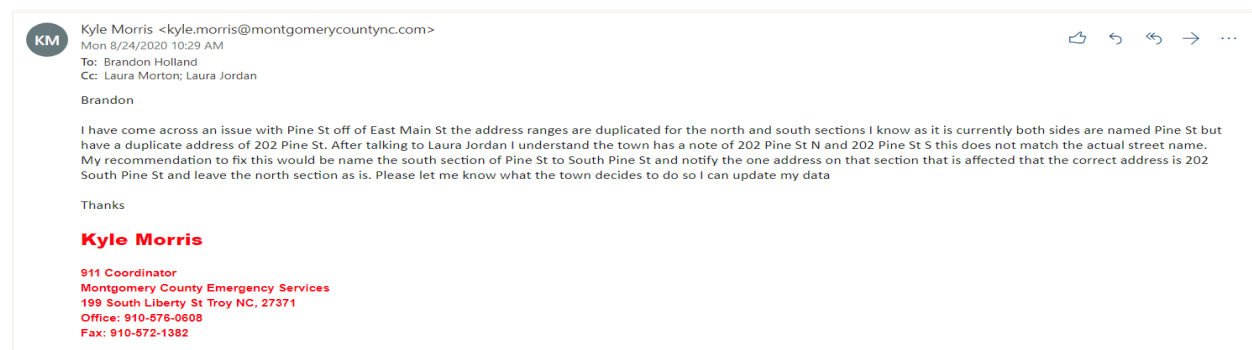
Manager Holland informed the Board that the Town has received notification from the Owners of the Mega Park are beginning the process to clear the land for 2 proposed businesses. As required by the Town, when someone was going to build on the mega park property and to receive town service, they must be annexed. We have received an application from Jordan Lumber and Supply to annex the property located at 3521 NC Hwy 24/27 East Biscoe NC 27209. This property is not contiguous.

Mayor Pro-tem expressed his concerns that it may hinder other businesses from locating in the Mega Park. Commissioner Ryan asked if there is another business that it was patterned after that is successful?

After a brief discussion, a motion was made by Commissioner Ryan, seconded by Commissioner Anliker, and so the motion carried unanimously to direct Town Clerk Laura Morton to Perform a Certificate of Sufficiency on the Proposed Annexation and to Set Annexation Public Hearing for November 9, 2020.

Approval of Resolution – Street Name Change (Portion of the Road)

Manager Holland explained the Town had received the following request from County 911 Addressing:



A motion was made by Mayor Pro-tem Anderson, seconded by Commissioner Kinch, and so the motion carried unanimously to approve a Resolution to Change a Portion of Pine Street to South Pine Street in the Town of Biscoe Road System.

AYES: 5; NAYS: 0

Attachment #2

Approval of Funds Transfer from Central Investment to CDBG-I Bruton Street Account

Manager Holland explained that a funds transfer in the amount of \$171,783.23 is requested to be transferred from the Town's Central Investment Account to the Town's CDBG-I Bruton Street Account. This will allow the contractors to be paid quicker. A note for Auditing Purposes: *This amount is the exact amount of Reimbursement Request #13.

A motion was made by Commissioner Ryan, seconded by Commissioner Jackson, and so the motion carried unanimously to approve a funds transfer in the amount of \$171,783.23 to be transferred from the Central Investment Account to the Town's CDBG-I Bruton Street Account.

AYES: 5; NAYS: 0

Budget Amendment #3 (20-21-03) – Fire Department Maintenance & Repairs

Manager Holland explained that an Approval of a Purchase Order and Budget Amendment is requested for the Fire Department. An invoice for Labor & Service & Parts and Annual Engine maintenance was received from Allred Fire Equipment in the amount of \$10,320.06.

Budget Line Item:	10-4340-353
Budgeted:	\$ 8,500.00
Spent to Date:	\$ 1,443.43
Remainder in budget:	\$ 7,056.57

Invoice Total for Allred Fire Equipment \$10,320.06.

The Fire Department Vehicle Maintenance would be completely depleted without this budget amendment.

A motion was made by Mayor Pro-tem Anderson, seconded by Commissioner Anliker, and so the motion carried unanimously to approve a purchase order for Allred Fire Equipment and Budget Amendment #3 (20-21-03) in the amount of \$10,320.06.

AYES: 5; NAYS: 0

Discussion of Emergency Family & Medical Leave Expansion Act (eFMLEA)

Manager Holland asked Town Clerk Laura Morton to explain this proposed policy. Morton explained that several employees have been out due to COVID-19 and there is not a policy in place to cover this issue. Our State Emergency Management representative provided the policy that was included in the agenda packet. This policy will expire on December 31, 2020. In addition to this approval, we need to add a sick time in the personnel policy that is to be used when the Governor issues an executive order. She also explained that if the Town requires a negative test, then the Board will need to consider reimbursing the employee for some of the costs associated with the cost of the test. These policies would be made retroactive.

She explained that more information would be provided at the next meeting.

Attachment #3

Updates

Code Enforcement/Clean-up

Code Enforcement did some mowing last week. The efforts have been really good. If anyone sees anything that needs to be cleaned up, please let me know and I will have Code Enforcement look into it.

CDBG-I Bruton Street Project

Manager Holland said we just had an audit on the CDBG-I Bruton Street Project. He said we are now receiving paper check, but we will be working with the State to get ACH/Direct Deposit payments. This will allow a quicker turn out for payment of the Contractors.

Social Media Policy/Electronic Communication Policy/Records Retention

Manager Holland said he has drafted a Social Media Policy/Electronic Use Policy. He has provided a Board with a copy. He asked the Board to review it and let him know if there are any questions or see anything you would like changed. The Policy addresses electronic communication, town owned equipment, social media, the town’s services and network some other issues we have had with employees leaving and access to equipment. We took the opportunity to addresses these other areas. He said I will also be collaborating with our Department Heads on this policy as well.

Police Department – Community Policing/Fundraiser Update

Chief Armstrong said the department is currently selling the tickets for the gun raffle. The tickets will be on sale through December 7th.

Board & Staff Reports & Upcoming Events

Commissioner Anliker commended the efforts of the Code Enforcement Project that is cleaning up the Town. He said it is looking better and better. He said let us keep it going.

Commissioner Kinch agreed with Commissioner Anliker. She said Bruton Street has a ways to go but it is looking better and better.

Commissioner Ryan said she wanted to remind everyone to continue to use the 3 Ws. She asked everyone to be safe. She asked for prayer for a family member who has been diagnosed with COVID-19.

Mayor Pro-tem Anderson thanked Sam Stewart and his staff for their work on the leak on Green Street this past Sunday.

Mayor Reynolds thanked the Town Board and staff. He said we are all striving to get better and learning as we go. He said Code Enforcement has been slow, but there is an improvement. The Mayor thanked the public for attending and asked them to invite their neighbors to attend the Town Board meetings.

Adjournment

There being no further business to bring before the Board, Commissioner Anliker, made the motion to adjourn, and Commissioner Kinch made the second. All voted in favor. Meeting adjourned at 7:25 pm.

Mayor



Town Clerk

Attachment #1

Updated Planning Board Dates

At the last Planning Board meeting it was decided that Board would meet on the 3rd Monday at 5 pm.

The following dates are upcoming meetings:

- October 19, 2020 – cancelled because of early voting (10-8-2020)
- November 16, 2020
- December 14, 2020
- January 18, 2021 (Holiday and subject to change)
- February 15, 2021
- March 15, 2021
- April 19, 2021
- May 17, 2021
- June 21, 2021
- July 19, 2021

Attachment #2

**Resolution to Change a Portion of Pine Street to South Pine Street
In the Town of Biscoe Road System**

WHEREAS, the Town of Biscoe has recently received a request from the Montgomery County 911 Coordinator to the change a portion of Pine Street within the corporate limits of the Town of Biscoe to South Pine Street;

WHEREAS, there is duplication in “911” emergency numbers that could cause issues with emergency response times;

WHEREAS, this duplication is with 202 Pine Street; it is recommended that these two addresses be changed to 202 Pine Street North and 202 Pine Street South;

NOW, THEREFORE BE IT RESOLVED that the Town of Biscoe Board of Commissioners direct the Town Manager, Town Clerk, and Montgomery County 911 Operations to change the addresses as follows:

202 Pine Street North 202 Pine Street South

Adopted this 12th of October, 2020.

William E. Reynolds, Mayor

ATTEST:

Laura Morton, CMC-NCCMC
Town Clerk Town of Biscoe

Attachment #3

TOWN OF BISCOE

Emergency Family and Medical Leave Expansion Act and Emergency Paid Sick Leave Policy

Purpose

To comply with the Families First Coronavirus Response Act (FFCRA) and to assist employees affected by the COVID-19 outbreak with job-protected emergency leave and emergency paid sick leave. This policy will be in effect from April 1, 2020, until December 31, 2020. Our existing Family and Medical Leave Act (FMLA) policy still applies to other reasons for leave outside of this policy.

Emergency Family and Medical Leave Expansion Act (eFMLEA)

Eligibility

All employees, except emergency responders, who have been employed with the Town of Biscoe for at least 30 days.

Reason for Leave

Eligible employees who are unable to work (or telework) due to a need to care for their child when the school or place of care has been closed, or the regular childcare provider is unavailable due to a public health emergency with respect to COVID-19.

“Child” means a biological, adopted, or foster child, a stepchild, a legal ward, or a child of a person standing in loco parentis, who is-

- a) under 18 years of age; or
- b) 18 years of age or older and incapable of self-care because of a mental or physical disability.

“Emergency Responders” mean firefighters, law enforcement officers, telecommunication specialists, and solid waste equipment operators.

“School” means an elementary or secondary school.

Duration of Leave

Employees will have up to 12 weeks of leave to use from April 1, 2020, through December 31, 2020, for the purposes stated above. This time is included in and not in addition to the total FMLA leave entitlement of 12 weeks in a 12-month period.

For example, if an employee has already taken 6 weeks of FMLA leave, that employee would be eligible for another 6 weeks of FMLA leave under this policy.

Pay During Leave

Leave will be unpaid for the first 10 days of leave; however, employees may use any accrued paid vacation or sick leave during this time. The employee may also elect to use the paid leave provided under the Emergency Paid Sick Leave Act, as further explained below. After the first 10 days, leave will be paid at two-thirds of an employee’s regular rate of pay for the number of hours the employee would otherwise be scheduled to work. Pay will not exceed \$200 per day, and \$10,000 in total. Any unused portion of this pay will not carry over to the next year. This policy expires December 31, 2020.

For employees with varying hours, one of two methods for computing the number of hours paid will be used:

- The average number of hours that the employee was scheduled per day over the 6-month period ending on the date on which the employee takes leave, including hours for which the employee took leave of any type. Or,
- If the employee has worked less than 6 months, the expected number of hours to be scheduled per day at the time of hire.

Employee Status and Benefits During Leave

While an employee is on leave, the Town will continue the employee's health benefits during the leave period at the same level and under the same conditions as if the employee had continued to work. While on paid leave, the Town will continue to make payroll deductions to collect the employee's share of the premium up to 12 weeks. During any unpaid portions of leave, the employee must continue to make this payment, either in person or by mail, up to 12 weeks.

If the employee contributes to any voluntary policies, the Town will continue making payroll deductions while the employee is on paid leave. During any portion of unpaid leave, the employee may request continuation of such benefits and pay his or her portion of the premiums. If the employee does not continue these payments, the Town may discontinue coverage during the leave.

Procedure for Requesting Leave

All employees requesting FMLA leave must provide written notice, where possible, of the need for leave to Human Resources as soon as practicable. Verbal notice will otherwise be accepted until written notice can be provided. Within five business days after the employee has provided this notice, Human Resources will complete and provide the employee with any required notices.

The notice the employee provides should include a brief statement as to the reason for leave, and if possible, the expected duration.

On a basis that does not discriminate against employees on FMLA leave, the Town may require an employee on FMLA leave to report periodically on the employee's status and intent to return to work.

Employee Status After Leave

Generally, an employee who takes FMLA leave will be able to return to the same position or a position with equivalent status, pay, benefits and other employment terms. The Town may choose to exempt certain key employees from this requirement and not return them to the same or similar position when doing so will cause substantial and grievous economic injury to business operations. Key employees will be given written notice at the time FMLA leave is requested of his or her status as a key employee.

Intermittent Leave

Employees may take FMLA leave in 12 consecutive weeks, use the leave intermittently (take time periodically as needed), or use the leave to reduce the workweek or workday, resulting in a reduced hour schedule. In all cases, the leave may not exceed a total of 12 workweeks over a 12-month period.

Emergency Paid Sick Leave

Eligibility

All full- and part-time employees unable to work (or telework) due to one of the following reasons for leave:

- 1) The employee is subject to a federal, state or local quarantine or isolation order related to COVID-19.
- 2) The employee has been advised by a health care provider to self-quarantine due to concerns related to COVID-19.
- 3) The employee is experiencing symptoms of COVID-19 and seeking a medical diagnosis.
- 4) The employee is caring for an individual who is subject to either number 1 or 2 above.
- 5) The employee is caring for his or her child if the school or place of care of the child has been closed, or the childcare provider of such child is unavailable, due to COVID-19 precautions.
- 6) The employee is experiencing any other substantially similar condition specified by the U.S. Department of Health and Human Services.

Emergency Responders are excluded from reasons 4 and 5 above.

“Child” means a biological, adopted, or foster child, a stepchild, a legal ward, or a child of a person standing in loco parentis, who is-

- a) under 18 years of age; or
- b) 18 years of age or older and incapable of self-care because of a mental or physical disability.

“Emergency Responders” mean firefighters, law enforcement officers, telecommunication specialists, and solid waste equipment operators.

Amount of Paid Sick Leave

All eligible full-time employees will have up to 80 hours of paid sick leave available to use for the qualifying reasons above. Eligible part-time employees are entitled to the number of hours scheduled to work over a two-week pay period.

For employees with varying hours, one of two methods for computing the number of hours paid will be used:

- The average number of hours that the employee was scheduled per day over the 6-month period ending on the date on which the employee takes leave, including hours for which the employee took leave of any type. Or,
- If the employee has worked less than 6 months, the expected number of hours to be scheduled per day at the time of hire.

Rate of Pay

Paid emergency sick leave will be paid at the employee's regular rate of pay for leave taken for reasons 1-3 above. Employees taking leave for reasons 4-6 will be compensated at two-thirds their regular rate of pay. Pay will not exceed:

\$511 per day and \$5,110 in total for leave taken for reasons 1-3 above;
\$200 per day and \$2,000 in total for leave taken for reasons 4-6 above.

Interaction with Other Paid Leave

The employee may use emergency paid sick leave under this policy before using any other accrued paid time off for the qualifying reasons stated above.

Employees on expanded FMLA leave under this policy may use emergency paid sick leave during the first 10 days of normally unpaid FMLA leave.

Procedure for Requesting Emergency Paid Sick Leave

Employees must notify their department director or the HR department of the need and specific reason for leave under this policy. A form will be provided to all employees on the Town intranet and/or in a manner accessible to all. Verbal notification will be accepted until practicable to provide written notice.

Once emergency paid sick leave has begun, the employee and his or her director must determine reasonable procedures for the employee to report periodically on the employee's status and intent to continue to receive paid sick time.

Carryover

Paid emergency sick leave under this policy will not be provided beyond December 31, 2020. Any unused paid sick leave will not carry over to the next year or be paid out to employees.

Job Protections

No employee who appropriately utilizes emergency paid sick leave under this policy will be discharged, disciplined or discriminated against for work time missed due to this leave.

Please contact the HR department with any questions.