



“A Dream Worth Dreaming”

MAYOR
JAMES E. BLAKE

COMMISSIONERS
JERRY SMITH, MAYOR PRO-TEM
GENE ANDERSON
JOHN BEARD
KAY CAGLE KINCH

TOWN MANAGER
BRANDON W. HOLLAND

TOWN CLERK
LAURA B. MORTON

TOWN OF BISCOE BOARD OF COMMISSIONERS MEETING AGENDA

December 10, 2018
7:00 p.m.

1. Call to Order *Mayor Blake*
Pledge of Allegiance & Moment of Silence

2. Conflict of Interest Statement
“In keeping with the Conflict of Interest Laws outlined in Chapter 138A of the North Carolina Board of Ethics, any conflicts of interest or appearance of conflict with matters coming before the Board of Commissioners should be declared.” “Having received our agenda for this evening’s meeting, are there any conflicts of interest to be announced? If so please, state them at this time.”

3. Consent Agenda *Mayor Blake*
 - a) Approval of the Agenda
 - b) Approval of November 13, 2018 Regular Meeting Minutes
 - c) Reappointment of Gene Anderson to the ABC Board
 - d) Approval reappointed Fire Chief Sam Stewart

Please note December’s Monthly Financial Report will be provided at January’s meeting.

4. Internet Sweepstakes/Game Room/Electronic Gaming Text Amendment *Manager Holland*

5. Mayor’s Minutes - Commissioner Reports - Staff Reports

6. Public Comment

7. Adjournment

Merry
CHRISTMAS



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TOWN OF BISCOE
BOARD OF COMMISSIONERS MEETING
November 13, 2018

The Biscoe Town Board of Commissioners met in a regular session on Monday, November 13, 2018, at 7:00 pm in the Municipal Building. Present were: Mayor Jimmy Blake, Mayor Pro-Tem Jerry Smith, Commissioners Gene Anderson, Kay Cagle Kinch, and John Beard. (James Cagle, Jr. "Jimmy" Cagle's seat is vacant due to his death on December 30, 2017).

Members of Management Present: Town Manager Brandon Holland, Town Clerk Laura Morton, Public Works Director Sam Stewart and Police Chief Brent Tedder.

Call to Order/Pledge of Allegiance

Mayor Blake 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

"In keeping with the Conflict of Interest Laws outlined in Chapter 138A of the North Carolina Board of Ethics, any conflicts of interest or appearance of conflict with matters coming before the Board of Commissioners should be declared," "Having received our agenda for this evening's meeting, are there any conflicts of interest to be announced? If so, please, state them at this time."

Approval of the Consent Agenda

A motion was made by Mayor Pro-tem Smith, seconded by Commissioner Kinch and so the motion carried unanimously to approve consent agenda items:

- a) Approval of the Agenda
- b) Approval of October 10, 2018 Regular Meeting Minutes
- c) Approval of Monthly Financial Report

AYES: 4; NAYS: 0

**Formal Presentation of the Government Finance Officers' Association Award
Comprehensive Annual Financial Award (CAFR)**

A formal presentation of the Government Finance Officers' Association Award for the Town's first Comprehensive Annual Financial Award (CAFR) was presented by Town Manager Brandon Holland. Manager Holland thanked Town Clerk Laura Morton and others that helped with the award. The Board thanked Clerk Morton for her hard work.

NC Department of Transportation Beautification Project Agreement

A motion was made by Commissioner Anderson, seconded by Mayor Pro-tem Smith, and the motion carried unanimously to approve the following contract between the NC Department of Transportation and the Town of Biscoe:

(Insert contract when signed)

Game Room Application

Town Manager Holland said a Game Room Application had been received from Melissa Barrett. He said when the last Game Room Application was presented to the Board the issue was tabled until staff was able to present a text amendment (for reference minutes for meeting dates April 11, 2011; March 12, 2012; November 13, 2012; and January 14, 2013).

Manager Holland said there are no regulations in our zoning ordinance for this. He also said he had received 3 applications since Friday.

Chief Tedder said some of the convenient stores have one or two in their stores.

Ms. Melissa Barrett was present. She said she lives in Raleigh, but runs one in Robbins.

The Board directed Manager Holland to bring back a proposed text amendment for the Board to review.

Commissioner Beard asked Ms. Barrett if this would put a snag in her plans. Ms. Barrett said it will, but I am patient.

Request for Approval of Finance Policies

A motion was made by Commissioner Anderson, seconded by Mayor Pro-tem Smith, and the motion carried unanimously to approve the following new finance policies (Accounts Payable Policy and Purchase Order and Bidding). The policies are as follows:

TOWN OF BISCOE APPROVED ACCOUNTS PAYABLE POLICY AND PROCEDURE

Purpose

The purpose of these procedures is for payment of materials, supplies, services, or other expenditures necessary for the proper functioning of the Town of Biscoe's day to day operations. These procedures include both expenditures that are processed via purchase order as well as those which are purchased via invoices.

Policy Statement

Accounts payable is responsible for the accurate and timely payment of all invoices for the Town of Biscoe. This includes all payments on purchase orders and check requests. The Town of Biscoe's Deputy Clerk will only issue checks for invoices that are directly addressed to the Town of Biscoe.

Frequency of Check Issuance

Payments will be completed on Thursday of every week. Each department is responsible for submitting their invoices, check requests, and/or purchase order paperwork to the Town Clerk/Finance Officer by Wednesday's at 12:00 (noon) for approval. They will then be given to the Deputy Clerk for processing. Failure to comply with this restriction may result in delay of mailing the check.

Check Disbursement

There will be no checks prepared without the necessary backup documentation, proper level of departmental approval or any other factors deemed questionable by the Finance Department. The Finance Department requires that all payments made whether by paper check or in any electronic form, must be accompanied by the invoice and other related documentation.

To ensure check disbursement is as secure as possible, the Finance Department seeks to limit the amount of checks being picked up from the Finance Department. We understand that certain checks will need to be picked up such as checks for closing costs, filing fees, vehicle registration, tag and title fees, petty cash, etc. It is the responsibility of the department requesting the check to pick them up. All of the other checks will be handled by the Deputy Clerk. Any requests for check pick up other than those stated above must have been previously agreed upon.

If there is a check that needs to be voided the department must contact the Finance Department. If applicable, after receiving the check to be voided, the check will be marked VOIDED and removed from the financial software system by the Town Clerk/Finance Officer or her designee.

ACCOUNTS PAYABLE POLICY AND PROCEDURE CONTINUED

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Vendors

If a purchase is made from a vendor that has not been set up and will be a regularly used vendor, then the vendor must complete a New Vendor Form and submit a W-9 to the Office Assistant assigned. New vendors will not be added and/or a payment issued to them unless the Form is complete and/or a W-9 has been submitted. It is very important for each department to make sure there is not a vendor already being used by the Town that can accommodate their needs before adding a new vendor, as well as to help Finance to avoid vendor identification duplication within our system. Once the vendor has been setup, the payment can be issued.

Internal Controls

The following list is internal controls necessary for clarity and to meet the department's checks and balances goal (shown at the end of this document).

- Payments are only issued with accompanying invoice.
- All invoices are approved by the Finance Officer through the pre-auditing process; which includes a stamp that includes in red *"This Instrument has been preaudited in the manner required by the NC Local Budget and Fiscal Control Act – NCGS 15-28 (a1) Date: _____ Amount in the Budget at Preaudit _____"*. The Town Clerk/Finance Officer also signs this Preaudit Statement.
- Check request payments are approved by the Department Head and Finance Officer.

Approved this 13th day of November, 2018 by the Biscoe Town Council at its regular monthly meeting.

TOWN OF BISCOE APPROVED PURCHASING & BID REQUIREMENTS POLICY

PURPOSE

This purchasing and bid requirements policy is intended to establish a uniform policy and serve as a guide for all departments in obtaining supplies, materials, equipment, apparatus, and services. The Town of Biscoe's purchasing and bidding program is based on the principal of competitive bidding. A

valid reason must be provided and documented when competitive bidding is not sought and obtained. The practice of favoritism, whether to the seller or the user department, is not permissible.

The Town's purchasing and bidding requirements are governed by North Carolina General Statutes and, therefore, must seek competitive offers from qualified sources of supply unless the items can be obtained through existing contracts established by NC State Purchasing and Contracts Division. Whenever possible, the Town of Biscoe participates in the NC State Contracts. The Town's local purchasing and bidding requirements may cite provisions which are stricter in policy thresholds than the requirements of the applicable North Carolina General Statutes.

STATEMENT OF POLICY

The goals of the Town's purchasing and bidding program are

1. Any and all purchases and contracts that are made on behalf of the Town of Manteo must be for the use of the Town. Such purchases can only be made if an appropriation has been set up in the approved annual budget.
2. To comply with the legal and ethical requirements of public purchasing and procurement.
3. To provide Town departments the required goods, equipment, and services at the time and place needed and in the proper quantity and quality.

PURCHASING PROCEDURES – Supplies, Materials, Equipment, or Services

Less Than \$500 - Such purchases are normally made at the Department level. A purchase order is needed for services, materials, supplies and equipment purchased that exceed \$500.00. The amount for shipping and handling along with sales tax should be included on the purchase order. The Town Clerk/Finance Officer may not validate any purchase order unless sufficient unencumbered funds are available to pay at the time of purchase. A properly signed purchase order must *precede* the purchase. No invoice will be honored if the purchase order has not been issued and signed by the appropriate Department Head and Town/Clerk Finance Officer. The purchase orders will be pre-numbered for control purposes and should include descriptions of the items being purchased. Unauthorized purchases are classified as a personal expense, and therefore, will be paid by the employee. In the event that the Town/Clerk Finance Officer is not available, the purchase order can be signed by both the Department Head and the Town Manager. Under no circumstances may an order be split to stay under the \$500 threshold. The amount for shipping and handling along with sales tax should be included on the purchase order.

The following steps must be taken:

1. All Department Heads will read and understand this policy;
2. All employees involved in the purchasing process will become familiar with the procedures outlined in this policy;
3. This policy will be kept where it is easily accessible for reference;
4. All comments or clarifications of contents contained in this policy will be directed to the Town Manager or the Finance Officer.

Upon receipt of the item, the invoice must be submitted to the Deputy Town Clerk in a timely manner.

GENERAL RULES AND PROCEDURES FOR PURCHASING AND BIDDING

Note: all obligations evidenced by a contract or agreement, regardless of amount, must be certified as pre-audited by the Finance Officer.

Purchases of \$500.00 to \$29,999.99

All purchases between \$500.00 and \$29,999.99 (individually or in total) must be made with the use of a purchase order. The department wishing to make the purchase will prepare a purchase order and present it to the Finance Officer for approval. Town Board has given authority to the Town Manager to approve all contracts/purchases up to a maximum of \$29,999.99.

Informal Bidding Process

For all purchases, lease-purchases, and contracts above \$29,999.99 and below the state mandated thresholds for formal bidding prescribed by NCGS § 143-129, informal bids must be obtained. Notwithstanding, and consistent with an annual budget authorization, the Town Manager is authorized to renew or extend any service provider contract in effect as of the date of this policy as amended and determined by the Town Manager to be in the best interest of the Town. Only written informal proposals will be accepted. The purpose of public bidding is to obtain the best value for tax dollars, to provide fairness in contracting and prevent favoritism. Contracts will be awarded to the lowest responsible bidder, taking into consideration quality, performance and time. A Bid Form will be used for this process. Three (3) written proposals will be sought during the bidding process. In cases where available or appropriate vendors are limited, every effort will be made to obtain bids from at least two (2) vendors. In cases where the item or service is available from a single source, this information must be noted on the Bid Form. For any purchase, lease-purchase or contract cost not previously authorized by the Board in an annual budget appropriation, the Town Board must authorize the award of all bids over \$29,999.99. The Finance Officer will issue a purchase order to the chosen vendor and the Department Head will proceed with the purchase.

Formal Bidding Process

Expenditure of funds totaling or exceeding the state mandated thresholds for formal bidding prescribed by NCGS § 143-129, either for the purchase of apparatus, supplies, materials and equipment, or for construction or repair work, are required to be handled by the Formal Bid Process, and the bonding requirements of NCGS §44A-26 shall apply.

Note: Performance and payment bonds are required for contracts costing more than \$50,000 that are part of a project costing more than \$300,000.

The advertisement for bidders required by this section shall appear at a time where at least seven (7) full days shall lapse between the date on which the notice appears and the date of the opening of bids. The advertisement shall: (i) state the time and place where plans and specifications of proposed work or a complete description of the apparatus, supplies, materials, or equipment may be had; (ii) state the time and place for opening of the proposals; and (iii) reserve to the board or governing body the right to reject any or all proposals.

WHAT SHOULD BE ORDERED BY PURCHASE ORDERS

With the above statements in mind, there are a variety of exceptions to the Purchase Order requirement. If an item is not listed, Departments should assume the Purchase Order process applies.

Purchases Not Requiring a Purchase Order:

1. Professional services (*accounting, legal, planning, engineering, architectural, etc.*)

2. Other services provided by a current contract (*waste collection, tank maintenance, etc.*)
3. Items or services that are procured from a vendor with whom the Town maintains a limited charge account for purchasing.
4. Advertising (*legal ads, etc.*).
5. Annual dues & memberships
6. Insurance premiums
7. Land purchases
8. Refunds
9. Utility services
10. Postage

Emergency Purchases

An emergency is defined as a sudden, urgent, usually unexpected occurrence or occasion requiring immediate action. When an emergency does arise, and can be rectified only by immediate purchase or rental of equipment, supplies, materials or services, the following procedures must be followed:

- A. Secure a purchase order from the Finance Officer or the Town Manager. If the emergency occurs when offices are closed, the department should proceed to acquire only the materials of services necessary to meet the emergency;
- B. On the next working day, the Department Head must submit a requisition to the Finance Officer with the following information:
 1. Nature of the Emergency;
 2. Itemized list of purchases made;
 3. Cost per item;
 4. Vendor's name and address;
 5. Account Number
 6. Authorizing signature of the Department Head
 7. Purchase Order Number – if one was given.
- C. The Finance Officer will prepare a confirming purchase order and send the requesting department a copy of the purchase order. The employee receiving the requested items should verify that the purchase order information is correct. The employee should also make sure that the vendor knows who to invoice and the correct address for billing. All invoices should be made out to the appropriate Town Department. Failure to make sure this information is passed on to the vendor could result in the misplacement of the invoice, causing late payment on the invoice and loss of any possible discount. No emergency purchase orders will be given unless it is an emergency as described above. North Carolina General Statutes govern this procedure. Written approval for disallowed emergency purchases will have to be obtained from the Town Manager, with overall approval resting with the Town Board.

Telephone Purchase Order Procedures

In certain emergency or special situations, the Finance Officer will issue a purchase order number over the telephone to the requesting department. In such cases, the requesting department will be required to submit a supporting requisition to the Finance Officer the next business day. The requisition is to include the vendor, complete item description, quantity, price, and the purchase order number that was issued.

Credit Cards

The credit cards are assigned to Department Heads but are under the control of the Finance Officer as each Department Head is responsible for the nature of all purchases made on the individual credit cards. All purchases in excess of \$100.00 made with the Town credit card must be preceded with a purchase order. When traveling out of town for training purposes, the employee may use the credit card for hotel stays, meals and for the purchase of fuel only, providing that pre-approval is obtained from the Town Manager or the Finance Officer. A purchase order must be filled out immediately upon return. A cash advance may be issued for the employee’s cost of meals while out of town for training. Prior to departure, the employee may fill out a travel advance request form, and a check will be issued not to exceed \$50 per day for the length of the stay. The Department Head must approve purchases. Unauthorized purchases are a violation of this policy. If proper procedures are not followed, the employee may be personally liable for the payment.

Employee Authorization

All Town Employees that have authority to purchase items on behalf of the Town of Biscoe must sign the Town of Biscoe Purchasing and Bid Policy *Employee Acknowledgement of Receipt of Policy*.

Approved this 13th day of November, 2018 and is effective immediately.

**Town of Biscoe Purchasing and Bid Policy
*Employee Acknowledgement of Receipt of Policy***

I have received and have read the Town of Biscoe Purchasing and Bid Policy adopted on November 13, 2018 by the Town Council and I understand that I may be held liable for items purchased that were not pre-approved according to policy.

I also understand that this acknowledgement will be placed in my personnel file.

Signature

Date

Approval of 2019 Schedules

A motion was made by Commissioner Beard, seconded by Commissioner Kinch, and the motion carried unanimously to approve the following 2019 Town Schedules (Town Council Meetings, Holidays, Coffee with a Cop Dates, and for the Senior Program):

- January 1, 2019 New Years - Holiday Offices Closed
- January 2, 2019 Coffee with a Cop at Bojangles of Biscoe
- January 9, 2019 Senior Bingo at 2 pm Town Hall
- January 14, 2019 Town Council Meeting at 7 pm
- January 21, 2019 Martin Luther King, Jr. Day - Holiday Offices Closed
- February 6, 2019 Coffee with a Cop at Bojangles of Biscoe
- February 11, 2019 Town Council Meeting at 7 pm
- February 13, 2019 Senior Bingo at 2 pm at Town Hall
- March 6, 2019 Coffee with a Cop at Bojangles of Biscoe
- March 11, 2019 Town Council Meeting at 7 pm
- March 13, 2019 Senior Bingo at 2 pm at Town Hall
- April 3, 2019 Coffee with a Cop at Bojangles of Biscoe

April 8, 2019 Town Council Meeting at 7 pm
April 10, 2019 Senior Bingo at 2 pm at Town Hall
April 19, 2019 Good Friday - Holiday Offices Closed
May 1, 2019 Coffee with a Cop at Bojangles of Biscoe
May 8, 2019 Picnic in the Park at Biscoe Park
May 13, 2019 Town Council Meeting at 7 pm
May 27, 2019 Memorial Day- Holiday Offices Closed
June 5, 2019 Coffee with a Cop at Bojangles of Biscoe
June 10, 2019 Town Council Meeting at 7 pm
June 12, 2019 Senior Bingo at 2 pm at Town Hall
June 26, 2019 Town Council Meeting at noon
July 3, 2019 Coffee with a Cop at Bojangles of Biscoe
July 4, 2019 Independence Day- Holiday Offices Closed
July 8, 2019 Town Council Meeting at 7 pm
July 10, 2019 Senior Bingo at 2 pm at Town Hall
August 7, 2019 Coffee with a Cop at Bojangles of Biscoe
August 12, 2019 Town Council Meeting at 7 pm
August 14, 2019 Ice Cream Social at 2 pm at Town Hall
September 2, 2019 Labor Day - Holiday Offices Closed
September 4, 2019 Coffee with a Cop at Bojangles of Biscoe
September 9, 2019 Town Council Meeting at 7 pm
September 11, 2019 Senior Bingo at 2 pm at Town Hall
October 2, 2019 Coffee with a Cop at Bojangles of Biscoe
October 9, 2019 Senior Bingo at 2 pm at Town Hall
October 14, 2019 Town Council Meeting at 7 pm
October 14, 2019 Columbus Day - Holiday Offices Closed
November 6, 2019 Coffee with a Cop at Bojangles of Biscoe
November 11, 2019 Town Council Meeting at 7 pm
November 11, 2019 Veteran's Day - Holiday Offices Closed
November 13, 2019 Senior Bingo at 2 pm at Town Hall
November 28, 2019 Thanksgiving Day - Holiday Offices Closed
November 29, 2019 Thanksgiving Day - Holiday Offices Closed
December 4, 2019 Coffee with a Cop at Bojangles of Biscoe
December 9, 2019 Town Council Meeting at 7 pm
December 11, 2019 Christmas Prayer Breakfast @ 9:30 am at Town Hall
December 24, 25 & 26, 2019 Christmas - Holiday Offices Closed

Informational Items

Halloween in the Park

Manager Holland said Halloween in the Park was a success. We had 1507 people walk through the ballfield on Halloween. This number does not include volunteers, town staff, or those handing out candy.

Veterans' Parade

Commissioner Anderson said he enjoyed riding in the Veterans' parade in Troy. He and the Mayor thanked Clerk Morton for arranging it.

Christmas Parade

Manager Holland asked Board members if they are interested in riding in the parade to please contact Clerk Morton.

Mayor's Minutes - Commissioner Reports - Staff Reports

The following Mayor's Minutes were presented:

- Attended the Elephant Club Meeting at Tillery Tradition where Richard Hudson gave a speech
- Attended the 50th Anniversary of the PTRC Luncheon at the Greensboro Coliseum
- Chaired a RPO Meeting with DOT in Greensboro
- Participated in the Mayor's Walk in Troy and Star as part of the Ten Days of Uwharrie Festival
- Represented the Biscoe Lion's Club and the Town of Biscoe at the 5th Annual Halloween in the Park
- Attended a Triad Tomorrow Seminar at High Point University
- Spoke with David Knight of the NC Office of Outdoor Recreation
- Met with Mike Spisak who is the Head of the US Forest Service in Uwharrie National Forest
- Went to American Axle with Town Manager, Brandon Holland and President of the Biscoe Lion's Club, Bruce McNeil
- Attended a Nominating Committee of the COG in Kernersville
- Attended a Report of Annual Finances given by Cannon and Company
- Attended an Executive Meeting of the COG
- Attended the workshop to be able to work with inmates

Public Comment

The following spoke during the public forum:

Wendy Clegg asked about repairing the sidewalks and potholes on Green Street.

Public Works Director Sam Stewart said a Paving Company is working its way around town repairing potholes. He said the recent rain has delayed the work. He said I know Green Street is on the list.

Commissioner and Staff Reports/Comments

Commissioner Kinch thanked Public Works for the speed bump. She asked if the Town has the authority to do anything about Days Inn. She said it is in poor condition and it is a reflection of the Town. Manager Holland said he had received a call from a Realty Company about the property. He said he would look into the issue.

Commissioner Beard thanked Public Works for the speed bump on Church St.

Mayor Blake said Manager Holland had been working on cleaning up properties around town.

Commissioner Anderson thanked Mr. Stewart for the work on the sidewalks.

Manager Holland announced Vision Planning Night will be December 6 from 6 pm to 8:30 pm. He said this is the first of many meetings. He asked the Board to RSVP to Clerk Morton.

Police Chief Tedder said he received a call from the Albemarle Police Chief thanking Biscoe Police Department for their assistance in the recent shooting that led to a high speed chase through Biscoe. He said Officer Lewellen caught chase and was able to get a good description.

Police Chief Tedder also mentioned that he needed to cash in points for the Governor Highway Safety Program and those points equal dollars. Biscoe Police Department will have enough funds to pay half for a new police cruiser.

Commissioner Anderson thanked all of the Town staff for their hard work.

Closed Session

A motion was made by Commissioner Beard, seconded by Mayor Pro-tem Smith, and so the motion carried unanimously to go into Closed Session Pursuant to NCGS 143-318.11 (a)(5) – Purchase of Property.

The Board returned out of closed session.

A motion was made by Commissioner Beard, seconded by Mayor Pro-tem Smith, and so the motion carried unanimously to return into regular session.

The Board had nothing to report from the Closed Session.

Adjournment

There being no further business to bring before the Board, Mayor Pro-tem Smith made the motion to adjourn, and Commissioner Kinch made the second. All voted in favor. Meeting adjourned at 8:00 p.m.

Laura B. Morton, Town Clerk

TOWN OF BISCOE

INTERNET SWEEPSTAKES CAFÉ/GAME ROOM/ELECTRONIC GAMING

Intent

Definition

Permit Required

Criminal History Check Authorized

Disqualifications

Prohibited Conduct

Rules for Operation

Signage

Removal to Another Location

Revocation of Permit



INTENT

In the development and adoption of this Section, it is recognized that some uses can have objectionable characteristics if not properly monitored, thereby having a detrimental impact upon property values, public safety, and the quality of life. The purpose of these regulations is to preserve the integrity and character of internet cafes, to deter the spread of urban blight, to protect the public from activities prohibited by state law.

DEFINITIONS

As used in this Section only, the following terms shall be defined as set forth below. All other terms shall have their customary meaning

INTERNET CAFÉ. An internet café is a place where one can use a computer with Internet access, usually for a fee, either per hour or minute; or with a pass for a day or month, etc. It may serve as a regular café as well, with food and drinks being served. This definition does not include internet sweepstake cafes.

GAME ROOM. Any place of business that principally operates mechanical games or pay devices or tables for which charge is made either directly or indirectly. Examples, by way of illustration and not limitation, are pool rooms, bowling alleys, billiard halls, amusement centers, video game rooms and the like.

ELECTRONIC GAMING DEVICE. Any electronic device (computers, terminals, etc.) that is capable of visually displaying information to sweepstake entrants in the form of game play, or simulated game play, including but not limited to:

A video poker game or any other kind of video playing card game, video bingo game.

A video craps game, video keno game, video lotto game, eight liner, pot-of-gold.

Video game based on or involving the random or chance matching of different pictures, words, numbers, or symbols not dependent on the skill or dexterity of the player.

INTERNET SWEEPSTAKES. Any game, advertising scheme or plan, or other promotion, which, with or without payment of any consideration, a person may enter to win or become eligible to receive any prize, the determination of which is based upon chance.

PERMIT REQUIRED

- (A) Every operator of a game room shall be required to pay a privilege permit tax in accordance with the privilege permit ordinance contained in this code.
- (B) In addition, every operator of a game room shall apply for and obtain a permit from the Town Manager, or his or her designee, to operate a game room. Application for a permit shall be made upon forms provided by the Town Manager or his or her designee.
- (C) An application fee shall be paid when the application is submitted to cover the cost of administration of this chapter.
- (D) The permit shall expire on June 30 of each year and shall not be transferable.
- (E) A new permit must be applied for and obtained, by the operator of the game room, annually, in accordance with divisions (B) and (C) above.
- (F) It shall be unlawful to operate a game room within the town without a permit as required by division (B) above.
- (G) Internet sweepstakes cafes shall be permitted in HB Highway Business District as a conditional use, subject to the requirements of this section.

CRIMINAL HISTORY CHECK AUTHORIZED

- (A) A criminal records background check is required for applicants for permit under this chapter, in order to protect the public health, safety and welfare.
- (B) The background check shall be conducted by the Town Police Department in conformity with state law. The result of the background check can determine the suitability of the applicant.

DISQUALIFICATIONS

- (A) Permit shall not be issued to any applicant who:
 - (1) Has been convicted of unlawfully selling alcoholic beverages, intoxicating liquors or narcotic drugs;
 - (2) Is not a resident of the state; or
 - (3) As a result of the criminal background check, the Town Manager, or his or her designee, determines that the applicant's operation of the business for which the permit is applied would create a risk of illegal activity, because of the applicant's previous conduct involving moral turpitude.
- (B) If the Town Manager, or his or her designee, denies a permit to an applicant, the applicant shall be notified, in writing, of the decision within 15 days of the decision and the applicant shall be notified of his or her right to appeal the decision to the Board of Commissioners.
- (C) If an applicant, who has been denied a permit, requests an appeal in writing to the Board of Commissioners within 30 days of the date the notification letter was mailed from Town Hall to the applicant, he or she shall be granted a hearing of appeal by the Board of Commissioners. The hearing shall be held by the Board of Commissioners within 30 days of receiving written notice, from the applicant, that a hearing is desired.

PROHIBITED CONDUCT

Permittees under this chapter shall not, and neither shall their employees:

- (A) Suffer or permit any gambling on the permitted premises at any time; nor the sale or use of any racing, football or other parlay cards, or gambling boards or devices;
- (E) No loud noises shall be allowed to emanate beyond the permitted premises.
- (B) Suffer or permit the permitted premises to become disorderly; or permit any profane, obscene or indecent language thereon;
- (C) Suffer or permit any alcoholic beverages, intoxicating liquors or narcotic drugs to be sold or kept or consumed on the permitted premises;
- (D) Employ, in carrying on the business, any person who has been convicted of unlawfully selling alcoholic beverages, intoxicating liquors or narcotic drugs;
- (E) Employ, in carrying on the business, any person who has been convicted of an unlawful sex offense; or
- (F) Employ, in carrying on the business, any person who has been convicted of any offense against a minor, as defined by state law.

RULES FOR OPERATION

The following rules shall be observed by all operators of game rooms within the town.

- (A) All game rooms are allowed to remain open from 7:00 a.m. until 12:00 midnight, seven days per week.
- (B) No play on any game shall be allowed during the times when game rooms are required by this chapter to remain closed.
- (C) All game rooms shall be operated only on the ground floor of a building, and plate glass windows shall be in those parts of the building facing any street, so that a clear view inside may be had from the street.
- (D) No screens, curtains, blinds, partitions or other obstructions shall be placed between the entrance to the room where games are played and the rear wall of the room, so that a clear view of the interior may be had from the street.
- (E) No electronic gaming device shall be used for sweepstake activities prohibited by State law.

SIGNAGE

- (A) In addition to the sign regulations of the zoning ordinance, signs shall not obstruct the view of electronic devices from exterior of the building.
- (B) Window signs shall cover no more than 25% of the window surface area.

REMOVAL TO ANOTHER LOCATION

- (A) The removal, from one location to another, of any business designated above shall require a new and separate permit to operate and privilege permit.
- (B) The owner must apply for and obtain the required permits prior to relocating the business. All provisions of this chapter shall apply to the business at its new location.

REVOCACTION OF PERMIT

After giving the operator of a game room adequate notice and an opportunity to be heard, the Board of Commissioners may revoke the permit of any game room operator who:

- (A) Violates any provision of this chapter; or
- (B) Is convicted of unlawfully setting alcoholic beverages or narcotic drugs.

Mayor's Minutes

- Went with Gene, Brandon, and Police Chief and Toured the Troy Bypass with head engineer of the project. Completion date in May of 2019.
- Spent 4 hours at southbound center welcoming people to Montgomery County, Biscoe, and Blake's Restaurant
- Attended Jimmy Cagle Sr.'s funeral
- Attended County Commissioner Jackie Morris' last meeting and presented a plaque from the Town
- Attended Town Employee Appreciation Lunch
- Attended Joe Dawkins' funeral along with 20 active and retired firemen
- Attended Vision Planning Meeting
- Represented the Town in the Star Christmas Parade
- Picked up trash with inmates
- Toured Sewer Plant with Operator Reid McAlister
- Toured Town with Police Chief Tedder
- Planted flowers in front of the Post Office and Town Hall
- Attended Firemen's Christmas Dinner