

The Town of Nashville Town Council held a Called Meeting on Monday, March 30, 2020 at 3:00 PM in Town Council Chambers. Members Present: Mayor Brenda Brown, Mayor Pro Tem Kate Burns, Council Member Louise Hinton, Council Member Lynne Hobbs, and Council Member Larry Taylor. Absent: None. Staff Present: Randy Lansing – Town Manager, Lou Bunch – Town Clerk and Human Resources Director, Sam Sanchez – Finance Director, Lee Brown – Public Works Director, Chris Joyner – Fire Chief, Anthony Puckett – Police Chief and JT Winstead – Police Captain.

1. Mayor Brown called the meeting to order at 3:00 PM, welcomed those in attendance, and spoke a brief prayer over the meeting.
2. Mayor Brown called for Items for Consideration:
 - a. Mayor Brown called for Consideration of Resolution 2020-04: Resolution to adopt a Title VI policy for the Town of Nashville to prohibit discrimination in programs and services and in activities receiving federal financial assistance.

Mr. Lansing stated that this resolution is stating that we have to comply with the Civil Rights Act of 1964 and that we will not discriminate against anyone based on any of the protected classes. He commented that we are doing all of this already, but the North Carolina Department of Transportation (NCDOT) is requiring us to have a formal policy. He informed the Council that the NCDOT is willing to partner with the Town of Nashville to run a sanitary sewer line out on Eastern Avenue from the Regency lift station to Kamlar Drive as part of the four-lane widening project. Mr. Lansing explained that in order for us to receive that, the Town must be compliant and have a policy in place. Mayor Brown asked if we were not compliant already. Mr. Lansing replied that he could not find a written policy. He stated that he would be surprised if we did not have one in the past, but it was easier to approve a new one than to try and find the old one. He noted that if we had received any CDBG money in the past that we had to of had one.

Mayor Brown called for a motion to adopt this resolution. Council Member Hinton made the motion, seconded by Mayor Pro Tem Burns. There being no discussion, Mayor Brown called for a vote. The motion was unanimously approved (4-0).

The resolution was approved as follows:

RESOLUTION 2020-04

**RESOLUTION TO ADOPT A TITLE VI POLICY FOR THE TOWN OF NASHVILLE
TO PROHIBIT DISCRIMINATION IN PROGRAMS AND SERVICES AND IN
ACTIVITIES RECEIVING FEDERAL FINANCIAL ASSISTANCE**

WHEREAS, in 1964, Congress enacted the Civil Rights Act of 1964, which included that section labeled Title VI which prohibits discrimination in any activity which is financed by federal funds or receives federal financial assistance; and

WHEREAS, since the adoption of Title VI, additional federal regulations and court decisions have further refined the definition of "federal financial assistance" and what entities are affected and controlled by Title VI; and

WHEREAS; the Town of Nashville has no formal policy in place for defining and preventing discrimination in the activities and for the entities Title VI affects; and

WHEREAS, the interpretation and application are not intuitive or readily understood, requiring an understanding of what "federal financial assistance" might be in any particular situation and what persons or entities must comply with Title VI; and

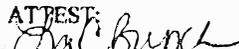
WHEREAS, a policy and procedure for reporting violations will provide guidelines for the Town, Town Departments and private persons and companies doing business with the Town and receiving federal financial assistance.

NOW, THEREFORE, BE IT RESOLVED by the Town Council of the Town of Nashville that the attached "Town of Nashville's Title VI Policy" is hereby adopted as the official policy of the Town of Nashville for applying, reporting and enforcing Title VI of the Civil Rights Act of 1964.

IT IS FURTHER RESOLVED that the Town Manager is authorized to approve this policy on a yearly basis if no changes are made to it.

Adopted this 30th day of March, 2020.


Brenda Brown, Mayor

ATTEST:

Lou Bunch, Town Clerk



Town of Nashville's Title VI Policy

The Town of Nashville has adopted a Title VI Policy to ensure that the Town is in compliance with the provisions of Title VI of the Civil Rights Act of 1964. Title VI prohibits discrimination on the basis of race, color or national origin in programs or activities receiving federal financial assistance. Presidential Executive Order 12898 addresses environmental justice in minority and low-income populations. Presidential Executive Order 13166 addresses services to those individuals with limited English proficiency. Discrimination on the basis of gender, age, and disability is prohibited under related statutes. These Presidential Executive Orders and the related statutes fall under the umbrella of Title VI.

Federal-aid recipients, subrecipients and contractors are required to prevent discrimination and ensure nondiscrimination in all of their programs, activities and services whether these programs, activities and services are federally funded or not. The Town of Nashville Title VI Section 504 Coordinator is responsible for providing leadership, direction and policy to ensure compliance with Title VI and environmental justice principles. If you have experienced discrimination or harassment or have a human rights concern, you can file a discrimination complaint with the Town.

Non-Discrimination Policy:

It is the express policy of the Town of Nashville (the Town) that no person shall be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under, any program or activity receiving federal funds on the grounds of race, color, national origin, sex, age, disability, or income, as provided by Title VI of the Civil Rights Act of 1964, the Civil Rights Restoration Act of 1987, the Federal Aid Highway Act of 1973, Age Discrimination Act of 1975, the Americans with Disabilities Act of 1990, Section 504 of the Rehabilitation Act of 1973, Executive Order 12898 and Executive Order 13166. It is also the express policy of the Town that no person shall be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any Town program or activity, whether those programs and activities are federally funded or not, on the grounds of race, religion, color, sex, marital status, familial status, national origin, age, mental or physical disability, sexual orientation, gender identity and source of income.

Authorities:

Title VI of the Civil Rights Act of 1964 [Pub. L. 88-352 (1964), codified as 42 U.S.C. §§2000d through 2000d-4]: Title VI of the Civil Rights Act of 1964 prohibits the discrimination in, or the denial of benefits under, any program or activity receiving federal financial assistance on grounds of race, color or national origin.

The Civil Rights Restoration Act of 1987, [Pub. L. 100-259, Sec. 6 (1988), codified as 42 U.S.C. §2000d-4a]: The Civil Rights Restoration Act of 1987 broadened the scope of Title VI coverage by expanding the definition of the terms "programs or activities" to include all

programs or activities of federal aid recipients, subrecipients, and contractors, whether such programs and activities are federally assisted or not.

Federal Aid Highway Act of 1973, [Pub. L. 93-87 (1973), codified as 23 U.S.C. §324]: The Federal Aid Highway Act of 1973 provides that no person shall, on the basis of sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving federal assistance.

Age Discrimination Act of 1975, [Pub. L. 94-135 (1975), codified as 42 U.S.C. §6102]: The Age Discrimination Act of 1975 provides that no person in the United States shall, on the basis of age, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving federal assistance.

Americans with Disabilities Act of 1990, Subchapter 2, Part A [Pub. L. 101-336 (1990); codified as 42 U.S.C. §§12131-12134]: The Americans with Disabilities Act of 1990 provides that no qualified individual with a disability shall, by reason of such disability, be excluded from the participation in, be denied the benefits of, or be subjected to discrimination by a department, agency, special purpose district, or other instrumentality of a state or a local government.

Section 504 of the Rehabilitation Act of 1973 [Pub. L. 93-112 (1973), codified as 29 U.S.C. §794]: Section 504 of the Rehabilitation Act of 1973 provides that no qualified handicapped person, shall, solely by reason of his/her handicap, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving federal assistance.

23 CFR Part 200: 23 CFR 200 are administration regulations promulgated by the Federal Highway Authority that specify the Title VI implementation requirements for state departments of transportation at state and local levels.

49 CFR Part 21: 49 CFR 21 are administration regulations promulgated by the US Department of Transportation that specify the Title VI implementation requirements for state departments of transportation at state and local levels.

Exec. Order No. 12898: Executive Order 12898 regards federal actions to address Environmental Justice in minority populations and low income populations. (Environmental justice seeks equal protection from environmental and public health hazards for all people regardless of race, income, culture and social class. Additionally, environmental justice means that no group of people including racial, ethnic or socioeconomic groups should bear a disproportionate share of the negative environmental consequences resulting from industrial, land-use planning and zoning, municipal and commercial operations or the execution of federal, state, local and municipal program and policies).

Exec. Order No. 13166: Executive Order 13166 regards the improvement of access to services for persons with Limited English Proficiency.

Definitions. As used in this Title VI Plan, the following mean:

Affected Parties - Persons protected against discrimination because of race, color, national origin, sex, age, disability, or income by the Title VI Requirements, and SRC Chapter 97.

Contractor - A person or entity who has entered into an agreement with the Town that is subject to the Title VI Requirements.

LEP Program - The Limited English Proficient program established by the Town to assist individuals who do not speak English as their primary language, and who therefore have limited ability to read, speak, or understand the English language and connect with Town government and assist with needed services. Locating and citing actions: a recommendation by Town staff or decision by the Town staff or the Town Council that will result in the construction of a public facility that could have adverse environmental impacts on the surrounding area.

Meaningful Access - The provision of communicative assistance by the Town necessary to allow affected persons to participate in governmental services/activities.

Proposed Project - A project that receives federal funds and is subject to the Title VI Requirements.

Subrecipient - A person or entity that receives federal funds from the Town to be used by the entity to further the objectives of the federal grant. The Town is the recipient of the grant, and the person or entity is a subrecipient of those grant funds. An example of a subrecipient relationship would be where the Town grants federal funds to a non-profit corporation that the corporation uses to provide assistance for low-income households to pay utility bills.

Title VI Assurances - Conditions imposed upon contractors or subrecipients as a result of federal funding being directly or indirectly provided to the contractor or subrecipient.

Title VI Requirements - The nondiscrimination provisions contained in Title VI of the Civil Rights Act of 1964, the Civil Rights Restoration Act of 1987, the Federal Aid Highway Act of 1973, Age Discrimination Act of 1975, the Americans with Disabilities Act of 1990, Section 504 of the Rehabilitation Act of 1973, Executive Order 12898 and Executive Order 13166.

Title VI Plan Organization and Staffing:

Town Manager - The Town Manager's Office is responsible for ensuring the Town's compliance with Title VI Requirements, including, but not limited, to monitoring Town programs, preparing required reports and undertaking such other responsibilities as required by 23 Code of Federal Regulation (CFR) 200 and 49 CFR 21. (See Appendix A). To ensure compliance the Town Manager will appoint a Title VI/Section 504 Coordinator, and Department Directors will designate one or more Department Liaisons within their respective departments.

Title VI Section 504 Coordinator - The Human Resources Director is the Title VI/Section 504 Coordinator and responsible for the overall management of the Title VI Program, under the direct supervision of the Town Manager. The Title VI/Section 504 Coordinator's responsibilities are:

1. Process complaints regarding compliance with this Title VI Plan that are received by the Town Coordinator with Department Liaisons to compile statistical data related to race, color, national origin, sex, age, disability, and income of participants in, and beneficiaries of, federally funded programs to ensure compliance with the Title VI Requirements.
2. Review Town programs or projects receiving federal funds in coordination with Department Liaisons to ensure compliance with Title VI Requirements.
3. Conduct training programs related to Title VI Requirements for Town staff who are responsible for Title VI compliance, and for contractors or subrecipients who are subject to Title VI Requirements.
4. Make recommendations to the Town Manager on ways to achieve compliance with Title VI Requirements.
5. Develop information regarding this Title VI Plan for dissemination to the general public and, where appropriate, use the LEP Program to ensure dissemination of the information to affected populations.
6. Ensure that individuals who will be affected by locating and citing actions obtain meaningful access to the public awareness/involvement process.
7. Identify deficiencies in compliance with the Title VI Requirements, and make recommendations to the Town Manager for remedial actions to be taken to promptly resolve such deficiencies.
8. Annually prepare a Title VI Plan Report that documents progress, accomplishments, impediments and goals in fulfilling this Title VI Plan.

Department Liaisons - Department Liaisons are responsible for the day-to-day administration of the Title VI Program within their departments. The Title VI Section 504 Coordinator shall keep on file an accurate and updated list of all Department Liaisons. Department Liaisons' responsibilities are:

1. Ensure compliance, program monitoring, reporting, and education regarding the Title VI Requirements within their respective departments.
2. Meet regularly with the Title VI Section 504 Coordinator to discuss issues regarding Title VI implementation and monitoring within the Town.
3. Collect statistical data regarding participants in and beneficiaries of federally funded programs, e.g., relocates, Affected Parties, and impacted communities (race, color, national origin, sex, age, disability, and income)
4. Prepare annual reports regarding department compliance with Title VI and make recommendations on ways to achieve better compliance with the Title VI Requirements.
5. Conduct post-grant approval reviews of Town programs and applicants (e.g., highway location, design and relocation, and persons seeking contracts with the Town), for compliance with the Title VI Requirements.
6. Conduct department meetings to review impacts of Proposed Projects on Affected Parties.
7. Develop mechanisms to identify the population of Affected Parties for Proposed Projects.

8. Notify Affected Parties of public meetings or hearings regarding a Proposed Project, and ensure that meetings and hearings are accessible to all Affected Parties.

Title VI Program Components:

Elimination of Discrimination - The Town will continue its practice of identifying discrimination based on race, color, religion, sex, marital status, familial status, national origin, age, mental or physical disability, sexual orientation, gender identity and source of income, and where such discrimination is found to exist, implementing programs or practices to eliminate the discrimination. Programs include, but are not limited to, hiring Minority/Women/Disadvantaged Business Enterprises (DBE) contractors, providing translations through the LEP Program, and conducting public outreach and involvement in Town projects.

Public Dissemination of Information - The Title VI Section 504 Coordinator shall assist Town staff in the creation and dissemination of Title VI Program information to Town employees, subrecipients, contractors, Affected Parties, and the general public. Public dissemination efforts may include: posting public statements setting forth the Town's non-discrimination policy; inclusion of Title VI Assurances in Town contracts and grants; and publishing a Title VI Policy Statement in a newspaper of general circulation in the Town and in other community/minority publications at least once annually; posting a Title VI Policy Statement in vicinity of proposed Town projects; and including a Title VI Policy Statement in announcements of hearings and meetings; and providing notice of Town Proposed Projects to minority communities.

Departmental Responsibilities - Each Department Head is responsible for Title VI compliance for individual projects. Compliance activities include, but are not limited to:
Ensuring that all aspects of a Proposed Project's planning process and operations comply with the Title VI Requirements.

1. Ensuring that Affected Parties have meaningful access to a Proposed Project's planning processes.
2. Assisting the Title VI Section 504 Coordinator in gathering and organizing data for the Title VI Plan Report.
3. Reviewing the Department work programs, policies, and other directives to ensure compliance with the Title VI Requirements.
4. Verifying the level of participation of Affected Parties at public outreach meetings.

Title VI Assurances in Contracts and Grants - The Contracts and Procurement Division is responsible for the Town's general contracting, consultant selection, negotiation, and administration of contracts for the Town. The Contracts and Procurement Division will ensure that all federally funded contracts administered by the Town contain Title VI Assurances. In the event that the Town distributes federal funds to another entity through grants or other agreements, the Department Liaison administering the grant or agreement will ensure that such grants and agreements contain the Title VI Assurances. The Department's project administrator or grant administrator will monitor the performance of the contract or grant for compliance. The Title VI/Section 504 Coordinator and Department Liaisons will coordinate efforts to ensure that the requirements of Title VI are met throughout the entire contracting and grant performance process.

Data Collection - Statistical data on Affected Parties will be compiled by each Department Liaison. The data compilation process will be reviewed regularly by the Title VI/Section 504 Coordinator and the Department Liaisons to ensure the data is sufficient to meet the requirements of this Title VI Plan.

Training Program - Annual training will be made available to Department Liaisons and other Town staff responsible for the implementation of the Title VI Requirements. Training will provide comprehensive information on the Title VI Requirements and its application to specific programs or operations; assistance on the identification of Title VI issues; and an overview of the complaint process.

Title VI Program Reviews - Each Department will conduct an annual Title VI Plan review to assess the Department's effectiveness in ensuring compliance with the Title VI Requirements. The Title VI Program review will be overseen by the Title VI Section 504 Coordinator with the assistance of the Department Liaison, and will include an evaluation of administrative procedures and staffing; review of operational guidelines for Town staff, contractors and subrecipients; and assessment of resources available to ensure compliance with the Title VI Requirements.

Department Title VI Reports - Department Liaisons shall annually prepare a Department Report to be submitted to the Town Manager on or before July 15th of each year. The Department Report will be based on the data compiled by the Department Liaison and the Title VI Program Review. The Department Report shall include an executive summary; a list of programs subject to the Title VI Requirements; a summary of any complaints of violations of the Title VI requirements and how each complaint was resolved; a summary of the statistical data compiled by the Department Liaison; a summary of Title VI training provided; and a general assessment of the Title VI compliance by the Department.

Title VI Section 504 Coordinator Title VI Plan Report - The Title VI Section 504 Coordinator shall annually prepare a comprehensive Title VI Plan Report, and forward it to the Town Manager on or before August 19 of each year. The Title VI Plan Report will be based on the Department Title VI reports, and shall contain an assessment of the accomplishments during the preceding year; a list of recommended changes to the programs subject to the Title VI Requirements; and a list of recommended goals and objectives for the upcoming year.

Preventive and Remedial Efforts - The Town will actively seek to prevent Title VI deficiencies or irregularities, and to remedy Requirements. In taking such action, the Department Liaison will work with the Title VI Section 504 Coordinator to create an action plan within 90 days of the date the need for preventive or remedial action is identified by Town staff. A copy of the action plan will be provided to the Department Head and the Town Manager and retained by the Title VI Section 504 Coordinator. When the Department Liaison reasonably believes a contractor or subrecipient has violated a Title VI Requirement, the Department Liaison will follow the following process:

1. The project or grant administrator and the Department Liaison will meet with the contractor or subcontractor to conduct an initial review of the facts supporting a finding that a violation of the Title VI Requirements has occurred or is occurring.
2. If, after the initial review, the Department Liaison concludes that the contractor or subrecipient has violated the Title VI Requirements, the contractor or subrecipient will be given a reasonable time, not to exceed 90 days from the date notice is provided to the contractor or subrecipient, to voluntarily correct noncompliance.
3. The Town will seek to obtain the cooperation of the contractor or subrecipient in correcting non-compliance, and will offer to provide technical assistance needed by the contractor or subrecipient to obtain voluntary compliance with the Title VI Requirements.
4. A follow-up review will be conducted within 180 days of the date notice is provided to the contractor or subrecipient to ensure that the violation of the Title VI Requirements has been corrected. If after the review, the contractor or subrecipient has failed to correct the violation, the Town Manager may take appropriate action (e.g., withhold funds, cancel contract) required to comply with the Town's obligation under the federal grant.
5. When a contractor or subrecipient has failed or has refused to comply with Title VI Requirements within the 180 day period after the initial review, the Department Liaison will submit two copies of the file to the appropriate state or federal agency (e.g., ODOT's Office of Civil Rights or the FHWA), along with a recommendation that the file be reviewed for a determination of whether the contractor or subrecipient has violated the Title VI Requirements.

Complaint Process:

Any person who believes that he or she or any other program beneficiaries have been subjected to unequal treatment or discrimination in his or her receipt of benefits and/or services from the Town, or by a contractor or subrecipient on the grounds of race, color, national origin, sex, age, disability, or income, may file a Title VI Complaint with the Title VI Section 504 Coordinator. Any person who believes that he or she or any other program beneficiaries have been subjected to unequal treatment or discrimination in their receipt of benefits and/or services, or on the grounds of race, religion, color, sex, marital status, familial status, national origin, age, mental or physical disability, sexual orientation, gender identity and source of income, may file a complaint.

- b. Mayor Brown called for Consideration of Resolution 2020-05: Resolution requesting the Nash County Commissioners to increase the N.S. Gully Fire District Property Tax Rate to \$0.15 per \$100 of taxable value.

Mayor Brown read the resolution for the record and called for a motion to approve the resolution. Council Member Taylor made the motion, seconded by Council Member Hobbs. Mayor Brown called for discussion. Council Member Hinton stated that back in August, the proposed fire station was \$1M for 7,200 square feet and now the proposed station is \$1.4M. She commented that this is something they had not discussed and asked how it went from \$1M to \$1.4M. Mr. Lansing replied that it is the cost of the land and that before we were looking at receiving two acres of donated land, but now we are looking for land. He stated that \$400,000 is the cost of approximately 3.5 acres of land. Council Member Hinton asked if the land has been located. Mr. Lansing stated that he has spoken with Clayton Homes about 3.4 acres of their land, but they have not indicated how much they want for that land. He noted that this is our best guess about what that land would cost. Council Member Hinton asked if this number is not set in stone then; Mayor Brown replied that it is not. Council Member Hinton stated that the original interest rate was 2.5% and now it is 3.25%. Mrs. Sanchez stated that this is a conservative estimate. Council Member Hinton asked if the design for the station had changed. Mr. Lansing replied that has not changed. He noted that the numbers may change once an architect is hired. Mrs. Sanchez added that they will bid the project out as far as interest rates are concerned.

There being no further discussion, Mayor Brown called for a vote. The motion was unanimously approved (4-0).

The resolution was approved as follows:

RESOLUTION 2020-05

RESOLUTION REQUESTING THE NASH COUNTY COMMISSIONERS TO INCREASE THE N.S. GULLEY FIRE DISTRICT PROPERTY TAX RATE TO \$0.15/\$100 OF TAXABLE VALUE

WHEREAS, the Town of Nashville has an intergovernmental agreement with Nash County to provide fire protection services for the N. S. Gulley Fire District, and due to the residential and commercial growth in the N.S. Gulley Fire District, the Town of Nashville is in need of a second fire station to maintain a five minute response time to addresses in the southeast portion of the N.S. Gulley Fire District; and

WHEREAS, the Nashville Town Council has determined it is appropriate for the property owners in the N.S. Gulley Fire District to pay for the Town of Nashville's second fire station projected at \$1.4 million dollars and some of its annual operating cost projected at \$30,400; and

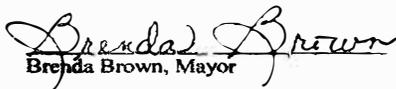
WHEREAS, the Town of Nashville will have to borrow money to construct the second fire station on the eastside of Nashville, and said loan will have annual payments of \$88,900 over 20-years with simple interest; and

WHEREAS, based on the current tax valuation of the N.S. Gulley Fire District of \$397,636,539, a property tax increase of \$0.03/\$100 will generate approximately \$119,290 a year; and

WHEREAS, the Nash County Commissioners are responsible for setting the N.S. Gulley Fire District's property tax rate.

NOW, THEREFORE, BE IT RESOLVED by the Town Council of the Town of Nashville, North Carolina, that the Nash County Commissioners are hereby requested to increase the N.S. Gulley Fire District property tax rate from \$0.12/\$100 to \$0.15/\$100.

PASSED and APPROVED this 30th day of March, 2020.


Brenda Brown, Mayor



ATTEST:


Lou Bunch, Town Clerk

- c. Mayor Brown called for Consideration of Resolution 2020-06: Resolution ceasing the Town of Nashville's application of late payment penalties and disconnections of municipal utilities for non-payment in response to the 2020 COVID-19 pandemic.

Mayor Brown read the resolution for the record and called for a motion to approve the resolution. Council Member Taylor made a motion to approve the resolution, but stated that he also had a question. He asked if there is anything in place for when the pandemic is over because we will have some people that will fall into this category. Mrs. Sanchez replied that we will allow for payment arrangements. Council Member Taylor asked how stringent we will be with collections. Mr. Lansing replied that hopefully people will not let it slide to a point where it gets insurmountable. Council Member Taylor asked how long we will let someone go before we cut the water off. Mayor Pro Tem Burns replied that she thinks once the Council passes another resolution once the pandemic is over that would be the point where they enforce it. Mrs. Sanchez stated that her idea is that they will allow payment arrangements as long as the people make good on their payment arrangements. Mayor Brown commented that we hope that by doing this and letting people know that we truly care about them that when this is over they will do their part. Council Member Hinton referred to the letter from Josh Stein and read that "no provision in this Order shall be construed as relieving the customer of their obligation to pay bills for receipt of any utility service covered by this Order." She noted that it is for six months according to the Order. Council Member Hinton also commented that we have around 20% of customers that do not pay on time. Mrs. Sanchez replied that she thinks it is not that high and that there is a lot included in that 20% that just needs to be written off. She reported that she estimates the delinquency rate is more like 8% and that she has not seen any huge increase in that in the past month because of the current situation. There being no further discussion, Mayor Brown called for a second for the motion on the floor. Council Member Hinton seconded the motion. Mayor Brown called for a vote. The motion was unanimously approved (4-0).

The resolution was approved as follows:

RESOLUTION 2020-06

RESOLUTION CEASING THE TOWN OF NASHVILLE'S APPLICATION OF LATE PAYMENT PENALTIES AND DISCONNECTION OF MUNICIPAL UTILITIES FOR NON-PAYMENT IN RESPONSE TO THE 2020 COVID-19 PANDEMIC

WHEREAS, it is the Town of Nashville's policy and practice to apply a 5% late payment penalty on municipal utility accounts when payments are late, and to disconnect and discontinue municipal utilities and services when payment for those utilities and services is delinquent for 45-days or more; and

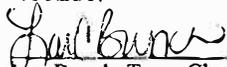
WHEREAS, the COVID-19 Pandemic of 2020 is causing severe hardship, financial and otherwise, on all Nashville municipal utility customers and making it vitally important that they maintain their essential municipal utility services.

NOW, THEREFORE, BE IT RESOLVED by the Town Council of the Town of Nashville, North Carolina, that:

- 1) The Town shall cease the application of a 5% late payment penalty on municipal utility accounts when payment on those accounts are late; and
- 2) The Town shall cease the disconnection and discontinuance of municipal utilities and services when payment for those utilities and services is delinquent for 45-days or more; and
- 3) Said cessations shall continue until further action of the Nashville Town Council.

PASSED and APPROVED this 30th day of March, 2020.


Brenda Brown, Mayor

ATTEST:

Lou Bunch, Town Clerk



d. Mayor Brown called for Consideration of Budget Amendments.

i. Mayor Brown called for Budget Amendment #19.

Mrs. Sanchez stated that this amendment reallocates existing funds for the yard waste site and the cemetery in response to the violation notice from NCDEQ. She commented that the more work we can get done this year, the less we will have to allocate in next year's budget. Council Member Hinton asked about the Market Study Reserve line item and what that was for. Mrs. Sanchez replied that the funds for the market study were put into this holding account, but were never dispersed to the Police and Fire Department budgets. She stated that even though the market study was implemented, due to turnover in the departments those funds have not been needed to be used and she is requesting to use some of those funds for this project. Council Member Hinton asked what the rationale was for having it. Mayor Pro Tem Burns replied that had we been fully staffed, those funds would have been used. Mrs. Sanchez informed the Council that for this year's market study, those funds will be pursued out to each department's accounts and will not be placed in a holding account. Council Member Taylor asked if this market study was something that had been done for just last year or for several years. Mrs. Sanchez replied that these were the funds for the market study for the current year that was done for just the public safety employees. Mrs. Bunch stated that the rationale Interim Finance Director Melonie Bryan used was that if the Council did not approve the market study then it was easier to just remove that one line item rather than to remove it from each individual department's accounts. She explained that those funds should have been reallocated to those departments once the budget was approved, however that was not done and since they are no longer needed for salaries those funds are now available to be reallocated somewhere else. Council Member Taylor said that he understands that but he does not recall doing the market study. He then asked if we put money back in it every year. Mrs. Sanchez replied that they will see it in the proposed budget as part of the regular salaries. Council Member Hobbs pointed out that this was not money for the market study, it was money for the salaries that came about as a result of the market study. Mrs. Sanchez stated that she has done the calculations and does not believe that this money will be needed this year for salaries therefore she is requesting to use it for this project. Council Member Taylor asked if we ever did the study. Mrs. Bunch explained that we did implement the market study, but there were so many vacancies throughout the year that the funds were not needed. Mayor Pro Tem Burns

stated that had we been fully staffed from the beginning until now that money would have been used because it would have been paid out in salaries. Council Member Hobbs stated that budgeting like this is a fairly common practice, particularly when you have a large entity and have to spread those funds out to many departments. She added that if the money was just not needed then there was no reason to allocate it back to the departments for salaries because those salaries were able to handle it within the current departmental budget. This allows these funds to be available for use by the town without having to use Fund Balance.

Mayor Brown called for a motion to approve Budget Amendment #19. Council Member Taylor made the motion, seconded by Mayor Pro Tem Burns. Mayor Brown called for discussion. Council Member Hinton asked about using all of the funds that were budgeted for Drainage Projects. She stated that there are a lot of drainage projects all over town that need to be addressed. Mayor Pro Tem Burns stated that we are using these funds to comply with the violation notice. Mrs. Sanchez noted that there was another drainage project for Par Drive that was a part of the \$50,000 budget, however that was contingent on a grant. We did not receive the grant, which is why the project has not been completed. She added that the staff feels like it is a more pressing issue to get compliant with these violations. Mayor Pro Tem Burns commented that if there is something else that they feel needs immediate attention then they could address them. Council Member Hinton commented that there are drainage projects all over town that are "iffy." Mr. Lansing stated that part of these funds were being held in contingency for the Elm Street storm sewer project, but that he spoke with Kevin Varnell and if they choose a modest design for that project then they will likely not need exceed their budget. Council Member Hinton stated that she is referring to the smaller projects. Mr. Lansing replied that those projects are still out there and that both he and Mr. Brown think they can doctor those along for a little bit, handle the yard waste issue, and then come back to them next year. There being no further discussion, Mayor Brown called for a vote. The motion was unanimously approved (4-0).

Budget Amendment #19 was approved as follows:

Account #	Account Description	Current Budget	Budget Amendment #		Amended Budget
			INCREASE	DECREASE	
Fund	10 - General Fund				
Department	STORMWATER, SANITATION, BUILDINGS & GROUNDS				
Expenditures:					
10-590-4500	CONTRACT SERVICES	\$ 8,000.00	\$ 76,080.00		\$ 84,080.00
10-590-4610	DRAINAGE PROJECTS	\$ 50,000.00		\$ 50,000.00	\$ -
10-590-9700	CAPITAL RESERVE	\$ 16,580.00		\$ 16,580.00	\$ -
10-590-4501	PUBLIC OUTREACH	\$ 5,000.00		\$ 4,500.00	\$ 500.00
10-590-2600	ADVERTISING	\$ 5,000.00		\$ 5,000.00	\$ -
10-580-3200	TRANSFER STATION FEES	\$ 144,000.00	\$ 13,920.00		\$ 157,920.00
10-660-0406	MARKET STUDY RESERVE	\$ 54,650.00		\$ 13,920.00	\$ 40,730.00
			NET CHANGE IN EXPENDITURES	\$	\$ -

EXPLANATION:

To appropriate funds for Yard Waste and Cemetery site clean-up per NCDEQ Notice of Violation.

ii. Mayor Brown called for Budget Amendment #20.

Mrs. Sanchez explained that with the turnover in the Police Department this year, they were well under budget in regular salaries and those funds are requested to be reallocated to cover other costs such as uniforms, and VC3 IT and phone services. Mrs. Sanchez noted that the department is now fully staffed. Council Member Hinton asked what Capital Outlay Other was for. Mrs. Sanchez stated that she is not sure what was budgeted in that line item, but they will not be using any more of those funds.

Mayor Brown called for a motion to approve Budget Amendment #20. Council Member Hobbs made the motion, seconded by Mayor Pro Tem Burns. There being no discussion, Mayor Brown called for a vote. The motion was unanimously approved (4-0).

Budget Amendment #20 was approved as follows:

Collier is pretty comfortable with rebuilding the dais in the new location for \$15,000 without having to move the wall. He stated that the layout of the room would now have four rows of seats facing the west wall, for a total of 46 seats. The ramp would extend down behind the dais. He commented that there was interest from some council members to pursue this, but the decision would be up to the Council if they would like to do it. Council Member Hobbs stated that with what is going on right now our economy needs money put into it and if this is an opportunity where we might be able to use some local contractors to do this work then we would in essence be helping the economy by spending a little bit of money. Council Member Hinton commented that at the same time, they do not know what the tax revenues are going to be next year and Zee Lamb has made it abundantly clear that they have no idea about next year's revenue and so the Town needs to be careful. Council Member Hinton stated that she thinks this is something that they can table and that they can do later. She commented that she would be glad to move and someone could have her seat if it bothers them. She stated that they were grateful to have this space after the small space they had previously and that she thinks it would be arrogant to do this project in light of the fact that they are likely increasing sanitation and water and sewer fees. She added that when the public looks at that they may see that we really do not need to go up on fees. Mayor Brown asked Council Member Hinton if she would like to table this item.

Council Member Hinton made a motion to table this item, seconded by Council Member Taylor. There being no discussion, Mayor Brown called for a vote. The motion passed 3-1, with Council Member Hobbs voting against the motion. Mayor Pro Tem Burns commented that she is okay with tabling this but she understands that when this is presented again under a more stable situation that they should think about doing it.

v. Mayor Brown called for Budget Amendment #23.

Mrs. Sanchez explained that this amendment is to allocate funds for shortages in the Water & Sewer Safety and Administration Telephone and Postage line items. She also noted that there is \$25,000 budgeted for Contingency and she is proposing using these funds so that they move forward with the DOC Lift Station Rehabilitation Project this year, which means that they can budget less for that in next year's budget. She stated that the DOC project will cost \$100,000, but if they can get started this year using the \$25,000 Contingency then it would reduce what is needed for next year. Council Member Hinton commented that last year in Sewer System Rehab they had budgeted \$78,000, but the budget currently shows \$276,500. Mrs. Sanchez replied that there have been some budget amendments, but the current budget is \$276,500. Council Member Hinton commented that she could not find Water & Sewer Safety in last year's budget. Mrs. Sanchez replied that it is a new line item and explained that all of the Public Works Safety had been budgeted in Fund 10, but she believes that every expense that belongs to Fund 30 should be budgeted for in Fund 30. She noted that she did create a line item for that and moved some of the budget into Fund 30 for Water & Sewer Safety; this was one of the first budget amendments she did after she started.

Mayor Brown called for a motion to approve Budget Amendment #23. Council Member Taylor made the motion, seconded by Mayor Pro Tem Burns. Mayor Brown called for discussion. Council Member Hinton asked if there should be an amended budget figure beside the Contracted Services line item. Mrs. Sanchez replied that it should. Council Member Hinton instructed everyone to put \$11,600 in that space. Council Member Hinton noted that there was a Public Works Safety line item 10-660-3404 for \$5,150 and asked if that was separate from Water & Sewer. Mrs. Sanchez replied that it is and that in next year's budget each department will have its own Safety line item; there will no longer be a Public Works Safety line item because it will be included in each department. She stated that everything that is for Fund 30 should be paid out of Fund 30, and so she created a line item for Water & Sewer. She commented that Mr. Brown has made a push this year to be focused on safety and so there has been an increase in expenditures for safety related items. Council Member Hinton commented that it was confusing when looking at last year's budget and now seeing new line items. Mrs. Sanchez stated that there will be several new line items that the Council will see in the new budget; each department will have their own safety line items. Mayor Pro Tem Burns asked how it is divided up for each department. Mrs. Sanchez replied that it will depend because some departments will need more based off of the line of work. There being no further discussion, Mayor Brown called for a vote. The motion was unanimously approved (4-0).

Budget Amendment #23 was approved as follows:

Account #	Account Description	Current Budget	INCREASE	DECREASE	Amended Budget
Fund	30-Public Works				
<u>Expenditures:</u>					
30-660-3400	WATER & SEWER SAFETY	\$ 6,200.00	\$ 5,400.00		\$ 11,600.00
30-720-4500	CONTRACT SERVICE	\$ 17,000.00		\$ 5,400.00	\$ 11,600.00
30-720-1100	TELEPHONE & POSTAGE	\$ 450.00	\$ 10,000.00		\$ 10,450.00
30-810-1100	TELEPHONE & POSTAGE	\$ 17,000.00		\$ 10,000.00	\$ 7,000.00
30-660-9900	CONTINGENCY	\$ 25,000.00		\$ 25,000.00	\$ -
30-820-4501	SEWER SYSTEM REHAB	\$ 276,500.00	\$ 25,000.00		\$ 301,500.00
			NET CHANGE IN EXPENDITURES		\$ -

EXPLANATION:

To cover overages in Water & Sewer Safety and Administration Telephone & Postage
To begin DOC Lift Station Rehab Project

3. Mayor Brown asked Mr. Lansing to tell the staff how proud she is of them; she commented that she has seen the workers doing jobs that they normally do not do and that the Council appreciates their flexibility.

Council Member Taylor commented that he wants to make sure that we are doing everything we can to make sure the essential employees are safe and that they have the tools they need. Council Member Hobbs encouraged everyone to stay safe and to pray that we get through this quickly and soon so that we can start moving ahead again. She stated that she still believes that whatever we can do to put back into the community economically is important right now. She encouraged everyone to support the local businesses as much as possible. Council Member Hinton commented that she read in the *News and Observer* that the State has \$900M in budget reserves, the "rainy day fund" is \$1.5B, and the unemployment reserve fund is \$3.9B, and so it sounds like the State is in pretty good shape. She stated that this all has to do with conservative budgeting which people had complained about but now they are glad. She commented that we should be glad that we have a strong Fund Balance in times like this. Council Member Taylor commented that we have got to keep on continuing the things we are doing to make sure we keep a strong Fund Balance. Mayor Pro Tem Burns also encouraged everyone to stay safe, be smart, and stay home. She commented that for those essential employees, the Council appreciates everything that they are doing and that they need to make sure that all employees are kept safe. She noted that there may be some things that will cause a minor inconvenience for the citizens, so the Council asks that the citizens give the Town patience and grace as we get through this. She stated that we will get through this and we are looking forward to that time. Mayor Brown again thanked everyone for all they are doing and commented that we will get through this and that the Town and the country will be a better place to live once we get through this. She encouraged everyone to stay safe and also thanked the Police and Fire employees.

There being no further business, Mayor Brown called for a motion to adjourn. Council Member Hinton made the motion, seconded by Mayor Pro Tem Burns. There being no discussion, Mayor Brown called for a vote. The motion was unanimously approved (4-0). Mayor Brown adjourned the meeting at 3:43 PM.


Brenda Brown, Mayor

ATTEST:


Lou C. Bunch, Town Clerk