



Town of Archer Lodge

AGENDA

Work Session Meeting

Monday, March 19, 2018 @ 6:30 PM

Jeffrey D. Barnes Council Chambers

Page

1. WELCOME/CALL TO ORDER:

2. ORDER OF BUSINESS:

- 2 2.a. The MAPS Group Personnel Policy and Classification/Pay Study
Presentation ~ Becky Veazey, President
[The MAPS Group Information](#)
- 3 - 8 2.b. Discussion of Current Form of Government and Options
[Archer Lodge Charter, Article V - Form of Government](#)
[NCGS 160-A, Article 7](#)
[Blog from UNC SOG](#)
[County and Municipal Government, 2nd Edition 2014, Chapter 3, Page 42 Excerpt](#)
- 9 - 10 2.c. Discussion of **DRAFT** Agreement between the Town of Archer Lodge
and the Archer Lodge Veterans Committee regarding the
Care/Maintenance of the Archer Lodge Veterans Memorial once on
Town Property
[DRAFT Agreement with Veterans Memorial Committee](#)

3. GENERAL UPDATES:

- 11 - 14 3.a. February 28, 2018 Financials & Year-to-Date Comparison (FY17 &
FY18) ~ Kim Batten
[FEBRUARY 2018 & FYTD](#)
[YTD COMP 02.28.18](#)
- 15 3.b. Bike/Pedestrian Grant Update ~ Bob Clark
[Bike Ped Award Letter](#)

4. ADJOURNMENT:



Management and Personnel Services Group
Providing Human Resources Services to the Public and
Non-Profit Sectors in North Carolina Since 1983

Our Group

The Management and Personnel Services Group - MAPS - is a team of consultants specializing in human resource management and development.

Our Mission

The MAPS Group provides quality, affordable human resources, facilitation, and training services to public and non-profit organizations.

We do this by helping managers and employees improve or enhance systems, services, and practices.

Our Values

We value:

- customized, supportive services tailored to client needs and believe one way does not fit all;
- creative alternative solutions;
- clients making free and informed choices; and
- achieving the level of quality we would want in our own organization.

We are:

- current and former local and state human resources and training practitioners;
- professionals committed to helping clients enhance their own organizational capacities; and
- committed to professional growth and applying our learning to quality services.

ARTICLE V. - FORM OF GOVERNMENT

Sec. 5.1. - Form of Government.

The Town of Archer Lodge operates under the mayor-council plan as provided in Part 3 of Article 7 of Chapter 160A of the General Statutes.

Article 7.

Administrative Offices.

Part 1. Organization and Reorganization of City Government.

§ 160A-146. Council to organize city government.

The council may create, change, abolish, and consolidate offices, positions, departments, boards, commissions, and agencies of the city government and generally organize and reorganize the city government in order to promote orderly and efficient administration of city affairs, subject to the following limitations:

- (1) The council may not abolish any office, position, department, board, commission, or agency established and required by law;
- (2) The council may not combine offices or confer certain duties on the same officer when such action is specifically forbidden by law;
- (3) The council may not discontinue or assign elsewhere any functions or duties assigned by law to a particular office, position, department, or agency. (1971, c. 698, s. 1.)

Part 2. Administration of Council-Manager Cities.

§ 160A-147. Appointment of city manager; dual office holding.

(a) In cities whose charters provide for the council-manager form of government, the council shall appoint a city manager to serve at its pleasure. The manager shall be appointed solely on the basis of the manager's executive and administrative qualifications. The manager need not be a resident of the city or State at the time of appointment. The office of city manager is hereby declared to be an office that may be held concurrently with other appointive (but not elective) offices pursuant to Article VI, Sec. 9, of the Constitution.

(b) Notwithstanding the provisions of subsection (a), a city manager may serve on a county board of education that is elected on a non-partisan basis if the following criteria are met:

- (1) The population of the city by which the city manager is employed does not exceed 10,000;
- (2) The city is located in two counties; and
- (3) The population of the county in which the city manager resides does not exceed 40,000.

(b1) Notwithstanding the provisions of subsection (a) of this section, a city manager may serve on a county board of education that is elected on a nonpartisan basis if the population of the city by which the city manager is employed does not exceed 3,000.

(c) Notwithstanding the provisions of subsection (a), a city manager may hold elective office if the following criteria are met:

- (1) The population of the city by which the city manager is employed does not exceed 3,000.
- (2) The city manager is an elected official of a city other than the city by which the city manager is employed.

(d) For the purposes of this section, population figures shall be according to the latest United States decennial figures issued at the time the second office is assumed. If census figures issued after the second office is assumed increase the city or county population beyond the limits of this section, the city manager may complete the term of elected office that the city manager is then serving. (1969, c. 629, s. 2; 1971, c. 698, s. 1; 1989, c. 49; 1997-25, s. 1; 2009-321, s. 1.)

§ 160A-148. Powers and duties of manager.

The manager shall be the chief administrator of the city. He shall be responsible to the council for administering all municipal affairs placed in his charge by them, and shall have the following powers and duties:

- (1) He shall appoint and suspend or remove all city officers and employees not elected by the people, and whose appointment or removal is not otherwise provided for by law, except the city attorney, in accordance with such general personnel rules, regulations, policies, or ordinances as the council may adopt.
- (2) He shall direct and supervise the administration of all departments, offices, and agencies of the city, subject to the general direction and control of the council, except as otherwise provided by law.
- (3) He shall attend all meetings of the council and recommend any measures that he deems expedient.
- (4) He shall see that all laws of the State, the city charter, and the ordinances, resolutions, and regulations of the council are faithfully executed within the city.
- (5) He shall prepare and submit the annual budget and capital program to the council.
- (6) He shall annually submit to the council and make available to the public a complete report on the finances and administrative activities of the city as of the end of the fiscal year.
- (7) He shall make any other reports that the council may require concerning the operations of city departments, offices, and agencies subject to his direction and control.
- (8) He shall perform any other duties that may be required or authorized by the council. (1969, c. 629, s. 2; 1971, c. 698, s. 1; 1973, c. 426, s. 22.)

§ 160A-149. Acting city manager.

By letter filed with the city clerk, the manager may designate, subject to the approval of the council, a qualified person to exercise the powers and perform the duties of manager during his temporary absence or disability. During this absence or disability, the council may revoke that designation at any time and appoint another to serve until the manager returns or his disability ceases. (1971, c. 698, s. 1.)

§ 160A-150. Interim city manager.

When the position of city manager is vacant, the council shall designate a qualified person to exercise the powers and perform the duties of manager until the vacancy is filled. (1971, c. 698, s. 1.)

§ 160A-151. Mayor and councilmen ineligible to serve or act as manager.

Neither the mayor nor any member of the council shall be eligible for appointment as manager or acting or interim manager. (1971, c. 698, s. 1.)

§ 160A-152. Applicability of Part.

This Part shall apply only to those cities having the council-manager form of government. If the powers and duties of a city manager set out in any city charter shall differ materially from

those set out in G.S. 160A-148, the council may by ordinance confer or impose on the manager any of the powers or duties set out in G.S. 160A-148 but not contained in the charter. (1971, c. 698, s. 1.)

§§ 160A-153 through 160A-154. Reserved for future codification purposes.

Part 3. Administration of Mayor-Council Cities.

§ 160A-155. Council to provide for administration in mayor-council cities.

The council shall appoint, suspend, and remove the heads of all city departments, and all other city employees; provided, the council may delegate to any administrative official or department head the power to appoint, suspend, and remove city employees assigned to his department. The head of each department shall see that all laws of the State, the city charter, and the ordinances, resolutions, and regulations of the council concerning his department are faithfully executed within the city. Otherwise, the administration of the city shall be performed as provided by law or direction of the council. (1971, c. 698, s. 1; 1979, 2nd Sess., c. 1247, s. 16.)

§ 160A-156. Acting department heads.

By letter filed with the city clerk, the head of any department may designate, subject to the approval of the council, a qualified person to exercise the powers and perform the duties of head of that department during his temporary absence or disability. During his absence or disability, the council may revoke that designation at any time and appoint another officer to serve until the department head returns or his disability ceases. (1971, c. 698, s. 1.)

§ 160A-157. Interim department heads.

When the position of head of any department is vacant, the council may designate a qualified person to exercise the powers and perform the duties of head of the department until the vacancy is filled. (1971, c. 698, s. 1.)

§ 160A-158. Mayor and councilmen ineligible to serve or act as heads of departments.

Neither the mayor nor any member of the council shall be eligible for appointment as head of any city department or as acting or interim head of a department; provided, that in cities having a population of less than 5,000 according to the most recent official federal census, the mayor and any member of the council shall be eligible for appointment by the council as department head or other employee, and may receive reasonable compensation for such employment, notwithstanding any other provision of law. (1971, c. 698, s. 1; 1979, 2nd Sess., c. 1247, s. 17.)

§ 160A-159. Applicability of Part.

This Part shall apply only to those cities having the mayor-council form of government. (1971, c. 698, s. 1.)

§§ 160A-160 through 160A-161. Reserved for future codification purposes.

Coates' Canons Blog: About Town Administrators

By Frayda Bluestein

Article: <https://canons.sog.unc.edu/about-town-administrators/>

This entry was posted on October 13, 2010 and is filed under Board Structure & Procedures, Board Structures

North Carolina cities have a choice of governance structure: the mayor-council form or the council-manager form. According to the School of Government's [Forms of Government database](#), 300 cities in North Carolina use the mayor-council form, and 67 of them employ a "town administrator" who supervises all departments. What are town administrators and what laws govern what they do? This post discusses town administrators, compares them with managers, and also describes one old, and one new School of Government resource about forms of government in North Carolina.

Town Administrators

There are no specific statutes that describe town administrators or delineate their powers. That's because a town administrator is a position created by the governing board in mayor-council cities. In a mayor-council city, the council has the legal authority to appoint employees and has broad authority to organize the government. (See [G.S. 160A-146](#)). In addition, [G.S. 160A-155](#) specifically authorizes the council in mayor-council cities to delegate to any administrative official or department head its authority to appoint, suspend, and remove employees. Under this authority, the council may create the position and hire an administrator to perform functions similar to or even identical to those that a manager in a council-manager city would perform.

Comparing Administrators and Managers

So what's the difference between a manager and an administrator? In a council-manager form of government the manager's powers and duties are set by state law ([G.S. 160A-148](#)). The council has no authority to modify the manager's powers, except perhaps to add to those listed in the statute. An administrator's powers, on the other hand, are delegated by the council and can be defined, modified, or even completely eliminated, in the council's discretion.

In addition to supervisory authority, councils may delegate to administrators authority for things like approving contracts and other expenditures, and in some cases, cities confer upon the administrator the duties of clerk or finance officer. Basically, the council can delegate to an administrator any of its power or duty as it chooses, as long as no statute requires the power or duty to be exercised by the board itself. For example, since state law ([G.S. 143-129](#)) requires the governing board to award contracts for construction or repair work in the formal bidding range, this power can't be delegated, whether to an administrator or a manager.

Changing Forms of Government

What if the council in a council-manager city decides that it wants to have more flexibility in defining the authority of its manager – in effect, to move from a manager to an administrator? Or, what if a mayor-council city decides that it wants to move from an administrator to a manager, with statutory, rather than delegated powers?

Both of these changes would require a change in the city's form of government. This can be done by a local act of the General Assembly, amending the charter to reflect the change (refer to my earlier [post on local acts](#) for more about this process). Or, it can be done by local ordinance, initiated by the council itself, or by petition from citizens of the city. The authority and process for locally initiated changes in the form of government, as well as other authorized structural changes, are set out in G.S. 160A-101 through 160A-110.

Exercising Caution in Speaking for the Governing Board

Members of county commissions and city councils should be careful when talking with the news media, citizens' groups, and even individuals to make certain that their comments reflect the governing board's views rather than their own personal opinions. Opinions and statements of position expressed by elected board members are frequently taken to be those of the entire body. If a governing board member misstates the county or city's position, assumes a position that has not actually been taken by the full board, or incorrectly predicts a board position or action, the result can be embarrassment, mistrust, and resentment on the part of the listener and other governing board members, as well as on the part of the public at large.

Citizens do not always distinguish between the thoughts of an individual board member and those of the body as a whole, nor do they remember that other members of the board may not share one particular member's feelings. The listener may take what is actually only a personal expression of opinion to be an authoritative pronouncement of official policy. On important or sensitive matters requiring clarity and careful explanation, it may be desirable for the governing board to designate one of its members as spokesperson. In some situations it may be advisable to have a written statement, agreed on by the whole governing board, that is available for distribution if the need arises.

Role of the Manager in North Carolina Local Governments

As has been stated, the North Carolina General Statutes give boards of county commissioners and city councils the option of operating with or without a professional manager.³¹ If the governing board decides to run local government on its own, it is said to use the *board of commissioner* (counties) or the *mayor–council form* (cities) of local government. A county or city that uses a professional manager is described as operating under the *county–manager* or *council–manager form*. For more information about the role and responsibilities of professional managers, see Chapter 4.

All 100 counties in the state have chosen to employ a full-time professional to administer county government. Under this county–manager plan, county commissioners have a choice in whether or not to grant the manager hiring and firing authority. Chairs of county boards of commissioners are able to serve as county managers by action of their respective boards in accordance with G.S. 153A-81. Mayors cannot so serve under the council–manager form.³²

Use of an Administrator in Mayor–Council Cities

Some municipalities hire a chief administrative official while maintaining the mayor–council form of government.³³ A charter amendment is not required to have such an administrator in charge, although the municipality may wish to adopt an ordinance to create the position and specify its duties. Typically, “administrator” is the term used for this sort of employee, though “manager” is sometimes used, even though a municipality has not yet changed to the council–manager form of government.

In a council–manager form of government, managers are granted specific powers and responsibilities by statute, including the power to hire and fire. When the governing body in a mayor–council municipality is ready to grant the full powers of a manager to its administrator, that signals the need to change to the council–manager form.

Procedures for Adopting a County–Manager or Council–Manager Plan

As has been noted, counties in North Carolina may operate under different forms of government, including the county–manager form. If a county's board of commissioners does not choose this option, the county operates without a county manager under the authority of G.S. 153A-76, which permits the board to organize county government however it wishes, consistent with the law. Among other things, commissioners are permitted to hire an “administrator,” whose

31. See G.S. 153A-76, -81 (counties); 160A-146, -101 (cities).

32. See G.S. 160A-151.

33. For additional information on this topic, see Frayda Bluestein, “About Town Administrators,” *Coates' Canons: NC Local Government Law Blog* (UNC School of Government, Oct. 13, 2010), <http://canons.sog.unc.edu/?p=3356>.

**NORTH CAROLINA
JOHNSTON COUNTY**

AGREEMENT

THIS AGREEMENT ("Agreement") is entered into between the TOWN OF ARCHER LODGE, a municipal corporation ("Town"), of Johnston County, North Carolina and the ARCHER LODGE VETERAN'S MEMORIAL COMMITTEE, INC. (the "ALVMC") of Johnston County, North Carolina.

STATEMENT OF PURPOSE:

- A. WHEREAS, the Town has dedicated an area on Town property for construction of a public veteran's memorial for the citizens of Archer Lodge; and
- B. WHEREAS the ALVMC has been formed to raise money and sponsor events to help pay for the construction of the memorial and to oversee the layout and design of the memorial; and
- C. WHEREAS after the memorial is constructed, the ALVMC has agreed to assist the Town with the upkeep and maintenance of the memorial.

NOW, THEREFORE, in consideration of the mutual covenants herein contained, the parties agree as follows:

- 1. Services to be Provided and Responsibilities. During the term of this Agreement, and after the construction of the memorial is complete, the ALVMC agrees to help upkeep and maintain the memorial, to and including, but not limited to: grass and weed management and keeping the memorial clean and presentable.
- 2. Term. Unless otherwise terminated, this Agreement shall be for one (1) year following the date of execution of this Agreement and renewed automatically without action for an additional one (1) year term. Notwithstanding the foregoing, this Agreement may be terminated for any reason by either party upon 60 days notice and upon such termination this Agreement shall become null and void.
- 3. Payment. ~~If any public funds are budgeted to the ALVMC for the memorial, the ALVMC shall provide annual accountings for all funds received by the Town and be subject to review by the Town auditor, which includes the right to inspect and review any financial records kept and maintained by the ALVMC.~~
- 4. Entire Agreement. This Agreement expresses, embodies and supersedes all previous understandings, agreements, and commitments, whether written or oral, between the parties with respect to the subject matter hereof and to fully and finally set forth the entire agreement between the parties. This agreement is not part of any separate field lease agreement between the parties.

5. Insurance. The Town shall provide insurance for the memorial.
6. Governing Law. The laws of the State of North Carolina shall govern this Agreement.
7. Modification. The provisions of this Agreement may not be amended, deleted, or modified in whole or in part without the express written consent of all parties to this Agreement, which will be executed with the same formality as this Agreement.

IN WITNESS WHEREOF, the parties hereto have caused this Agreement to be made and entered into as of the date and year first above written.

TOWN OF ARCHER LODGE:

By: _____ (SEAL)
Michael A. Gordon, Mayor

Date: _____

ARCHER LODGE VETERAN'S MEMORIAL COMMITTEE, INC.

By: _____ (SEAL)
Michael O. Mulhollem, Co-Chairman

By: _____ (SEAL)
Sandra Freeman, Co-Chairman

Date: _____



**TOWN OF ARCHER LODGE
FINANCIAL SUMMARY REPORT
FOR MONTH ENDING
FEBRUARY 28, 2018**

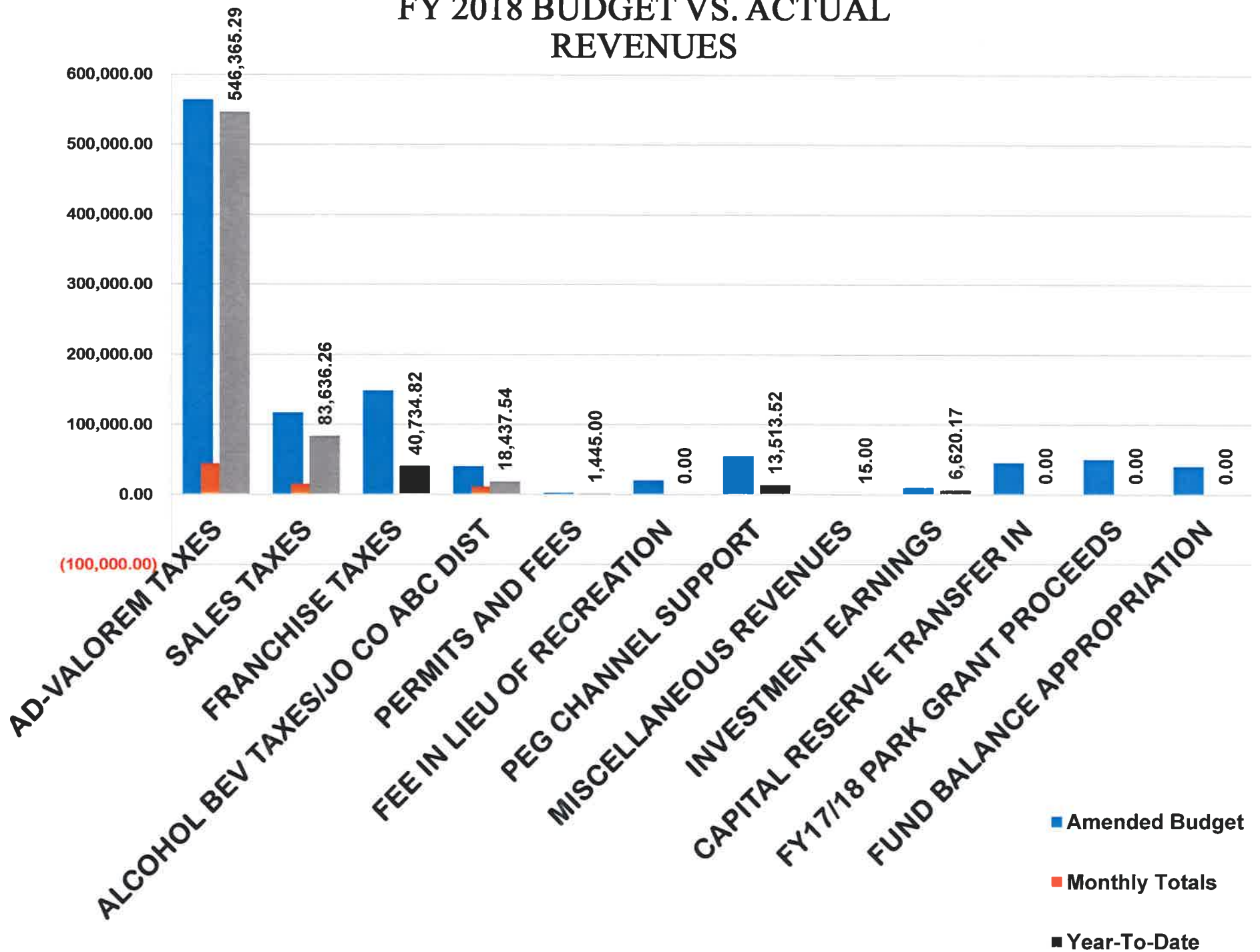
GENERAL FUND				
REVENUES	AMENDED BUDGET	MONTH ACTIVITY	ACTUAL TO DATE	Y-T-D % COLLECTED
AD-VALOREM TAXES	563,565.00	43,905.35	546,365.29	96.95%
SALES TAXES	117,010.00	14,922.72	83,636.26	71.48%
FRANCHISE TAXES	148,500.00	0.00	40,734.82	27.43%
ALCOHOL BEV TAXES/JO CO ABC DIST	40,000.00	10,845.61	18,437.54	46.09%
PERMITS AND FEES	2,100.00	50.00	1,445.00	68.81%
FEE IN LIEU OF RECREATION	20,000.00	0.00	0.00	0.00%
PEG CHANNEL SUPPORT	54,400.00	0.00	13,513.52	24.84%
MISCELLANEOUS REVENUES	150.00	(1,361.05)	15.00	10.00%
INVESTMENT EARNINGS	9,500.00	1,085.26	6,620.17	69.69%
CAPITAL RESERVE TRANSFER IN	45,000.00	0.00	0.00	0.00%
FY17/18 PARK GRANT PROCEEDS	50,000.00	0.00	0.00	0.00%
FUND BALANCE APPROPRIATION	40,000.00	0.00	0.00	0.00%
	1,090,225.00	69,447.89	710,767.60	65.19%
EXPENDITURES	AMENDED BUDGET	MONTH ACTIVITY	ACTUAL TO DATE	Y-T-D % SPENT
GOVERNING BODY	40,710.00	3,213.55	28,162.66	69.18%
ADMINISTRATION	217,219.00	14,132.41	125,710.56	57.87%
JO CO TAX COLLECTION FEES	16,000.00	1,154.86	14,034.46	87.72%
LEGAL	15,000.00	660.00	6,971.25	46.48%
PROPERTY TAXES	130.00	0.00	95.90	73.77%
PUBLIC BUILDINGS	57,292.00	2,042.29	31,882.64	55.65%
PEG MEDIA PARTNERS	54,400.00	0.00	13,513.51	24.84%
PUBLIC SAFETY	229,000.00	15,074.75	185,907.40	81.18%
TRANSPORTATION-PUBLIC WORKS	81,800.00	4,537.77	8,936.76	10.93%
PLANNING & ZONING	97,973.00	6,848.57	56,052.26	57.21%
CULTURAL & RECREATION	55,000.00	0.00	37,500.00	68.18%
DEBT SERVICES	44,701.00	0.00	0.00	0.00%
TRANSFER TO CAP RESERVE	25,000.00	0.00	25,000.00	100.00%
TRANSFER TO PARK RESERVE	156,000.00	6,412.57	78,836.51	50.54%
	1,090,225.00	54,076.77	612,603.91	56.19%
Y-T-D GENERAL FUND INCREASE (DECREASE)		15,371.12	98,163.69	

Kim P. Batten
FINANCE OFFICER

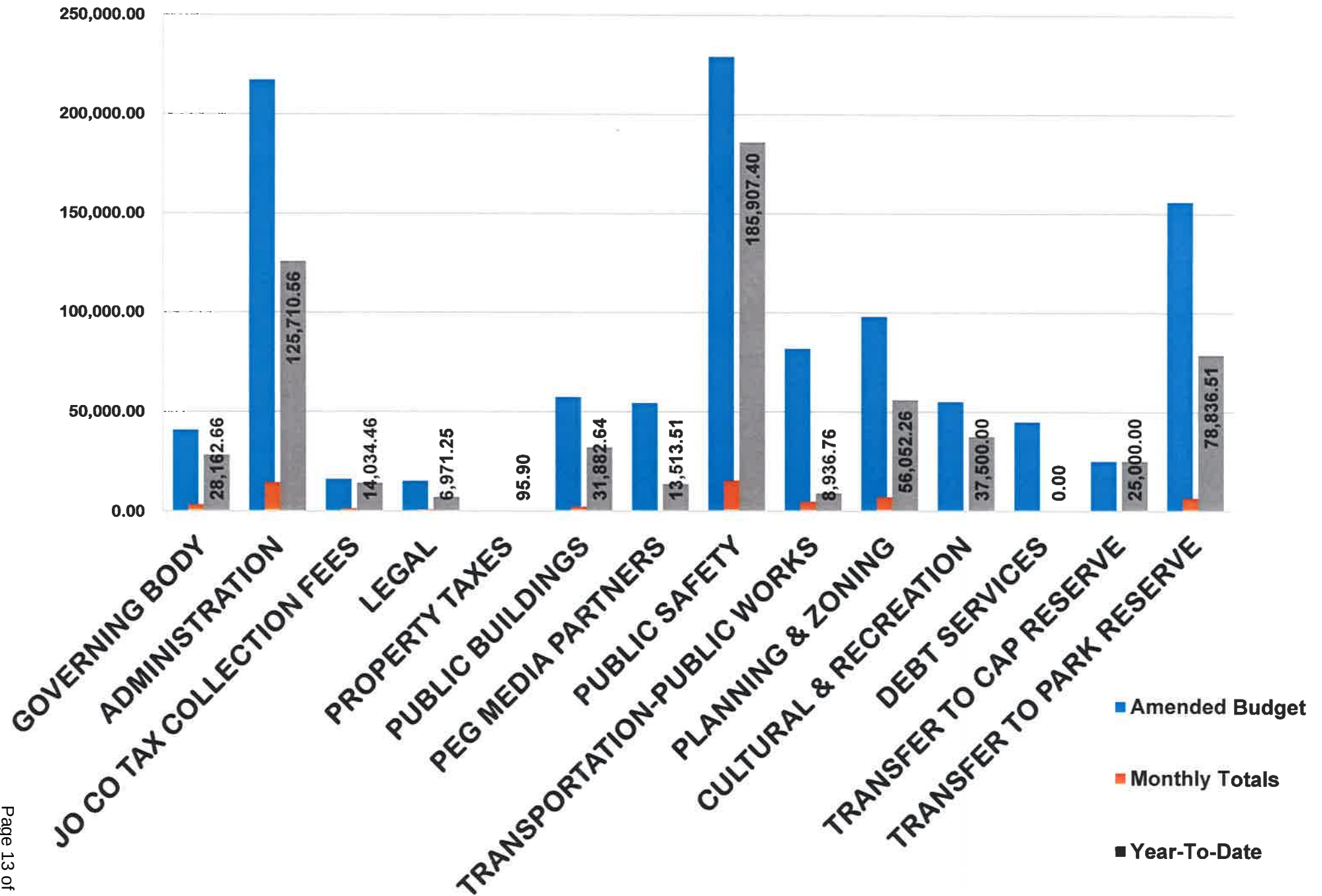
Kim P. Batten

67% thru
FY18

FY 2018 BUDGET VS. ACTUAL REVENUES



FY 2018 BUDGET VS. ACTUAL EXPENDITURES





TOWN OF ARCHER LODGE FINANCIAL SUMMARY REPORT FISCAL YEAR COMPARISON FOR PERIOD ENDING FEBRUARY 28

GENERAL FUND				
REVENUES		Feb-18	Feb-17	DIFFERENCE
	AD-VALOREM TAXES	546,365.29	499,490.13	46,875.16
	SALES TAXES	83,636.26	60,223.90	23,412.36
	FRANCHISE TAXES	40,734.82	42,083.70	(1,348.88)
	ALCOHOL BEV TAXES/JO CO ABC DIST	18,437.54	15,183.85	3,253.69
	PERMITS AND FEES	1,445.00	4,340.00	(2,895.00)
	FEE IN LIEU OF RECREATION	0.00	12,000.00	(12,000.00)
	PEG CHANNEL SUPPORT	13,513.52	13,793.10	(279.58)
	MISCELLANEOUS REVENUES	15.00	1,929.74	(1,914.74)
	INVESTMENT EARNINGS	6,620.17	3,030.08	3,590.09
	CAPITAL RESERVE TRANSFER IN	0.00	0.00	0.00
	FY17/18 PARK GRANT PROCEEDS	0.00	0.00	0.00
	FUND BALANCE APPROPRIATION	0.00	0.00	0.00
		710,767.60	652,074.50	58,693.10
EXPENDITURES		Feb-18	Feb-17	DIFFERENCE
	GOVERNING BODY	28,162.66	21,200.66	6,962.00
	ADMINISTRATION	125,710.56	115,694.07	10,016.49
	JO CO TAX COLLECTION FEES	14,034.46	11,634.55	2,399.91
	LEGAL	6,971.25	5,362.50	1,608.75
	PROPERTY TAXES	95.90	111.85	(15.95)
	PUBLIC BUILDINGS	31,882.64	86,464.48	(54,581.84)
	PEG MEDIA PARTNERS	13,513.51	13,793.10	(279.59)
	PUBLIC SAFETY	185,907.40	172,020.47	13,886.93
	TRANSPORTATION-PUBLIC WORKS	8,936.76	3,716.43	5,220.33
	PLANNING & ZONING	56,052.26	57,879.98	(1,827.72)
	CULTURAL & RECREATION	37,500.00	45,055.00	(7,555.00)
	DEBT SERVICES	0.00	0.00	0.00
	TRANSFER TO CAP RESERVE	25,000.00	0.00	25,000.00
	TRANSFER TO PARK RESERVE	78,836.51	140,961.71	(62,125.20)
		612,603.91	673,894.80	(61,290.89)
Y-T-D INCREASE (DECREASE)		98,163.69	(21,820.30)	119,983.99

Kim P. Batten
FINANCE OFFICER

Kim P. Batten



STATE OF NORTH CAROLINA
DEPARTMENT OF TRANSPORTATION

ROY COOPER
GOVERNOR

JAMES H. TROGDON, III
SECRETARY

March 14, 2018

Kim Batten
Town of Archer Lodge
14094 Buffalo Rd.
Clayton, NC 27527

Subject: 2018 NCDOT Bicycle and Pedestrian Planning Grant Initiative

Dear Ms. Batten,

Congratulations! The North Carolina Department of Transportation is pleased to announce that the Town of Archer Lodge has been awarded a Bicycle and Pedestrian Planning Grant, as approved by the Board of Transportation.

We will be in touch within the next few weeks with additional information to explain how you will initiate and administer your planning project. This will include certain administrative procedure guidance requesting how you would like to have your plan development process administered – through the selection of a qualified consultant under contract with NCDOT or through your own consultant selection process.

The Municipal Reimbursement Agreement between the municipality and NCDOT will be sent in April or May. Please note that any funds expended prior to executing the Municipal Reimbursement Agreement and Notice to Proceed are not eligible for reimbursement.

This program offers a unique funding opportunity, and we look forward to working with you to create a plan that will improve conditions for walking and bicycling in your community. Should you have any questions, please contact John Vine-Hodge at 919-707-2607 or javinehodge@ncdot.gov.

Sincerely,

A handwritten signature in blue ink, appearing to read "Hanna Cockburn".

Hanna Cockburn, AICP
Director, Bicycle and Pedestrian Transportation Division