

**MINUTES**  
**Town of Marshall Board of Alderman**  
**Regular Meeting**  
February 21, 2022  
6:00pm

Mayor Nancy Allen invited everyone to stand for the Pledge of Allegiance and moment of silence.

Aldermen in attendance were Billie Jean Haynie, Thomas Jablonski, Aileen Payne, Christiaan Ramsey, and Laura Ponder Smith. Also in attendance were Town Administrator Forrest Gilliam and Attorney Allie Leake.

Mayor Allen called the meeting to order at 6:02pm.

Item 1

Upon motion by Alderman Haynie, seconded by Alderman Smith, the Board voted 5-0 to approve the agenda with the addition of Item 4 – Drivers License Office Reopening and Item 5 - Hollie West: Downtown Marshall Association.

Item 2

Upon motion by Alderman Ramsey, seconded by Alderman Jablonski, the Board voted 5-0 to approve the minutes from the January 24, 2022 regular meeting and February 1, 2022 continued meeting.

Item 3

Forrest Gilliam, Town Administrator, presented the Tax Collection and Water/Sewer Collection Report for January, 2022.

A copy of the Unaccountable Water Report and Monthly Operating Report for the Town's wells from Byers Environmental was presented to the Board.

The financial report for the month of January was provided to the Board.

Discussion took place regarding upcoming Town-sponsored events, including Memorial Day and the 4<sup>th</sup> of July. It was agreed that the annual Memorial Day Observance will take place on the courthouse lawn at 11:00 a.m. on Monday, May 30. Additional discussion took place regarding the Town's Independence Day event. There was consensus to have fireworks on the Island on Sunday night, July 3<sup>rd</sup>. Forrest Gilliam will work to line up fireworks and someone licensed to shoot them, and will work with the Downtown Marshall Association on having some family friendly events earlier in the evening on the Island.

Item 4

Mayor Nancy Allen shared an update regarding the reopening of the Drivers License Office at a new location at Hayes Run Plaza. The Madison County office had been closed since COVID began in the spring of 2020. Officials from the NC Department of Transportation/Division of Motor Vehicles were on hand for the grand opening earlier on the day on Monday, February 21. Prior to the ceremony state officials held a meeting with local stakeholders regarding efforts to improve DMV services. Regular road tests will be available at the local office, as will CDL written tests and renewals, but CDL driving tests will still be held in Asheville. In addition to Mayor Allen, Aldermen Payne and Smith also attended the event.

Item 5

Hollie West provided some updates regarding Downtown Marshall Association events, emphasizing that she is not a DMA board member but is active in the association and in coordinating many of their events. Ms. West shared that Rhesa Edwards will be the DMA president for the coming year. Marshal Gras will take place on March 1. The Mermaid Festival is scheduled for Saturday, June 4, with a return to a full festival similar to what last took place in 2019. Ms. West talked more about potential 4<sup>th</sup> of July activities, including a parade in memory of former Mayor Jack Wallin.

**Boards Reports**

**Board of Adjustment** – No meeting  
**Planning Board** – Met February 1  
**Parks and Recreation** – No meeting

**Department Reports**

**Fire Department** – Report is in packet.  
**Police Department** – Report is in packet.  
**Water Department** – Jamie Chandler  
**Maintenance Department** – Jamie Chandler  
**Zoning Department** – Forrest Gilliam

**Public Comment**

Hollie West spoke during public comment with an update on changes to her business model.

Upon motion by Alderman Haynie, seconded by Alderman Smith, the Board voted 5-0 to enter into closed session for the purposes of attorney-client privilege, personnel, and property.

Upon motion by Alderman Haynie, seconded by Alderman Ramsey, the Board voted 5-0 to return to open session.

Upon motion by Alderman Ramsey, seconded by Alderman Smith, the Board voted 5-0 to approve an amendment to the Personnel Policy addressing the Law Enforcement Separation Allowance and settlement (Attachment 1).

Upon motion by Alderman Smith, seconded by Alderman Haynie, the Board voted 5-0 to approve Budget Amendment # 2022-06 (Attachment 2).

Alderman Payne made a motion to go ahead and pay the employee who is eligible for the Law Enforcement Special Separation Allowance Settlement the amount of their settlement, prior to their date of separation from employment. The motion died for lack of a second.

Upon motion by Alderman Ramsey, seconded by Alderman Jablonski, the Board voted 5-0 to adjourn at 8:31 p.m.

  
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Nancy Alleh, Mayor

  
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Forrest Gilliam, Town Clerk

Amendment to the Town of Marshall Personnel Policy

**Law Enforcement Officer Separation Allowance**

Every sworn law enforcement officer, as defined by N.C. General Statute 128-21(11b) or N.C. General Statute 143-166.50, shall be eligible for a separation allowance, as provided by N.C. General Statute 143-166.42, in the amount specified in N.C. General Statute 1430166.41(a).

Eligibility and continuation of these benefits are subject to the following conditions:

- a) The officer shall have completed 30 or more years of creditable service, or have attained 55 years of age and completed five or more years of creditable services (as defined in General Statute 143-166.42); and
- b) The officer shall not have attained 62 years of age; and
- c) The officer shall have completed at least five years of continuous service as a law enforcement officer immediately preceding a service retirement, as defined by N.C. General Statute 143-166.41(a)(3) and 143-166.41(b).
- d) The law enforcement officer, after separation from Town employment, notifies the Town of any new employment involving local law enforcement duties. Such notification shall include the nature and extent of the employment, and any change of employment status.

Payment of separation allowance benefits to a retired officer shall cease at the first of:

- a) The death of the officer;
- b) The last day of the month in which the officer attains 62 years of age;
- c) The first day of re-employment in any position in any local government in North Carolina requiring participation in the local government retirement system.

For officers employed in a full-time capacity with the Town of Marshall as of July 1, 2020, the Town shall offer a separation buyout as allowed by N.C. General Statute 143-166.43. The amount of the lump sum payment shall be the lesser of \$30,000.00 or the total that would otherwise be paid in separation allowance payments under N.C. General Statute 143-166.41. Payment shall be made upon date of separation.

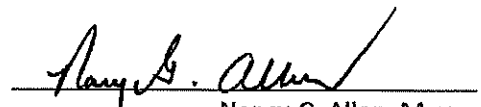
The Town may employ retired officers in a public safety position in a capacity not requiring participation in the Local Government Employees' Retirement System and doing so shall not cause payment to cease to those officers under these benefits. Participation in the retirement system is required by anyone scheduled to work 1000 hours per year or more.

Should the separation allowance for law enforcement officers, now required by law, be rescinded, this separation allowance shall be rescinded at that time.

Adopted this 22nd day of February, 2022.



Forrest Gilliam, Town Administrator

  
Nancy G. Allen, Mayor