

Town of Spring Lake
Regular Meeting of the Board of Aldermen
Municipal Building
300 Ruth Street
Spring Lake, NC 28390

February 14, 2011

MINUTES

7:00 p.m.

The Spring Lake Board of Aldermen held a regular scheduled meeting in the Grady Howard Conference Room of the Spring Lake Municipal Building with Mayor Ethel T. Clark presiding.

Board Members Present: Mayor Pro Tem James O'Garra
Alderman James Christian
Alderman Richard Higgins
Alderwoman Debora Hudson
Alderwoman Fredricka Sutherland

Others Present:

Leonard Barefoot, Interim Town Manager	John Jackson, Town Attorney
Byron Blumenfeld, Water Resource Manager	Allen Coats, Finance Director
Robert Doberstein, Fire Chief	John Kleinert, Deputy Public Works Director
Troy McDuffie, Police Chief	Ken Metcalf, Recreation Director
Tina West, HR Director	Rhonda Webb, Town Clerk

2. Invocation.

Alderman Christian gave the invocation.

3. Pledge of Allegiance.

Mayor Clark led the meeting in the pledge of allegiance.

4. Additions or Deletions to Agenda

Mr. Barefoot requested that Item #12, Closed Session be deleted from the agenda.

Action: The Board approved a motion to remove item #12 from the agenda.

Motion by: Alderman Higgins

Second by: Alderwoman Hudson

Vote: Unanimous

5. Approval of Agenda.

The Board approved the agenda as amended

Action: The Board approved a motion to approve the agenda as amended.

Motion by: Alderwoman Sutherland

Second by: Mayor Pro Tem O'Garra

Vote: Unanimous

(A copy of the agenda is hereby incorporated by reference and made a part of these minutes – see attachment one.)

6. Approval of Consent Items.

The Board approved the consent items: Minutes of the January 24, 2011 Regular Meeting, Minutes of the February 2, 2011 Special Meeting, Minutes of the February 3, 2011 Special Meeting and Minutes of the February 9, 2011 Recessed Meeting.

Action: The Board approved a motion to approve the consent items.

Motion by: Alderwoman Sutherland

Second by: Alderwoman Hudson

Vote: Unanimous

7. Public Forum.

Mr. Robert Cooper, 130 Deerfield Drive, spoke concerning the annexation map on the bulletin board and requested a copy of it.

8. Presentation

a. Presentation, Eagle Scout Troop 772.

Mr. Hunter presented a project that Troop 772 would like to do as part of what is required by the Scout Troop 772. Mayor Pro Tem O'Garra suggested that Kiwanis or the Optimist Club could possibly support a portion of this project. Alderman Christian stated that he wanted to donate \$50 toward the project. Mr. Metcalf advised that the Recreation Department can provide the funds to support the project. Mr. Jackson pledged \$60 toward the project.

b. Presentation, Water Resources Year in Review.

Mr. Blumenfeld gave the Board an overview of the Water, Sewer and Stormwater Departments' Annual Performance covering January through December 2010. He advised that staff has saved the Town more than \$89,500 by not contracting out work. Mayor Clark and Mayor Pro Tem O'Garra thanked Mr. Blumenfeld for the job that he and his staff does and for saving the Town money. Alderwoman Sutherland expressed concern about drains that need to be cleaned.

(A copy of the PowerPoint presentation is hereby incorporated by reference and made a part of these minutes – see attachment two.)

9. Public Hearing.

a. P10-53. Amendment to Spring Lake Code of Ordinances, Chapter 154 Signs and Chapter 156 Zoning.

Mr. Scott presented case P10-53 and advised it is a revision and amendment to Chapter 154 Signs and Chapter 156 Zoning. He advised that the amendments were requested by the Town staff and is included in the Spring Lake work plan adopted by the Joint Planning Board. Alderwoman Sutherland asked why tampering with political signs is not addressed in the Ordinance and Mr. Scott advised that is not anything that the Town of Spring Lake Code Enforcement would have any jurisdiction over. She would need to talk with the Police Chief about that.

Mayor Clark opened the Public Hearing. No one spoke for or against case P10-53.

Action: The Board approved a motion to close the public hearing.

Motion by: Mayor Pro Tem O'Garra

Second by: Alderman Higgins

Vote: Unanimous

(A copy of the agenda memo is hereby incorporated by reference and made a part of these minutes – see attachment three.)

10. New Business.

a. Ordinance Amendment, Chapter 154 Signs and Chapter 156 Zoning.

Mr. Scott requested that the Board approve, modify or reject the proposed Ordinance amendments. Alderman Higgins stated that the "set backs" are more lenient than what we previously had. He stated that he has no problem adopting the Ordinance but we must get out and enforce them. Alderwoman Sutherland made sure that signs on poles are addressed in the Ordinance and it was advised that it is and the Town's Code Enforcement has jurisdiction over these.

Action: The Board approved a motion to adopt Ordinance (2011) 1.

Motion by: Mayor Pro Tem O'Garra

Second by: Alderman Higgins

Vote: Unanimous

(A copy of the agenda memo, Cumberland County Planning Department's memo, proposed draft Ordinance showing changes, and Ordinance (2011) 1 is hereby incorporated by reference and made a part of these minutes – see attachment four.)

b. Resolution, Delinquent Taxes for Year 2010.

Ms. Webb advised the Board that the Cumberland County Tax Collector had sent the Town a report of unpaid taxes for the current fiscal year. These are liens on real property. She told the Board that the report was on file in the Clerk's office and requested that the Board accept the report of unpaid taxes and charge the Tax Collector to advertise the tax liens.

Action: The Board approved a motion to approve Resolution (2011) 3.

Motion by: Alderwoman Sutherland

Second by: Alderman Higgins

Vote: Unanimous

(A copy of the agenda memo, Cumberland County Tax Administrator's memo and Resolution (2011) 3 is hereby incorporated by reference and made a part of these minutes – see attachment five.)

c. Consideration of Funding for Detective Positions.

Chief McDuffie advised that Phase II of his proposed plan was presented to Sheriff Butler, District Attorney Billy West and Chief District Court Judge Beth Keever who agreed to reinstate felony investigative powers to the Spring Lake Police Department if we followed the proposed plan. He requested to hire two general investigators and one office assistant.

Mayor Pro Tem O'Garra stated that based on a personal experience during the larceny of his trailer, he observed that we are tying up two officers when only one was needed but Spring Lake was not able to take the report.

Alderman Christian asked when he planned to hire these people and Chief McDuffie advised by

the first of March 2011. There are qualified officers on the Department who have investigative experience who can be put in the pool of applicants. They will train for three weeks with Cumberland County prior to being allowed to investigate felony cases.

Alderwoman Hudson thanked the Chief for the great job that he is doing. She inquired, in an effort to help save some funds, whether the office assistant is truly necessary since the Department already has two administrative assistants. Chief McDuffie advised that he needs an administrative assistant to be housed at the Annex.

Alderwoman Sutherland thanked Chief McDuffie as well. She also inquired if he would need all of these positions all at once to get the felony powers back. He advised that the two general investigators will handle all the lower level felonies and they will be needed. She stated that she wants to make sure we do everything that we need to do to get our felony powers back but we also need to keep the budget in mind.

At the request of Mr. Barefoot, Chief McDuffie advised that Phase III involves hiring two more investigators which is required prior to getting all felony powers back with the exception of homicides. He advised that will still not get the Department back where it needs to be. He feels we can make it work with what he is requesting but it is at the bare minimum. He does not want Spring Lake to ever be in the position to try to do the job without adequate personnel.

Alderman Higgins clarified that the Board pledged to do what they had to but it is hard to know what the future is as far as money is concerned. He stated that we will do the best that we can. He cautioned that we have to get "our needs" and not "our wants." He stated that we need to look at things such as take home cars, etc. to help fund the needs. Chief McDuffie advised that the Department is pursuing as much grant money as they can find. He also advised that this is a unique situation with rebuilding a department.

Mr. Jackson advised that Chief District Court Judge and the new DA has laid out a bare bones approach. He advised that he believes this is our first test with the people who ultimately have the power over whether we regain our powers. He requested that the Board consider funding this request to show our commitment.

Mayor Pro Tem O'Garra agreed with what Mr. Jackson said. He advised that he believes we need to pass the request.

Mr. Barefoot advised that the real test is July 1, 2011 and unless other funds are found it would be a four cent tax increase. That is only to fund this request. Phase III would be another two to three cents on the tax rate. He advised that we will have to find money to do this and to fund the next budget year.

There was a short discussion about possible property sales to help fund the request and Mr. Barefoot advised that the sale of that property was used in the current year to fund operations and there is a hole that will have to be filled. Alderman Higgins advised that selling property is not a wise way to find a request such as this because the funds for these types of requests must be there year after year and the sell of property happens only once.

Action: The Board approved a motion to approve the request subject to appropriation of funds at the next Board meeting.

Motion by: Alderwoman Sutherland

Second by: Alderman Higgins

Vote: Unanimous

(A copy of the agenda memo is hereby incorporated by reference and made a part of these minutes – see attachment six.)

d. Budget Amendment #8, Recreation.

Mr. Coats explained that Budget Amendment #8 is to recognize grant funds from different sources: Senior's General Purpose and Health Promotion Grants, the Florence Rogers Trust Grant, revenues from Fall sports, insurance proceeds from where the railing at the Recreation Center was damaged and just some general miscellaneous revenue that came in for the department.

Action: The Board approved a motion to approve Budget Amendment #8.

Motion by: Alderwoman Sutherland

Second by: Alderman Christian

Vote: Unanimous

(A copy of the agenda memo and Budget Amendment #2011.8 is hereby incorporated by reference and made a part of these minutes – see attachment seven.)

e. Budget Amendment #9, Spring Fling.

Mr. Coats presented Budget Amendment #9 and advised that this year as part of the Spring Fling budget they are proposing to replace the banners that hang along Bragg Boulevard that announce Spring Fling. He is proposing to use overage funds from the past to pay for them.

Action: The Board approved a motion to approve Budget Amendment #9.

Motion by: Alderwoman Sutherland

Second by: Alderwoman Hudson

Vote: Unanimous

(A copy of the agenda memo and Budget Amendment #2011.9 is hereby incorporated by reference and made a part of these minutes – see attachment eight.)

f. Budget Amendment #10, Manchester Sewer Project.

Mr. Coats presented Budget Amendment #10 to close out the Manchester Sewer Line Project. The amendment recognizes \$70,000 in revenues received from the Community Development Block Grant. CDBG was not able to fund legal and engineering costs so he needs to transfer funds from the water department.

Action: The Board approved a motion to approve Budget Amendment #2011.10.

Motion by: Alderman Christian

Second by: Alderman Higgins

Vote: Unanimous

(A copy of the agenda memo and Budget Amendment #2011.10 is hereby incorporated by reference and made a part of these minutes – see attachment nine.)

g. Budget Amendment #11, Water and Sewer.

Mr. Coats presented Budget Amendment #11 to budget revenue received from developers who purchase water meters from the Town. This amendment will put the funds back into the account from where the meters are bought. Additionally, it is to budget revenues for unplanned expenses; phase II environmental study at the shop area, preparation of plat with water and sewer line locations for the shop area and replacement of the sewer main on Mack Street.

Action: The Board approved a motion to approve Budget Amendment #11.

Motion by: Alderman Higgins

Second by: Alderwoman Sutherland

Vote: Unanimous

(A copy of the agenda memo and Budget Amendment #2011.11 is hereby incorporated by reference and made a part of these minutes – see attachment ten.)

11. Board and Staff Comments:

Mayor Clark

- Announced that we will celebrate our 10th Spring Fling and the Town's 60th Anniversary in April.
- Myself, some of the Board members and Cumberland County Legislative Delegation for the NC General Assembly will meet with Secretary Conti of the NC DOT concerning the Bragg Boulevard roadway plans.

Alderman Higgins

- Glad to see everyone here tonight.

Mayor Pro Tem O'Garra

- Enjoy seeing everyone here tonight.
- Was approached by some citizens today concerning trash cans not being taken in after pick up and requested that Chief have Officer Bronson address this.

Alderwoman Hudson

- Hope everyone has a good evening.

Alderman Christian

- Echoed Mayor Pro Tem O'Garra's sentiments concerning the trash cans.
- Glad everyone came out and Happy Valentine's Day.

Alderwoman Sutherland

- Thanked Mr. Barefoot for getting the Town back on track. Thanked him for his integrity and honesty.
- Thumbs up to Ken and staff.
- Thanked Mayor Clark for what she does.

12. Adjournment.

Action: There being no further business to come before the Board, the meeting was adjourned at 8:38 p.m.

Motion: Alderman Higgins

Second by: Mayor Pro Tem O'Garra

Vote: Unanimous



Rhonda D. Webb
Rhonda D. Webb, MMC
Town Clerk

ATTEST:

Ethel T. Clark

Ethel T. Clark
Mayor