

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

February 27, 2012

**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 Chris V. Rey presiding.

**Board Members Present:** Mayor Pro Tem Napoleon Hogans  
Alderman James Christian  
Alderman Richard Higgins  
Alderman James O'Garra  
Alderwoman Fredricka Sutherland

**Others Present:**

Tommy Burns, Town Manager	John Jackson, Town Attorney
Byron Blumenfeld, Water Resource Manager	Allen Coats, Finance Director
Paul Hoover, Public Works Director	Troy McDuffie, Police Chief
Ken Metcalf, Recreation Director	Tina West, HR Director
Rhonda Webb, Town Clerk	

**2. Invocation**

Mayor Rey requested a moment of silence.

**3. Pledge of Allegiance**

Mayor Rey led the meeting in the pledge of allegiance.

**4. Additions or Deletions to Agenda**

There were no additions or deletions to the agenda.

**5. Approval of Agenda**

The Board approved the agenda.

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

**Motion by:** Alderman Higgins

**Second by:** Alderman 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:

- a. Minutes of the February 12, 2012 Regular Meeting
- b. Minutes of the February 21, 2012 Special Workshop Meeting
- c. Minutes of the February 21, 2012 Special Meeting
- d. Resolution (2012) 10, Approving Refund of Town Property Taxes Paid

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

**Motion by:** Mayor Pro Tem Hogans

**Second by:** Alderwoman Sutherland

**Vote:** Unanimous

## **7. Public Forum**

Sheila Horton of 1500 Mack Street, Yalonda Moore of 1504 Mack Street and Jacqueline Schade of 1553 Mack Street all signed up to speak concerning the noise coming from the IHOP behind their houses. They elected Sheila Horton to speak on behalf of the entire group. She stated that the alarm sounded and it took a long time for someone to turn it off. She expressed concern about trash trucks picking up at 4 o'clock a.m. and she stated that she will continue to complain until someone does something to make her street more pleasant to live.

Tammy Stephens spoke regarding mass communications. She advised that she provided the Clerk with information on companies who handle this type of communication. She stated that it would really help with notifying citizens in the event of an emergency or amber/silver alert.

Regina Thompson-Xadu of 200 Scarborough Street commended the energy savings program that took place on Saturday and hopes to have more programs like that in the future. She expressed a concern about not being able to get through to someone when she calls Town Hall. She stated that she called many times today and never got through to a person. She also expressed a desire to have a water forum to educate citizens on how the water billing system works.

## **8. Presentations**

### **a. Fayetteville-Cumberland Parks and Recreation Bond Proposal Update**

Mr. Michael Gibson from the Fayetteville-Cumberland Parks and Recreation Department provided the Board with a PowerPoint presentation overview of the Parks and Recreation Master Plan. He stated that the way the Bond proposal is written, it gives the Board and Spring Lake citizens the ability to say yes we want to be a part of this or no we do not want to be a part of this. The proposal is written with three types of stand-alone projects: city-funded, county-funded and jointly funded projects. He provided an overview of each type of project. He stated that the bond package supports itself. It will not impact the general fund. The facilities will support themselves with user fees. He provided the Board with market and financial analysis; probable operating costs and expense and revenue potential. The entire proposal includes 25 projects throughout the county. The total estimate for the proposal is \$65.7 million. By the time construction is ready to begin, the debt service will be approximately \$51.2 million which will equate to an approximate 2.25 cents County Special District Tax. They figured everything on an expected 1.5% growth. They expect to finance the proposal for 17 – 19 years.

It was clarified that the \$51.2 million is for projects inside the Fayetteville-Cumberland Parks and Recreation service area and if Spring Lake participates the total debt will increase by approximately \$90,000 in addition to the \$51.2 million. Spring Lake only gets what is generated in Spring Lake and Manchester area.

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

**b. Spring Lake Chamber of Commerce Economic Development Proposal**

Mr. Jeffrey Hunt, Spring Lake Chamber of Commerce, presented the Board with a PowerPoint presentation on economic development. The presentation was created in response to a request from the Mayor and Manager concerning economic development models. Mr. Hunt gave the Board an overview of his background which includes more than 20 years of governmental policy experience for the City of Detroit. The proposal is to provide economic development services for the Town of Spring Lake by contracting with the Spring Lake Chamber for the following services: industry recruitment, business and industry retention, business attraction and workforce development, coordinating all economic development projects, providing economic development assistance in obtaining existing incentive packages and advice, policy and council on all economic development matters. The proposal requests \$10,000 in the 2011-2012 budget year and \$25,000 in the 2012-2013 budget year. He stated that a full time Economic Developer would cost the Town \$70,000 to \$150,000 plus benefits. He stated that the town has a limited amount of time to capitalize on the growth before it migrates toward Linden Oaks on Highway 87. He stated that he could bring back a written proposal for the Board to consider in two weeks.

He briefly mentioned the document in the Board's packet regarding Economic Development Alternatives and Potential Conflicts and stated that he was responding to a request and in response to the request proposes two recommendations for the Board to consider.

(A copy of the agenda memo, memorandums from the Spring Lake Chamber of Commerce and PowerPoint presentation is hereby incorporated by reference and made a part of these minutes – see attachment three.)

**9. New Business**

**a. Community Appearance Commission Application**

Ms. Webb advised that the Community Appearance Commission has two vacancies at the present time. Mr. Page submitted an application to serve on the Commission and Ms. Webb requested the Board determine if they want to appoint him to the Commission for a three-year term.

**Action:** The Board approved a motion to approve Mr. Grady's appointment to the Community Appearance Commission for a three-year term expiring February 28, 2015.

**Motion by:** Alderman Christian

**Second by:** Mayor Pro Tem Hogans

**Vote:** Unanimous

(A copy of the agenda memo and application for appointment from Grady Page is hereby incorporated by reference and made a part of these minutes – see attachment four.)

**b. Resolution (2012) 11, Approving Insurance Settlement on Property Damage**

Ms. West advised the Board that a Town vehicle was involved in an accident resulting in the vehicle being totaled. The insurance company determined the vehicle's worth to be \$11,275. Once the Town's deductible of \$500 is subtracted the Town will receive \$10,775. This is actually more than what the Town paid for the vehicle in 2007. However additional money will have to be added to the settlement money to replace the vehicle. She requested the Board to approve Resolution (2012) 11 to accept the insurance settlement and authorize the Town Manager to execute documents associated with the claim.

**Action:** The Board approved a motion to adopt Resolution (2012) 11.  
**Motion by:** Alderwoman Sutherland  
**Second by:** Mayor Pro Tem Hogans  
**Vote:** Unanimous

(A copy of the agenda memo, proof of loss statement and Resolution (2012) 11 is hereby incorporated by reference and made a part of these minutes – see attachment five.)

**c. Resolution (2012) 12, Designating Town Manager the Authority to Settle Claims**

Ms. West advised that Resolution (2012) 12 is to expedite the process of settling claims like the one just discussed. These types of claims will occur as part of normal operations. She requested the Board authorize the Town Manager the authority to execute these types of documents and settle these types of claims by approving Resolution (2012) 12. Currently the Town Manager has contractual authority for up to \$105,000 and she requested that he also have authority to settle claims not to exceed that amount.

**Action:** The Board approved a motion to adopt Resolution (2012) 12.  
**Motion by:** Alderman O'Garra  
**Second by:** Alderman Higgins  
**Vote:** Unanimous

(A copy of the agenda memo and Resolution (2012) 12 is hereby incorporated by reference and made a part of these minutes – see attachment six.)

**d. Budget Amendment 2012.15, Revenue Billing**

Mr. Coats presented Budget Amendment 2012.15 to budget proceeds for the insurance settlement from the previously discussed agenda item 9c and to appropriate an additional \$5,851 to purchase a replacement vehicle. He requested approval of Budget Amendment 2012.15 and authorization of the purchase of a replacement vehicle.

**Action:** The Board approved a motion to approve Budget Amendment 2012.15.  
**Motion by:** Mayor Pro Tem Hogans  
**Second by:** Alderman O'Garra  
**Vote:** Unanimous

(A copy of the agenda memo and Budget Amendment 2012.15 is hereby incorporated by reference and made a part of these minutes – see attachment seven.)

**e. Budget Amendment 2012.16, Recreation**

Mr. Coats presented Budget Amendment 2012.16 to recognize funds received from the Boys and Girls club for janitorial supplies. This money will go back into the Recreation Department's budget to reimburse that department for supplies used.

**Action:** The Board approved a motion to approve Budget Amendment 2012.16.  
**Motion by:** Alderwoman Sutherland  
**Second by:** Alderman O'Garra  
**Vote:** Unanimous

(A copy of the agenda memo and Budget Amendment 2012.16 is hereby incorporated by reference and made a part of these minutes – see attachment eight.)

At this time Mr. Jackson requested to address a previous item on the agenda regarding general authority given to the manager. He advised that he believes \$105,000 is too much authority for the Manager to have. This is for the manager's protection as well as the Board's protection because it would be a direct expense out of the General Fund without the Board having any knowledge if he chose to do so. He expressed concern about the delegation of authority and the wording of giving the manager "general authority" to settle all claims. He stated the appropriate language is to designate him authority to settle the type of claims you want him to and it may include general liability claims but there may be claims that need to come before the Board for clarification and guidance and that is not presuming any bad faith on anyone but that is an extremely high amount delegated for general authority to settle any and all claims. He stated that he does not believe the Board can delegate general settlement authority. The ultimate settlement authority lies with the Board. However, the Board can delegate specific settlement authority. He apologized for not speaking up when the Mayor called for any un-readiness prior to the vote on this item. He suggested that the Board leave things the way they are and let him bring back an amendment for the Board to consider.

Mr. Burns stated that claims such as the one tonight and even small property damage claims should be routine and handled at staff level. The amount is really insignificant. I think we may want to look more at defining the actual event. He stated that he would not want any authority to settle a lawsuit but certainly a workers' comp claim is different from a litigation matter.

**10. Adjournment.**

**Action:** There being no further business to come before the Board, the meeting was adjourned at 8:36 p.m.

**Motion:** Alderman O'Garra

**Second by:** Mayor Pro Tem Hogans

**Vote:** Unanimous

*Rhonda D. Webb*

Rhonda D. Webb, MMC  
Town Clerk

ATTEST:

  
Chris V. Rey  
Mayor

