

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

January 24, 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
Allen Coats, Finance Director
Ken Metcalf, Recreation Director
Rhonda Webb, Town Clerk

Byron Blumenfeld, Water Resource Manager
Troy McDuffie, Police Chief
Tina West, HR Director

John Jackson, Town Attorney was absent due to illness.

2. Invocation.

Alderwoman Hudson gave the invocation.

3. Pledge of Allegiance.

Boy Scout Troop 772 led by Steven Swagler led the meeting in the pledge of allegiance. The other scout members included:

Bruce Bogertey, Sean Bogertey, Alexis Camacho, Brandon Hemrick, Corey Main, Kenneth O'Garra, Tyler Roberts, Juan Soler-Davis, Dylan Vitt, Grant Williams, Matt Wayland and Will Wayland. Assistant Scoup Masters present were John Hemrick, Brian Swagler and Greg Wyland.

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: Alderwoman Sutherland

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 December 13, 2010 Workshop and Regular Meeting and Minutes of the January 18, 2011 Special 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

No one spoke at the Public Forum.

8. Presentation

a. Presentation from RLM Communications

Mr. Randy Moore presented the Town with a check for \$6,000 for the Spring Fling and presented the Spring Lake Chamber of Commerce a check for \$4,000.

b. FYE June 30, 2010 Audit Report

Mr. Alan Thompson, CPA from Thompson, Price, Scott, Adams & Co. presented the 2009-2010 audit report. He advised that the General Fund increased from the last audit. The Town's fund balance is 17.86%. He advised that the numbers in the report are technically correct but they are skewed due to high capital expenditures. He advised that overall the Town is financially in good shape.

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

c. State of the Town Message

Mayor Clark read an excerpt from her State of the Town Message and advised that copies of the Message are available.

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

9. New Business

a. Appointment, Community Appearance Commission

Ms. Webb advised that Ms. Regina Xadu's application is in order and requested that the Board determine whether they desire to appoint her to the Appearance Commission.

Action: The Board approved a motion to appoint Ms. Xadu to the Community Appearance Commission for a three-year term expiring on January 31, 2014.

Motion by: Mayor Pro Tem O'Garra

Second by: Alderwoman Sutherland

Vote: Unanimous

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

b. Appointment, Recreation Advisory Board

Ms. Webb advised that Ms. Regina Xadu's application is in order and requested that the Board determine whether they desire to appoint her to the Recreation Advisory Board.

Action: The Board approved a motion to appoint Ms. Xadu to the Recreation Advisory Board for a three-year term expiring on January 31, 2014.

Motion by: Alderwoman Hudson

Second by: Mayor Pro Tem O'Garra

Vote: Unanimous

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

c. Consideration of Spring Lake Chamber of Commerce Economic Development Committee Funding Request

Mr. Barefoot advised that he researched the request made by Mr. Keim at the December 13, 2010 meeting and recommended that the Board deny the request. He advised that expending funds for this purpose would not be prudent. The Board's consensus was to deny the request.

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

d. Budget Amendment #7

Mr. Coats explained that Budget Amendment #7 is to appropriate grant proceeds from the North Carolina League of Municipalities in the amount of \$1,200 for the purchase of a projector and portable screen for training. The projector and screen will be housed in the Human Resources Department but will be available should another department need to use it.

Action: The Board approved a motion to approve Budget Amendment #2011.7.

Motion by: Alderwoman Sutherland

Second by: Alderman Higgins

Vote: Unanimous

(A copy of the agenda memo and Budget Amendment #2011.7 is hereby incorporated by reference and made a part of these minutes – see attachment seven.)

e. Resolution, Declaring Surplus Property

Mr. Coats presented Resolution (2011) 2 and advised that the Finance Department is trying to be more proactive in getting surplus property sold. He requested that the Board approve the Resolution so the property can be put up for sale on GovDeals. Mr. Coats advised that the vehicles do run to the best of his knowledge. He was not able to offer the Board an estimate on the starting bid. He advised that Fleet Maintenance assesses the property and determines when they no longer can serve a need for the Town prior to them being requested to be declared surplus.

Action: The Board approved a motion to approve Resolution (2011) 2.

Motion by: Alderman Higgins

Second by: Alderman Christian

Vote: Unanimous

(A copy of the agenda memo and Resolution (2011) 2 is hereby incorporated by reference and made a part of these minutes – see attachment eight.)

f. Resolution, Fresh Water Distribution Capital Improvement Plan

Mr. Blumenfeld presented the Fresh Water Distribution Capital Improvement Plan, gave a brief overview of what the plan contains and requested that the Board approve the plan by approving Resolution (2011) 1. He stated that he will try to do as much as possible with operational budget funds; however, the things that the operational budget will not support will be put off for another year. This plan is a 10-year plan. In response to Alderwoman Sutherland's question, he advised that the plan contains anticipated projects and those may change as the Town and situations change. He also addressed her question concerning expending funds to exercise valves and advised that the Town is behind in performing this work. The figures will be on next year's budget. Alderman Higgins clarified that this is only a plan and it can change as the Board's desires change. He also asked about water pressure and was advised that the Town's water pressure meets the Fire standards. Mr. Barefoot inquired about the water pressure when the tank is down and Mr. Blumenfeld advised that even with the tank is down, the pressures meet the minimum requirement.

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

Motion by: Alderman Higgins

Second by: Alderwoman Hudson

Vote: Unanimous

(A copy of the agenda memo, the Fresh Water Distribution Capital Improvement Plan and Resolution (2011) 1 is hereby incorporated by reference and made a part of these minutes – see attachment nine.)

g. Consideration of Matters Relating to the Spring Lake Solid Waste Program

Mr. Barefoot advised that the situation regarding the discrepancy between the billing and cart count from Waste Management has been thoroughly investigated and the final recommendation to settle the disputed amount is for Waste Management to reimburse the Town \$18,599.98.

He advised that he will work with staff to formulate procedures to improve the accounting procedures within the solid waste fund to ensure that this type of situation does not happen again. Those proposed procedures will be brought back before the Board for approval.

He also requested that the Board consider approving Waste Management's current contract for one year. The current contract expires in 2012 and the contract for recycling expires in 2013. He recommended that it would be more prudent to have one company perform both services and if the Waste Management contract was extended for one year we would get the opportunity to request proposals for both services from one company. In exchange for extending the contract for one year, Waste Management will agree to waive any consumer price index (CPI) increase during that period of time. The current contract allows them to increase the costs based on CPI. Alderwoman Sutherland advised that we need to make sure we have something in place so that this does not happen again. It was an embarrassment when this was in the newspaper based on wrong information that had been given out and she thanked Mr. Barefoot for working on this situation. She stated that she has always believed both services should be under the same umbrella and that is why she did not vote to approve the recycling contract with Onslow

Containers. She advised that she is in agreement with the Manager's recommendations.

Mayor Pro Tem O'Garra advised that he does not believe we should "bow down" for half of the money. This is the citizen's money and the citizens did not make this mistake. He would like to negotiate this further. He would like the Board to sit down and be shown all the details. He advised that he would like to see what Waste Management will do for us before we agree to extend the contract for one year. He advised that he has heard figures of almost \$170,000 discrepancy and we are only looking at \$18,599.98 settlement and that is not acceptable to him. Mr. Barefoot advised that there is not a single number that we can hang our hat on as to what the overcharges were. He clarified that there was one day in one month of the contract where an overage occurred and that was in August 2010. His analysis shows that we have already withheld approximately \$36,000 from Waste Management and the amount that Mayor Pro Tem O'Garra is looking at is a Town's mistake number not a Waste Management number. He also advised that we are working on billing for those mistakes.

Action: The Board approved a motion to accept the proposed settlement with Waste Management for \$18,599.98.

Motion by: Alderwoman Sutherland

Second by: Alderman Higgins

Vote: 4-1

Yes

Alderman Christian

Alderman Higgins

Alderwoman Hudson

Alderwoman Sutherland

No

Mayor Pro Tem O'Garra

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

Chaplin Barringer contacted Mayor Clark requesting a letter of support from the Town of Spring Lake regarding the Sandhills Cemetery. She requested that the Board give her permission or authority to write a letter from the Town of Spring Lake.

Action: The Board approved a motion to support the Mayor in writing this letter and give her our approval.

Motion by: Mayor Pro Tem O'Garra

Second by: Alderman Christian

Vote: Unanimous

10. Board and Staff Comments:

Mayor Clark

- Thanked the Boy Scouts for coming out and leading the Pledge. She asked them to come at least once a year.
- Thanked Mr. and Mrs. Moore for their generous gifts.
- Congratulations to Mayor Pro Tem O'Garra for receiving Volunteer of the Year award at the Spring Lake Chamber's annual dinner.
- Thanked everyone for coming to be with us this evening.

Alderwoman Sutherland

- Thanked everyone for coming out and supporting us.
- Thanked RLM for the generous gift.
- Good to see the bus shelters up.
- Thanked Mayor Clark. She has seen the progress and growth of the Town and she is pleased with how we work to make sure the citizens are taken care of.
- Thanked the employees for keeping the Town clean.
- Applaud the Board for the bus service in Spring Lake.
- Thanked Regina Xadu for volunteering.
- Wanted to share her birthday gift with everyone. She received the best birthday gift she could have ever received. It was her daughter and grandchildren coming from Hawaii for her birthday.
- Citizens have requested that someone work on getting a Golden Corral and requested that the Chamber work on that.

Alderman Higgins

- Happy to see the Boy Scouts here tonight. I hope you got a little Local Government education.
- Glad to see Mr. Wellons here tonight and so many other citizens and people from the Chamber.
- We have had a lot of growth this past year and it was good to see that in the audit.
- Would like to see us have more clean-up days in Spring Lake and would like the Appearance Commission work toward a quarterly clean up.
- The trash can ordinance requirement is not being complied with and he would like the Town to be more proactive in making sure people take their cans in on time.
- Happy to see everyone here tonight.

Mayor Pro Tem O'Garra

- Glad Mr. and Mrs. Moore came to Spring Lake.
- Glad to have Troop 772 here tonight.
- Thanked Mr. Wellons for attending.
- Reminded everyone that Mr. Pate is our Town Historian.

Alderwoman Hudson

- Thank you to everyone for coming out tonight.
- Awesome job to the Boy Scouts, you are to be commended.
- This is a new year and I wish blessings to all of you for the New Year.

Alderman Christian

- Happy New Year to everyone.
- Glad the Boy Scouts are here, I was a boy scout many years ago.
- Thanked the Fire Department and EMS for taking care of my mother the other night.
- Condolences to Delacruz and Speranza families for their recent loss.
- Happy Birthday to Mayor Clark and Alderwoman Sutherland
- Enjoyed the Chamber of Commerce Annual Dinner.
- Would like to see the Town do a better job of getting information out to the businesses.
- Glad the Chief has support from the new DA and Judge Keever.

Mr. Barefoot

- Attorney Jackson had a minor surgery that affected his vision and that is why he was not here.
- Commended Paul Hoover for the fantastic job that he and his staff did during the snow and water emergencies.
- Encouraged people to sign up for Nixle as a way to receive information regarding Spring Lake events.

11. Adjournment.

Action: There being no further business to come before the Board, the meeting was recessed until February 9, 2011 at 10:00 a.m. at the Hampton Inn in Spring Lake.

Motion: Alderman Higgins

Second by: Alderman Christian

Vote: Unanimous



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

ATTEST:

Ethel T. Clark
Ethel T. Clark
Mayor