

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

September 12, 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:

Tommy Burns, Town Manager
Allen Coats, Finance Director
Troy McDuffie, Police Chief
Ken Metcalf, Recreation Director

John Jackson, Town Attorney
Paul Hoover, Public Works Director
TJ McLamb, Fire Chief
Tina J. West, Director of Human Resources

1. Call Meeting to Order

Mayor Clark called the meeting to order.

2. Invocation

Mayor Pro Tem O'Garra held the Invocation.

3. Pledge of Allegiance

Steven Peterson of Boy Scout Troop 774 led the Pledge of Allegiance.

4. Additions or Deletions to Agenda

Mayor Clark announced that Agenda Item 9b "Resolution, Acknowledgement of Proposed Overpass" should be deleted from the Agenda. Tommy Burns stated that the final design had not been received by the North Carolina Department of Transportation (NCDOT).

The Board approved the deletion of Agenda Item 9b "Resolution, Acknowledgement of Proposed Overpass."

Action: The Board approved a motion to delete Agenda Item 9b.
Motion By: Alderwoman Sutherland
Second By: Alderman O'Garra
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: Alderman Higgins
Second By: Alderwoman Sutherland
Vote: Unanimous

{A copy of the Agenda is hereby incorporated and made a part of these minutes – see attachment one.}

6. Approval of Consent Items

The Board approved the following Consent Items:

- a. Minutes of the August 22, 2011 Regular Meeting
- b. Resolution Adopting the NC Department of Cultural Resources Records Retention and Disposition Schedule
- c. Resolution Adopting the Cumberland County Multi-Jurisdictional Hazard Mitigation Overall Plan
- d. Resolution Adopting the Cumberland County Multi-Jurisdictional Hazard Mitigation Plan for Spring Lake

Action: The Board approved a motion to approve the Consent Items.
Motion By: Alderman Higgins
Second By: Alderwoman Hudson
Vote: Unanimous

{A copy of the Resolution 2011.17, Resolution 2011.18, and Resolution 2011.19 are hereby incorporated and made a part of these minutes – see attachment two, three, and four.}

7. Public Forum

- a. Diane Howard, property owner of Country Fish Fry, stated that she was originally prepared to request that Agenda Item 9b “Resolution, Acknowledgement of Proposed Overpass” be tabled. She reported that she owned the property at Poe Avenue and Bragg Blvd. and that she has not received notification about the proposed overpass project. She added that the project would directly affect her land and income and should not be considered until further discussion is held.
- b. Jonn Thomas, Spring Lake Chamber of Commerce, announced the launch of the new

Economic Development and Tourism brand. He stated that the Economic Development Committee and the Spring Lake Chamber of Commerce had worked diligently to create a new logo and theme for Spring Lake. He reported that the new logo would be introduced on September 13, 2011 at 9:00 a.m. at Mendoza Park. Mr. Thomas added that this would be the beginning of improvements and that the Town of Spring Lake would now be considered a destination not a gateway. He invited all Board Members, Town employees, and citizens to attend the ceremony.

- c. Crystal Graham, 2709 Brinkley Drive, spoke concerning the Town of Spring Lake's hiring practices. Ms. Graham provided packets to the Board. She directed the Board to the Supplement Form included in the Town of Spring Lake Employment Application. Ms. Graham then thanked Alderwoman Sutherland for taking the time to listen to and follow up on her concerns. She extended appreciation to Alderwoman Hudson as well. Ms. Graham alleged that there was hiring discrimination that could be found within the packet of General Employment for the Application. She explained that the supplemental data on the sheet has the data of race, ethnicity, and background and that alone determines what race an applicant is and the qualifications. She stated that she had contacted the Equal Employment Opportunity Commission (EEOC) and that they had stated the form was a discriminatory practice. She stated that if the qualifications and the applicants race didn't match the skill set of those that are looking for in a particular person then an applicant would not be contacted for an interview. She raised these questions because she has a Masters Degree in Human Resources. She stated that it is discriminatory not to interview people who are just as qualified for a position whether they are hired or not. Ms. Graham expressed that she felt applicants still need an opportunity to be interviewed. Ms. Graham reported that, in 2010 and in 2011, she had applied for the Human Resources position and did not receive an interview. She stated that she would like to have the individual awarded this position be noted in comparison with all minority applicants that applied for the position and not receiving an interview with a Masters Degree in Human Resources presently doing it and actually fulfilling the position at another organization. Ms. Graham noted that the previous Town Manager, Michael Uskiewicz, had received her application, informed her that he misplaced her resume, and that he remembered that she had a Masters Degree in Human Resources from Michigan. Ms. Graham stated that the second time she applied for the position she did not receive an interview or any notification other than she saw an award for the next person receiving the position which was a hire from within the Town. She stated that she had applied for the vacant Billing Supervisor position with the same outcome. Ms. Graham added that the position had been filled with an African American who had vacated the position. She stated that the vacancy had caused a fulfillment of the position and a part time position. Ms. Graham stated that she was led to believe that the African American holding the position had too great of a responsibility and the Town created a new job in her absence with an additional assistant. Ms. Graham discussed the opportunity to intern with Tommy Burns. She reported that within less than two weeks, during which time she had been working at home, she was contacted by Tina West to inform her that her duties were no longer needed because workspace was no longer available. She reported that she had been doing a Health and Wellness Plan to create new ideas that are being impacted in other organizations. She asked why she was not allowed to be affiliated with the Town. Ms. Graham questioned how the Town could allow

citizens who are educated, qualified, with a bio of experience from the military being a disabled veteran as herself, and seventeen years as Human Resources Specialists, how is the Town able to ignore qualified applicants. Ms. Graham apologized for being so passionate because the issue not only affected her but her children who are the same color as she or any other minority. She stated that she spoke on behalf of all that are qualified and who are being overlooked for employment. Ms. Graham reported that she has the qualifications to stand before the Board and speak on Human Resources and if anyone wished to see her resume she would be more than obliged to share the information of three degrees one being a Masters in Human Resources.

8. Presentation

a. Applications for NC Governors Highway Safety Program (GHSP).

Chief McDuffie stated that the Police Department had been awarded traffic equipment from three separate GHSP grants. He added that the Department had been approved for \$4,729 to be utilized to purchase a pole mounted radar system and a digital camera; \$16,195 had been awarded to purchase a light tower, generator, traffic equipment, trailer, traffic vests, flashlights, cones and signs to be utilized during traffic checkpoints; and \$2,250 had been awarded for the purchase of five Mobile Data Terminal printers and accessories. Chief McDuffie reported that these grants had no Town match required. He gave special thanks to GHSP for the organization's support of the Spring Lake Police Department. Chief McDuffie stated that two of the grants would require the Board's approval of a resolution that those documents would be presented to the Board at the next Regular Meeting. Mayor Clark requested a written copy of the presentation. Chief McDuffie informed that he had provided the Town Clerk a copy. Mayor Clark reported that due to Rhonda Webb's absence that the copy had not been provided. Chief McDuffie assured the Board that he would provide a copy of his presentation. Alderman Christian verified that there would be no matching funds required. Chief McDuffie confirmed that the Town would not be required to provide matching funds for the aforementioned grants.

9. New Business

a. Budget Amendment, Street Department.

Allen Coats presented Budget Ordinance Amendment BOA2011.1 and explained that the amendment would budget the \$5,000 discussed at the August 22, 2011 Regular Board Meeting for the engineering work to be performed for the overpass project. Alderwoman Sutherland inquired if the Town was allocating \$3,000. Mr. Coats clarified that \$3,000 was being allocated from the existing economic development budgetary account along with an additional \$2,000 from Fund Balance for a total cost of \$5,000.

Action: The Board approved a motion to approve Budget Ordinance Amendment BOA2011.1.

Motion By: Alderwoman Sutherland
Second By: Alderman Christian
Vote: Unanimous

{A copy of the Budget Ordinance Amendment BOA2011.1 is hereby incorporated and made a part of these minutes – see attachment five.}

c. Resolution, Authorized Position Amendment.

Tina West reported to the Board that the Human Resources Department had received a request from the Fire Chief to reorganize various positions within the Fire Department. She explained that, except for the title change for the Division Chief of Administration to Assistant Fire Chief/Assistant Fire Marshall, the requested changes would not be implemented in the current fiscal year and would cause no budgetary impact. Ms. West reported the requested changes to the Position Classification Plan included the elimination of the Fire Fighter II position, the reclassification of the Master Fire Fighter position from a Salary Grade 15 to a Salary Grade 13, the addition of a Fire Lieutenant position with a Salary Grade 15, and the title change of the Division Chief of Administration to the title of Assistant Fire Chief/Assistant Fire Marshall. Ms. West noted that the aforementioned title change would not result in a Salary Grade alteration. She reported to the Board that the Authorized Employee Position document would be amended to reflect the title change of the Division Chief of Administration to the title of Assistant Fire Chief/Assistant Fire Marshall. Alderwoman Sutherland thanked Chief McLamb for his efforts in reorganizing the Department. She inquired if the documents were creating an additional position. Chief McLamb stated there would be no additional positions. Alderwoman Sutherland stated that positions were being changed around with regards to Salary Grades only. Chief McLamb stated that he had requested the title change to better suit the actual duties the position would be performing. He added that the other recommended changes were to allow for career development within the Department. Alderman Christian thanked Chief McLamb and Chief McDuffie for organizing the September 11th Ceremony. He inquired if the request would require additional funding for the next fiscal year. Chief McLamb stated that the request laid the initial ground work for a career development plan and that funding would be requested during the budgetary process if needed. Alderman Christian asked if the amendments would assist with employee retention. Chief McLamb acknowledged that the plan would aid in that effort. Mayor Pro Tem O'Garra stated that he had been briefed on the amendments by Tina West and that he agreed with the proposed amendments. Alderwoman Sutherland asked Ms. West about the documentation provided to the Board. She inquired if the amendments were for the Fire Department only because additional information had been included. She stated that she did not want the information to be misleading to the Board; that the request stated the changes were for the Fire Department and future reference that other departments had been changed. Tina West stated the changes were for the Fire Department only. She added the documents were being provided in their entirety based on a request from Rhonda Webb, Town Clerk. She added the request had been made so that the Board fully would understand what amendments

they were approving. Ms. West stated that the ordinance included the entire two documents as amended and the secondary document was the marked up version to show all requested amendments in red font or as a strike through.

Action: The Board approved a motion to approve the Resolution which is Ordinance (2011) 12

Motion By: Alderman Higgins

Second By: Alderwoman Sutherland

Vote: Unanimous

{A copy of the Ordinance (2011) 12 is hereby incorporated and made a part of these minutes – see attachment six.}

{Official note to the minutes: a clarification regarding the adoption of Ordinance (2011) 12 is referenced under section 12. "Adjournment" of these minutes.}

d. Discussion, Flashing Lights at School Zones.

Alderwoman Sutherland stated that she had made several requests regarding traffic lights in school zones for the safety of the children. She added that she had received information that former Town Manager, Michael Uskiewicz, had requested a survey to address the potential hazard to students, parents, and the area as a whole. He had recommended traffic lights be placed in the area. Alderwoman Sutherland reported there had been a follow up letter from Mr. Kinlaw stating that the matter was under review. Alderwoman Sutherland thanked Mr. Michael Uskiewicz for starting the process. She expressed her concern for the safety of the school zone areas and that she had been an advocate for sidewalks in those areas as well. Alderman Christian recommended that the Board direct the Town Manager to pursue the feasibility of the request and report to the Board the process that would need to be taken to implement the request. Mayor Clark asked Tommy Burns to look into the matter. She added that Paul Hoover had researched funding for this type of project but no funding had been available to this point. Paul Hoover confirmed that the Town had sought funding however those grants had not been available. Alderwoman Sutherland inquired on the last request the Town had made for those grant monies. Mr. Hoover explained that the funding for those grants were only available in even numbered years with the next availability for consideration in 2012. He added that he had been placed on an automatic email notifying him when funding was available. Alderwoman Sutherland stated that the Governor should come examine the situation. Alderman Christian recommended that Congresswoman Elmers and former Congressman Etheridge be contacted regarding the availability of funding. He added that the Cumberland County Board of Education should be contacted as well. Alderman Higgins discussed the potential availability of funding for sidewalks. He stated that the Town had submitted a request. Mr. Burns assured the Board that he would contact Mr. Jernigan.

e. Discussion, Creation of a Police Hotline.

Alderwoman Sutherland reported that a community watch meeting had been held. She recommended a community hotline be implemented. Alderwoman Sutherland stated that crimes could be reported in a manner where the citizens could report the activity without feeling fearful or of being threatened. She thought the hotline would help with the crime rate. Alderman Christian proposed that staff research how to implement the hotline for the Town. He added the concept had been successful in surrounding communities. Mayor Clark requested that the cost be considered. She stated that the Chief recommended citizens to utilize 911 in emergency situations and she requested clarification for the use of the proposed line. Alderman Christian explained that the hotline would be used as a tip line. Alderwoman Sutherland stated that people felt threatened to provide information and were afraid that they would be identified. She added that the hotline would help to make our citizens feel more comfortable. Mayor Pro Tem O'Garra stated that the hotline didn't seem to be a big problem. He suggested that it could be handled internally with citizens contacting the Police Department during the day and having a dedicated line for after hours that would not be transferred to Cumberland County. Mayor Pro Tem O'Garra added his suggestion would not require the allocation of additional funding nor would there be additional personnel requirements. Mayor Clark stated that the Town would research the issue and report the findings back to the Board.

f. Discussion, Fire Department Improvements.

Alderwoman Sutherland reported that the Fire Station was in neglect. She stated that the ceiling needed repair, the living facilities needed updating, and that the facility for the female was not adequate. Alderwoman Sutherland added the Fire Department personnel spent most of their time at the station and facilities needed to be improved. Mayor Pro Tem O'Garra stated that new mattresses should be purchased immediately and that the paint had been peeling on the ceiling for a while and needed to be addressed. Mayor Clark agreed the concerns needed to be addressed. Alderman Christian inquired if facility impacted employee morale. Chief McLamb confirmed and reported the Department was in the process of obtaining estimates for the needed upgrades. Alderwoman Sutherland requested that a list be presented to Board so that a determination could be made regarding the improvements. Alderwoman Hudson thanked Chief McLamb for visiting the school. She expressed her concern regarding customer service issues and stated that the Fire Department's interaction with the public needed to be improved. Tommy Burns stated he had spoken with Chief McLamb and that improved public relations was a priority. Alderman Higgins expressed his appreciation to the Chief for addressing various issues and added the Board should be able to provide the funding necessary.

g. Resolution, Authorizing Application for the Automatic Meter Reading System Upgrade.

Tommy Burns reported that Agenda Items 9g, 9h, and 9i were similar requests. He requested that the Town be permitted to submit applications to the appropriate funding

agencies. Mr. Burns stated that Gary MacConnell, MacConnell and Associates, had prepared the applications and could answer any questions regarding the applications.

Action: The Board approved a motion to approve Resolution (2011) 21.

Motion By: Alderwoman Sutherland

Second By: Alderman Christian

Vote: Unanimous

{A copy of the Resolution (2011) 21 is hereby incorporated and made a part of these minutes – see attachment seven.}

h. Resolution, Authorizing Application for the Lillington Highway Waterline Upgrade.

Action: The Board approved a motion to approve Resolution (2011) 22.

Motion By: Alderman Higgins

Second By: Alderman O’Garra

Vote: Unanimous

{A copy of the Resolution (2011) 22 is hereby incorporated and made a part of these minutes – see attachment eight.}

i. Resolution, Authorizing Application for the Lower Little River Interceptor Rehabilitation.

Action: The Board approved a motion to approve Resolution (2011) 23.

Motion By: Alderman Higgins

Second By: Alderwoman Hudson

Vote: Unanimous

{A copy of the Resolution (2011) 23 is hereby incorporated and made a part of these minutes – see attachment nine.}

10. Adjournment.

Prior to the meeting being adjourned, Attorney John Jackson requested clarification for Agenda Item 9c “Resolution, Authorized Position Amendments.” Attorney Jackson clarified that the Agenda represented the Item as a Resolution when the document was actually an Ordinance as required. Tina West reported that both documents were originally adopted as part of the Budget Ordinance and an ordinance would be required to amend the documents. She noted that the Agenda was a clerical error and the Human Resources Department had prepared Ordinance (2011) 12 to amend both the Position Classification Plan and the Authorized Employee Positions documents. Attorney Jackson requested a motion be offered to state that the Board had adopted Ordinance (2011) 12 in order to correct the official record.

Action: The Board approved a motion to clarify the adoption of Ordinance (2011) 12 rather than a resolution.

Motion By: Alderwoman Sutherland
Second By: Alderman Higgins
Vote: Unanimous

Hearing no other business for the Board to consider, Mayor Clark entertained a motion to adjourn the meeting.

Action: Having no other business to be considered by the Board, the meeting was adjourned.

Motion By: Alderwoman Sutherland
Second By: Alderman Christian
Vote: Unanimous



Tina J. West
Tina J. West
Human Resources Director

ATTEST:

Ethel T. Clark
Ethel T. Clark
Mayor