

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

August 28, 2017

MINUTES

7:03 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 Rey presiding.

Board Members Present: Mayor Pro Tem Larry Dobbins
Alderman James Christian
Alderwoman Densie Lucas
Alderman James O'Garra
Alderwoman Fredricka Sutherland

Others Present:

Tad Davis, Town Manager	Tony Buzzard, Town Attorney
Tom Cooney, Public Works Director	Tim Garner, Interim Water Resource Director
Rosa Henegan, Human Resource Officer	Sam Jones, Recreation Director
John Kleinert, Director of Streets, Grounds and Sanitation	Troy McDuffie, Interim Police Chief
T.J. McLamb, Fire Chief	Doris Snider, Senior Center Director
Claiburn Watson, Finance Director	Rhonda Webb, Town Clerk

2. Invocation

Mayor Pro Tem Dobbins gave the invocation.

3. Pledge of Allegiance

A member of the Harnett County Boy Scout Troop 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 O'Garra

Second by: Alderman Christian

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 August 14, 2017 Regular Meeting
- b. Ratification of Military and Veterans Affairs Advisory Committee Vote

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

Motion by: Mayor Pro Tem Dobbins

Second by: Alderwoman Sutherland

Vote: Unanimous

7. Public Forum

No one spoke at the Public Forum.

8. Presentation

a. Fire Department Lieutenant Pinning Ceremony

Chief McLamb presented the following Firefighters with a Lieutenant's badge to recognize their promotion to Lieutenant:

Timothy "Shorty" Patterson

Travis Walker

Hunter Robert Farr

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

b. Sale of Alcoholic Beverages Before Noon on Sundays

Mr. Davis provided the Board of Aldermen with an update on new legislation that was passed by the NC General Assembly that enables a municipality to adopt an ordinance allowing for the sale of alcohol beginning at 10 a.m. on Sundays. He stated within the last 30 days the City of Fayetteville passed an Ordinance to allow the sale of alcohol beginning at 10 a.m. on Sundays. He wanted to make the Board aware of the change and provided a list of restaurants in Spring Lake that sell alcohol and may be interested in the Board approving an Ordinance. He stated to date no one has inquired about the Ordinance.

Alderman Christian stated one of his customers in Spring Lake asked him about the Ordinance. He stated it was not a formal request and they are on Mr. Davis' list. He stated if he needs to recuse himself from a vote he will do so.

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

c. Manager's Update

Mr. Davis reported the following:

- He stated there is another issue that we have been doing research on which involves permitting for alcohol in Spring Lake. He stated this issue was passed by a ballot vote in 1979 and it affects, thus far, one business in Spring Lake, that is Brooklyn Pizzeria. The way the Ordinance reads is if a business has a permit to sell malt beverage (beer) it must also have a mixed alcohol permit. He stated the malt beverage permit is \$400 annually and the mixed alcohol permit is \$1,000 annually. He stated in the case of Brooklyn Pizza, they serve beer only at their restaurant but because of the way the Ordinance is currently written they have to purchase both the malt beverage permit and the mixed alcohol permit. This is just to bring the Board up to date. He stated we are trying to figure out what steps can be taken to change the Ordinance so that someone just selling beer will only have to purchase a beer permit and not spend the extra \$1,000. He stated if we can do this without too much fanfare that is what we want to do.
- The 911 Consolidated Call Center is a City/County issue. He stated it all boils down to them trying to obtain a grant to build a new call center. The stipulation is that the call center has to be a consolidated call center for the entire County. He stated we continue to receive the 911 support from the County and we are satisfied with what they are doing for us. He also stated this may be a benefit for the Town because currently we are paying \$134,000 per year for this service.

- The FTCC Collision Program at the former Mae Rudd Williams School. Citizens have requested that signage include the name Mae Rudd Williams. FTCC is adamant about their support for the community.

Alderman Sutherland stated that Rhonda had asked her to mention to the Board about the Board not receiving their agenda packets on time. She stated she can understand when it is late sometimes

d. Presentation to Town Manager

Ms. Johnson from Congressman Hudson's office presented Mr. Davis with a Congressional Record of Comments that Congressman Hudson made on the floor of the House which is now part of the American History.

Mayor Rey presented Mr. Davis with a plaque of appreciation and a Town Coin.

Alderman Christian stated it has been a true honor and privilege and stated "Charlie Mike".

Alderman O'Garra stated we will be looking forward to you coming back to visit.

Mayor Pro Tem Dobbins thanked Mr. Davis.

Alderman Lucas thanked Mr. Davis

Alderman Sutherland thanked Mr. Davis and stated she is sure he will fit right in where he is going and that he will do a great job.

Mayor Rey stated he appreciates Mr. Davis.

9. New Business

a. Land Purchase Agreement for Splash Pad

Mr. Davis stated this was introduced at the last Board meeting. He stated the only thing that he wanted to add is that testing has been done and no contamination was detected on the property. He said he has already requested an environmental data report on the property which will be completed prior to the contract being signed.

Alderman Sutherland stated this is a blank contract and she is not accustomed to approving a contract that has not been signed. She inquired about the pre-audit certificate and why there is no signature there. Mr. Watson stated the Town is required by law on any contract to have the pre-audit certificate on the document and further explained that he has to sign the document as the Finance Director to prove there is money in the budget to consummate the transaction. Alderman Sutherland then questioned Mr. Watson stating you have to sign this document that you are asking us to approve tonight if there is enough money in the budget but you are asking us to approve this document which is to sell of \$67,776.25 for the water, correct? Mr. Watson stated that would be the water revenues coming into the Town. Alderman Sutherland clarified this is for the settlement of the water for Wellons and Mr. Watson stated yes ma'am. She then stated originally it was \$84,293.30 and the settlement will be \$67,776.25 but then also in this document there is a budget amendment number 2018.2 and she inquired if that is when he is going to sign the pre-audit certificate? Mr. Watson stated if the Board does not see fit to adopt and agree to buy that land then the budget amendment is a moot point. Mayor Rey stated that he doesn't sign that document until it's time. Alderman Sutherland then stated that she is just trying to figure out what it is and inquired if we have done a pre-audit. She then read from the contract "this instrument has been pre-audited in the manner required by the Local Government Budget and Fiscal Control Act" and asked if it has been pre-audited and what process does he go through to have it pre-audited. She stated that she understands there is no signature on here and you told me last time that you would sign this blanket document once it's been approved, so what is a pre-audit and have we done a pre-audit. Mr. Watson stated the pre-audit is in General Statute 159 and it says there is money in the budget to pay the bill so the pre-audit would not take place until the budget amendment has been adopted. Mayor Rey clarified that there is not technically an audit that we go through it is basically the Finance Director being able to agree that we have enough money in the bank to pay for this transaction. So, basically the pre-audit is just the knowledge of knowing that we have the resources to pay the bill or enter into the contract. He stated every contract that we have signed in the Town of Spring Lake has had that language on it. Alderman Sutherland stated it probably has but I just didn't know what to ask at that particular time and this has

been educational so again thank you so very much. And now I know what a pre-audit is and it is in the minutes. Mr. Watson stated the reason the wording is like that is because that is what is in the General Statutes Alderwoman Sutherland stated good, now I can go back in the General Statutes and be educated as well as the citizens can.

Alderwoman Sutherland then stated with the \$84,000 and the \$67,000 there is a difference of \$16,517.55 that the Town will have to come up with because we are going to settle for the \$67,000. Then we have the land that totals up to \$113,000 so with the \$67,776.25 from the budget, the pre-audit that you are saying the money is in the budget the Town will have to come up with \$45,223.75 – is that correct? Mr. Watson stated yes ma’am the difference between the \$113,000 and the \$67,000...Alderwoman Sutherland stated if we approve for the splash pad the Town will have to come up with \$45,223.75 to purchase the land. Mr. Watson stated yes ma’am, the \$113,000 is a General Fund item, the \$67,000 is a Water and Sewer Fund item. Alderwoman Sutherland then stated if it is approved, we will have to come up with \$45,223.75 to make the \$113,000 if it is approved.

Action: The Board approved a motion to approve the land purchase agreement.

Motion by: Alderman Christian

Second by: Alderman O’Garra

Vote: Unanimous

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

b. Budget Amendment 2018.2, Land Purchase for Splash Pad

Mr. Watson presented Budget Amendment 2018.2 for the purchase of the land for the splash pad. He stated we will use \$113,000 out of the General Fund Fund Balance which will take the Fund Balance to 28.57%. He also stated the Water and Sewer Fund Balance will go up slightly due to adding the \$67,776.25. He is recommending using \$113,000 from the General Fund Fund Balance to purchase the land for the splash pad.

Action: The Board approved a motion to approve Budget Amendment 2018.2.

Motion by: Alderman O’Garra

Second by: Alderman Christian

Vote: Unanimous

(A copy of the Agenda Memo and Budget Amendment is hereby incorporated by reference and made a part of these minutes – see attachment three.)

10. Closed Session, G.S. 143-318.11(a)(6) – Personnel

Action: The Board approved a motion to go into Closed Session pursuant to G.S. 143-318.11(a)(6) – Personnel.

Motion by: Alderman Christian

Second by: Alderman O’Garra

Vote: Unanimous

Action: The Board approved a motion to go back into open session at 8:53 p.m.

Motion by: Alderman Dobbins

Second by: Alderman Christian

Vote: Unanimous

Action: The Board approved a motion to hold a Special Meeting on September 1, 2017 at 10 a.m.

Motion by: Alderman Christian

Second by: Alderman O'Garra

Vote: Unanimous

II. Adjournment.

Action: There being no further business to come before the Board, the meeting was adjourned at 9:03 p.m.

Motion: Alderwoman Lucas

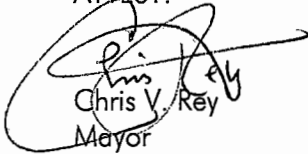
Second by: Alderman O'Garra

Vote: Unanimous



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

ATTEST:


Chris V. Rey
Mayor