

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

March 11, 2019

**MINUTES**

7 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 Larry G. Dobbins presiding.

**Board Members Present:** Mayor Pro Tem James O'Garra  
Alderman James Christian  
Aldewoman Soña Cooper  
Aldewoman Jackie Jackson  
Aldewoman Fredricka Sutherland

**Others Present:**

Daniel Gerald, Town Manager	Ellis Hankins, Town Attorney
Tim Garner, Water Resources Director	Jay Graves, Recreation Director
Troy McDuffie, Police Chief	Doris Snider, Senior Center Director
Claiburn Watson, Finance Director	Jason Williams, Fire Chief
Rhonda Webb, Town Clerk	

**2. Invocation**

Aldewoman Sutherland gave the invocation.

**3. Pledge of Allegiance**

Mayor Dobbins led the meeting in the pledge of allegiance.

**4. Additions or Deletions to Agenda**

The Board deleted Item 9a, Board to Consider Proposed Website Contract and Item 9b, Board to Consider Proposed Amendment to Spring Lake Chamber Contract. They added as Item 9b, Alderman Christian Comments.

Aldewoman Jackson asked when these items will be brought back up for discussion and Mr. Gerald stated that he needs direction from the Board as to what they want. Aldewoman Sutherland stated that she wants to see the three quotes prior to making a decision. Aldewoman Jackson again asked when will it be brought back up and how long will this take. Mr. Gerald responded it will probably take about a month. Aldewoman Jackson stated that they still did not answer her question about the Chamber contract and how long that will take. Mr. Gerald stated it will not take a month, there are some addendums that need to be added per the Attorney and Aldewoman Jackson stated so it will come back up at the next Board meeting and Mr. Gerald stated yes.

**Action:** The Board approved a motion to amend the agenda by deleting Items 9a and 9b and adding comments from Alderman Christian as 9b.

**Motion by:** Aldewoman Cooper

**Second by:** Alderman Christian

**Vote:** 3-2

Yes

No

Alderman Christian

Mayor Pro Tem O'Garra

Aldewoman Cooper

Aldewoman Sutherland

## 5. Approval of Agenda

The Board approved the agenda with changes.

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

**Motion by:** Alderwoman Cooper

**Second by:** Alderwoman Jackson

**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

a. Minutes of the February 25, 2019 Regular Meeting.

**Action:** The Board approved a motion to approve the consent items: Minutes of the February 25, 2019 Regular Meeting.

**Motion by:** Alderwoman Cooper

**Second by:** Alderwoman Jackson

**Vote:** Unanimous

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## 7. Public Forum

Princess McIver, 105 N. Mitchley Street, Apt. A, asked if it is ok for all Town officials or elected officials to record private matters as a form of harassment. Mr. Hankins stated that we do not know anything about the facts that she is referring to and he suggested that the Board not engage in a lengthy discussion about whatever it might be and perhaps refer the matter to staff. Ms. McIver asked which staff would that be, who would I speak with to get the issue resolved because it is a problem. Mr. Hankins stated that on another occasion, the lady, at his invitation made an appointment with the Manager and me to discuss the matter and that didn't happen. Ms. McIver stated that she talked with Alderwoman Cooper in the Chamber and they did not think it was a good idea because I did not have any witness to sit in because there have been a lot of lies being told. Mr. Hankins stated that Ms. McIver was told to reschedule with Ms. Smith. She asked if she could have witnesses with her and Mr. Hankins stated certainly. She wanted two Board members and Mr. Hankins stated he would not suggest that it be two Board members and Ms. McIver stated she wanted Ms. Cooper and Ms. Fredricka in there. Mayor Dobbins stated Mr. Hankins is our attorney and we are under his advisement. Mr. Hankins stated he would advise that the lady make an appointment with Ms. Smith to see the Town Manager and Mr. Hankins will set in. Ms. McIver stated last time she did that it did not go well and she stated she has a witness that when she spoke with Ms. Smith, she stated Ms. Smith said I don't care whether you come to the meeting or not, and stated that Ms. Smith was very belligerent. Mr. Hankins stated to the Mayor that an appointment was made and I kept and that's all I know. Ms. McIver stated that she told her concerns to the Town Manager and some Board members who expressed concern (the Chamber and Ms. Cooper herself) by her not being able to have a witness that keeps her from being lied on any further. Alderwoman Cooper stated that she did not volunteer herself, she just told Ms. McIver that she should not go in the meeting by herself and there should be someone in there who can verify what was said. Mr. Hankins stated that is entirely appropriate. Ms. McIver stated that the attorney kept saying no one could be present. Mr. Hankins stated he did not say that and Ms. McIver stated that he said only herself could be there. She then asked if he didn't tell Ms. Janet to tell me that no one else could be there but myself. At this time Mayor Dobbins said the attorney has made his statement, he is giving you another chance and told you what we will allow.

Alderwoman Jackson stated to Ms. McIver that that she has all the right in the world to have who you want in there with her but she does not recommend it to be Board members. She stated you have it in front of everyone that you can have your two people in the meeting. Mr. Hankins said he sent the lady a letter with the prior issue and he would like to send her a letter explaining how to get the meeting scheduled. Ms. McIver requested to set the meeting up without having to go through Ms. Janet because there was confusion. Mr. Hankins stated to Ms. McIver that she could have two witnesses in the meeting but he strongly suggests that it not be members of the Board and Ms. McIver stated that is fine.

Adam Fontanez, Scout Troop 713, worked with Spring Lake Fire Department to help raise money they needed for a grant application fee. The application fee was \$750 and Mr. Fontanez was at the last Board meeting where the Fire Department requested to submit for the grant and told the Board that they would have to pay an application fee. Mr. Fontanez decided this would be a worthy cause for the Troop to raise money. Their goal was \$750 but in one day they raised \$1,331. They presented the entire amount to the Spring Lake Fire Department. The Scout Troop received a standing ovation and they took pictures with the Mayor and Board members. All Board members thanked them for their hard work and told them to let us know when they have a fund raiser so they can support them.

Chief Williams stated they were here the night the Board approved for the Fire Department to submit for the grant and they came up to him and told him that night that they wanted to help raise the money for the application. Chief Williams thanked them for spending their Sunday to raise money for the Fire Department.

## **8. Presentation**

### **a. Fire Personnel Life Saving Award**

Chief Williams reported that on August 26, 2018 the Fire Department was dispatched to a breathing problem. When they arrived, the patient was not breathing and had no pulse. They revived her and got her to the hospital and saved her life. He recognized Captain Tim Patterson, Robbie Johnson, Torres Marsh, Lieutenant Kimberly Hall and Captain Robert Farr.

## **9. New Business**

### **a. Board to Consider Proposed Website Design Contract**

This item was deleted from the agenda.

### **b. Board to Consider Proposed Amendment to Spring Lake Chamber Contract**

This item was deleted from the agenda.

### **a. Board to Award Bid for Demolition of Starlight Motel Building**

Mr. Gerald stated that typically, because of the amount of money, the Town Manager is authorized to award these types of bids but because the Starlight Motel is a high-profile fixture and he therefore wanted to bring this to the Board for approval. He stated three proposals were submitted but S&K did not submit an entire package and is therefore eliminated. T.D. McGhee Co. submitted a bid for \$46,200 and New Start Development submitted a bid for 45,000. Mr. Gerald recommend New Start Development. Mr. Hankins stated there is no reason to delay awarding this contract if the Board sees fit. The owner has done some demolition work on the property but the work currently has stopped. Mr. Hankins stated that he spoke with Mr. Porter and the work has stopped because the owner has sent away some of the materials for asbestos testing which makes good sense and the work has stopped until they get the results back. He stated it is the property owner's responsibility to do the work and the Town has ordered the property owner to demolish the structure and perform a clean-up. He advised the Board, if the approve the contract, to do so on a contingent basis and if the property owner does not finish the work within a reasonable amount of time. Mr. Hankins will work with the

Manager to ensure the contract says that it is contingent and the contractor is not be begin work until the Town informs him to do so.

Alderwoman Jackson asked about an extra amount of \$36,500 listed on T.D. McGhee's bid and Mr. Gerald stated that amount is for the asphalt removal but an engineer will have to look at it and determine if that can be done. That is why it is listed separately.

Alderwoman Sutherland inquired what would happen to the property and Mr. Hankins stated the property will still belong to the owner. If the Town has to pay for the demolition and is not able to get the money back from the property owner, the Town would have to put a lien on the property. She asked if we do end up having to put a lien on the property, is the property usable and what would be do with it. She stated she knows some of the property is in a flood area but what would happen with that property. Mr. Hankins stated the property owner would continue to own the property subject to that lien and if the current owner were to sell that property a title search would show that lien. If the Town's contractor ends up doing this work and the Town pays this contractor then we put a lien on the property and if we are unable to secure payment to satisfy the lien, there are enforcement remedies. It's like a foreclosure. She also asked the Town Manager if one of the contractors is the same contractor who did the clean-up work after the hurricane and Mr. Gerald stated yes.

Mayor Pro Tem O'Garra asked if the contractor would be able to go down into the water and on the other side of the river to get all the trash that is hanging on the trees and Mr. Gerald stated they had a conversation with the contractors about that and they will attempt to get it but some of the trash is so high up in the trees that they will not be able to get to it. Mayor Pro Tem said we have to do something.

Alderwoman Cooper asked how we are communicating with the owner. She stated she would like to know what his intensions are and where he is so that we are not overstepping. Mr. Gerald stated the attorney and Mr. Porter have been working this case and Mr. Porter has been in contact with the owner. He stated he is not sure if they are having insurance issues or whether it is cost prohibitive but this is just a fail save so that if that project stops, we can get it done. Alderwoman Cooper requested that we check into USDA and see if they are offering any money to help with this situation.

Alderwoman Sutherland asked if we need to state the things that we just discussed and Mr. Hankins stated that he will make sure when the time comes to create a contract that all is included. Alderwoman Sutherland asked if that will come back to the Board and Mr. Hankins stated the Town Manager will make the Board aware of it. Alderwoman Sutherland stated that the Board usually looks at the contract. Mr. Hankins stated that you are basically and administratively giving the Manager the authority to execute the contract. Alderwoman Sutherland stated just like Ms. Cooper said, we want to see what's going on. We have made a discussion and talked about things that we are concerned about and I understand we awarded a bid, but we still want to stay on top of it as well to see what's going on of the discussions that Rhonda should have in her minutes. Mr. Hankins stated that we will be happy to send you a copy of the contract before it is executed. Alderwoman Sutherland said that's all I'm asking.

**Action:** The Board approved a motion to approve the bid by New Start Development.

**Motion by:** Alderwoman Jackson

**Second by:** Mayor Pro Tem O'Garra

**Vote:** Unanimous

(A copy of the Agenda Memo and Bids from New Start Development, T.D. McGhee Co., and S&K

Service Co. is hereby incorporated by reference and made a part of these minutes – see attachment two.)

**b. Comments from Alderman Christian**

Alderman Christian recognized Verna Owens who passed away last week. He stated Ms. Owens was a long-time resident of this Town. She lived here 75 years. She was 105 years old and just one month shy of her 106<sup>th</sup> birthday. He stated she worked in the school cafeteria, the Chamber of Commerce, the Kiwanis Club and she did a lot of work for the seniors here in the Senior Center. He stated when he came back from the first Gulf war, she was working for the Spring Lake News and my father went to her and arranged for one of the young reporters to interview me. She used to write a column called "My Kind of Town" for the Fayetteville Observer from 1999 to 2004, where she wrote about Spring Lake every week. In 2004 Mayor Clark designed her as the Poet Laureate for our Town. He won 250 medals in senior games. He wanted to recognize her and would like the Town to release an official statement. If we want a bright future, we cannot forget the past. He requested that the Town release an official statement. Mayor Dobbins asked Alderman Christian to take the lead on that.

**10. The Last Word**

Alderwoman Sutherland stated it is good to be back. She has rested and is still healing but she wanted to make it to the meeting tonight. She thanked the Boy Scout Troop for raising the money for the Fire Department. In order for us to go forward we have to work as a team. She thanked the Spring Lake Fire Department for the beautiful and thoughtful card that they gave her and she read it. She stated that everyone in Spring Lake is important.


**11. Adjournment.**

**Action:** There being no further business to come before the Board, the meeting was adjourned at 7:57 p.m.

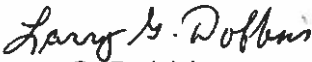
**Motion:** Alderwoman Cooper

**Second by:** Mayor Pro Tem O'Garra

**Vote:** Unanimous

  
Rhonda D. Webb, MMC, NCCMC  
Town Clerk

ATTEST:

  
Larry G. Dobbins  
Mayor