

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

October 28, 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 O'Garra
Alderman James Christian
Alderwoman Soña Cooper
Alderwoman Jackie Jackson
Alderwoman Fredricka Sutherland

Others Present:

Bill Zell, Interim Town Manager
Tim Garner, Water Resources Director
Jason Williams, Fire Chief
Rhonda D. Webb, Town Clerk/HR Officer

Ellis Hankins, Town Attorney
Claiburn Watson, Finance Director
Melissa Pereira, Deputy Town Clerk

2. Invocation

Alderwoman Jackson 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 added another Closed Session item G.S. 143-318.11(a)(6) - Personnel and as item 9c New Manager's Process.

5. Approval of Agenda

The Board approved the agenda as amended.

Action: The Board approved a motion to approve the agenda with the additions and changes.

Motion by: Alderwoman Cooper

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 October 14, 2019 Special Meeting
- b. Minutes of the October 14, 2019 Regular Meeting
- c. Appointment to the Military and Veterans Affairs Advisory Committee
- d. Appointments to the Spring Lake Board of Adjustment

Action: The Board approved a motion to approve the consent items: Minutes of October 14 Special Meeting,

October 14, 2019 Regular Meeting, Appointment to the Military and Veterans Affairs Advisory Committee and Appointments to the Spring Lake Board of Adjustment.

Motion by: Alderwoman Jackson

Second by: Alderwoman Sutherland

Vote: Unanimous

7. Public Forum

No one spoke at the Public Forum.

8. Presentations

a. Quarterly Finance Report

Mr. Watson provided the Board of Aldermen with an overview of the Financial Comparison Analysis for each Fund. He stated this update is through the end of March 2019. He stated the revenues for the General Fund through September are 27.8% compared to the expenditures which are at 8.37%. He stated some of the expenditures are for Hurricane Dorian. The Water and Sewer Fund revenues are at 16.86% compared to expenditures at 17.74%. The Stormwater Fund revenues are at 10.60% compared to the expenditures at 14.48%. The Sanitation Fund revenues are at 15.80% compared to the expenditures at 19.37% and the Fleet Fund is only showing expenditures which are 26.59% at the moment because this Fund does not take in revenues. The grand total for all Funds is revenues is at 11.47% compared to expenditures which are at 23.51%. Mr. Watson stated he is happy with where we are at this time and we are right in line with where we should be.

Mr. Watson reported the account balance for BB&T is \$590,777.12 at the end of March. The NCCMT's balance in the Government Portfolio is \$1,068,164.57 and in the Term Portfolio, the balance is \$1,059,260.70 for the end of September. He stated the balance went down approximately \$1.5M. There were large purchases made for a payment to NCDOT for the bridge, a grant match, three payments for the splash pad, a vehicle from Capital Ford, land for the fire station, project Wildcat, two four-wheelers (one for police and one for fire,) small engineering amounts and payroll for Hurricane Florence expenses that have not been reimbursed.

The Summary of Purchasing Card by Month report included a total for the quarter is \$25,051.02.

Alderwoman Sutherland expressed concern about some charges. She stated she believes the cards are being abused and she wants to make sure we are following the policies.

Mr. Watson stated one of the things that are done is before the card is used, he and the Manager sign off on the use of the card in advance and there is an amount "not to exceed" which is one way to make sure the cards are being used for proper things. Mayor Dobbins inquired if the purchases are within their budget and Mr. Watson stated yes. He also inquired about the process and asked if there is still a monthly audit of the purchases and Mr. Watson stated there is. It is done by the Town Manager, Finance Director, and the Accounts Payable Technician. He asked if Board Members are invited to attend the monthly audit and Mr. Watson stated yes. He also asked for a comparison of the charges for the past two years. Alderwoman Cooper asked if we have a purchasing agent or have guidelines on making sure purchases are made at the best price. She asked because she saw printer ink was purchased at Walgreens and she believes Walmart would have cost less. Mr. Watson stated we usually order collectively through Quill but there may be times where Quill may be out of an item and the item is needed immediately. He said that is what happened on the ink. He also stated that Recreation expenditures are higher than normal because the Splash Pad opened. We had to have someone trained and certified to run the Splash Pad and to purchase the chemicals for it. Alderwoman Sutherland also inquired about the funds that were spent because of Hurricane Dorian and asked if it affected the Town. Mr. Watson stated it was forecasted to hit Spring Lake and the Police and Fire Departments were mobilized in the event it did. This meant paying overtime, hotel rooms, and food. She asked how much it costs the Town and Mr. Watson stated approximately \$15,000 to \$25,000. He responded to her question about the number of nights needed for hotel rooms stating one night for some and others had to stay two nights. This affected not only the Police and Fire Departments but the Street and Water Operations Departments as well.

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

9. New Business

a. Resolution (2019) 16, Intent to Annex Property Owned by the Town

Ms. Webb presented Resolution (2019) 16 to begin the process of annexing Town-owned property located on Lillington Highway, known as Fire Station 11 property. The property was purchased by the Town in August 2019.

Action: The Board approved a motion to approve Resolution (2019) 16 in accordance with G.S. 160A-58.7.

Motion by: Alderman Christian

Second by: Alderwoman Cooper

Vote: Unanimous

(A copy of the Agenda Memo, Map of Property, General Warranty Deed and Resolution (2019) 16 is hereby incorporated by reference and made a part of these minutes – see attachment three.)

b. Board to Determine Meeting Schedule for November 11, 2019 Regular Meeting

Mayor Dobbins requested that the Board of Aldermen decide how they wanted to schedule the November 11, 2019 Regular Meeting. This meeting falls on Veteran's Day which is a Town holiday. The Board could hold the meeting as scheduled. They could cancel the meeting and reschedule it for a different day, or they could cancel both regular meetings in November and hold one meeting on November 18, 2019.

Action: The Board approved a motion to cancel the Regular Meeting for November 11, 2019 and call a Special Meeting if necessary.

Motion by: Alderwoman Sutherland

Second by: Alderwoman Cooper

Vote: Unanimous

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

c. New Manager Process

Mr. Hankins reminded the Board that Town Manager candidates' names are confidential. Alderwoman Sutherland stated that she proposes to go ahead and interview the top three candidates. Alderwoman Jackson inquired if we narrowed it down to five, then why are we not interviewing all five. She stated at the last meeting they decided to follow the timeline and inquired why we are not following the timeline now. Mr. Zell stated that we really do not need to do phone interviews since the Board has already narrowed the candidates down to five. We did phone interviews last time because we had 10-11 candidates and staff narrowed them down to five so we really do not need to do phone interviews. He stated his intent was to contact the five candidates and let them know when the assessment center will be held. He stated that he was under the impression that we were going to follow the timeline. Alderwoman Jackson stated that she had requested to be in on the phone interviews. She stated she does not understand why we are changing the process and asked why all five would not be interviewed. She stated that had she known they were only going to pick the top three, her top five may not have been the top five and changing it now is not kosher. She stated that she told Ms. Webb that she wanted to be in on the interview process with all five. She stated that she wants to hear and see what's going on and as a Board Member she thinks she has that right. She asked Mr. Hankins if that wasn't correct.

Mr. Hankins stated it is certainly better practice for all members of the Board to have exactly the same information throughout the process which would argue against one or two or any number fewer than all of the Board Members to be in on an interview or any part of the process. Alderwoman Jackson asked if he is arguing against and Mr. Hankins stated the better practice would be for all Board Members to sit in on the interviews or that none do. Otherwise, you end up with a

situation where some of the Elected Officials have more information than the others which is not a sound practice. Alderwoman Jackson stated that we can't go on sound practice anyway because some of the Board Members had access to the applications before all of us had in the first place because all of us were not notified that we could look at the applications. There has nothing been sound practice about this in the first place anyway. You can't have it one way and then flip it around the other way. She stated she will speak for herself and stated that she was never told that she could look at the applications until the special meeting when it was said that some of the Board Members looked at the applications. She then inquired if it is against the Statutes or rules for a Board Member to listen in on the interviews. Mr. Hankins stated that he would advise that the Board make it a policy of the Board that all of the elected officials have exactly the same information and participate in the process, every step of it, in exactly the same manner. She stated that she would agree with that if that had been done previously, but now we are not doing that so it seems like you do one way for one and another way for another. She said we throw the rule out when it doesn't make everybody happy. She stated she is very, very confused. As she still wants to know why we picked five when we are only doing the top three. She again asked if there is a Statute that says Board Members cannot listen in on the phone interviews. Mr. Hankins stated that he does not know of a statute that says that but he is giving the Board his opinion based on his other line of work serving as a consultant on a lot of these searches, it is just a dangerous thing, in a way, for different Members of the Board to have different information or knowledge. He stated the process will just simply work better if every one of the Elected Officials has exactly the same access and participates in every step of the process so that each Elected Official has exactly the same information, which is the basis of the ultimate decision. Alderwoman Jackson asked how we fix what was previously done and Mr. Hankins stated that he does not know what was done, but in lack of a Statute, he would advise the Board to adopt a policy that no individual Board Member sit in on interviews or anything else, in absence of some other Board Members and all Board Members participate equally and fully. Mr. Zell asked to clear something up and stated the applications that came in, some Aldermen and Alderwomen saw them first but they are exactly the same thing that they saw. He stated that if you saw it later, it was the same thing that they saw. There was nothing additional except that another application may have some in after someone looked at what was there. He also stated that we are looking at five people and that is what we plan to interview at the assessment. We will do the assessment the same way as last time and everyone will be involved in the process. In the assessment, you get to see how they act and react under stress. Alderwoman Jackson stated the assessment was never a problem for her. It was a good process. She just has an issue with all the Board Members seeing and doing the same thing and then when another Board Member asked to do something, such as me, all of a sudden, we don't do the same thing. It is confusion and leads to different messages. We are all human and at the end of the day, if you allow certain Board Members to do things and you are not emphasizing that all Board Members need to do something, and then when another Board Member, such as myself, we are all human and we will feel some kind of way. That is my point. As for the lawyer, if that is what he says and he knows best, I'm a team player and I'm going to go with it. I just make my motion on the record that if you are going for one you need to do it for everybody and there shouldn't be separate things for certain people. I am going to go with what the lawyer says because he knows more than I do, that's his cup of tea, I ain't going to try to drink it. Mayor Dobbins clarified that Mr. Zell will be making five phone calls to five different people.

Alderwoman Sutherland stated there is a motion on the floor. She stated that she made a motion to interview the top three. Mayor Pro Mayor O'Garra stated that we said we were going to go for five. We are supposed to be a Board working together but we are a divided Board. He stated that he and Ms. Jackson want to do what's right. He does not see why we are going from five to three. He stated that we just made this decision at the last meeting and we come in here and try to change it. This is not the way to run a town. He stated he has been here for 18 years and he hopes in the future we learn something and he hopes the elections fix this.

Action: The Board approved a motion to interview the top three.

Motion by: Alderwoman Sutherland

Second by: Alderwoman Cooper

Vote:	Yes	No
	Alderman Christian	Mayor Pro Tem O'Garra
	Alderwoman Cooper	Alderwoman Jackson
	Alderwoman Sutherland	

**10. Closed Session G.S. 143-318.11(a)(4) – Economic Development
G.S. 143-318.11(a)(5i) – Acquisition of Real Property**

Action: The Board approved a motion to go into Closed Session pursuant to G.S. 143-318.11(a)(4) – Economic Development and G.S. 143-318.11(5i) – Acquisition of Real Property.

Motion by: Alderwoman Cooper

Second by: Alderman Christian

Vote: Unanimous

Action: The Board approved a motion to come back into open session.

Motion by: Alderwoman Cooper

Second by: Alderman Christian

Vote: Unanimous

11. Adjournment.

Action: There being no further business to come before the Board, the meeting was adjourned at 9:07 p.m.

Motion: Alderwoman Cooper

Second by: Alderman Christian

Vote: Unanimous



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

ATTEST:

Larry G. Dobbins
Larry G. Dobbins
Mayor