

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

December 14, 2009

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 Nellie McCoy  
Alderwoman Fredricka Sutherland

Alderman Napoleon Hogans was absent.

**Others Present:**

Michael Uskiewicz, Town Manager

John Jackson, Town Attorney

Robert Doberstein, Fire Chief  
Paul Hoover, Director of Inspections

Daniel Gerald, W&WR Director  
Troy McDuffie, Police Chief

Ken Metcalf, Recreation Director  
Tina West, Interim Finance Director

Tom Spinks, Planning Director  
Rhonda Webb, Town Clerk

**2. Invocation.**

Reverend Ray Owens, Pastor of Creeksville AME Zion church gave the invocation.

**3. Pledge of Allegiance.**

Mayor Clark led the meeting in the pledge of allegiance.

**4. Additions or Deletions to Agenda**

There were no additions or deletions to the agenda. Alderwoman Sutherland requested to add to the agenda discussion of Mayor Pro Tem. Mayor Clark advised that we would do that right after we have the oath of office for the new people and asked if it gets a second. Mr. Jackson called the Board's attention to item 10a already on the agenda and advised that Alderwoman Sutherland's request would be a part of that item. Alderwoman Sutherland's motion died for lack of a second.

**5. Approval of Agenda and Consent Items.**

The Board approved the agenda and approved the consent items: Minutes of the November 23, 2009.

**Action:** The Board approved the agenda and consent items.  
**Motion by:** Alderman Higgins  
**Second by:** Mayor Pro Tem O'Garra  
**Vote:** Unanimous

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

**6. Public Forum**

Ms. Peggy Moore wanted to recognize Alderwoman-Elect Hudson for helping her in getting her area (Spring Avenue below the school and Lakeview Gardens) cleaned up by coordinating with the Boy Scouts. She also wanted to thank the whole Town and wish everyone a Merry Christmas and a Happy New Year.

**7. Public Hearing**

**a. P09-45, Revision and Amendment to the Town of Spring Lake Code of Ordinances, Chapter 156, Zoning Code.**

Mayor Clark opened the Public Hearing. Mr. Spinks presented the zoning text amendment. It will allow for a resident caretaker by means of a special use permit so long as the resident portion of the structure does not exceed 40% and sets minimum requirements for approval. Questions were raised as to whether this would present a safety hazard and it was determined that it meets all building code requirements. He stated that the County Planning Board recommends approval and so does Town staff.

Ron Sutphin spoke in favor of the amendment and stated that he is available to answer any questions.

**Action:** Motion to close public hearing.  
**Motion by:** Alderman Higgins  
**Second by:** Mayor Pro Tem O'Garra  
**Vote:** Unanimous

**8. New Business (Current Board)**

**a. Action on Case P09-45.**

Mr. Spinks recommends approval of Case P09-45 by approving Ordinance (2009) 18.

**Action:** The Board approved a motion to adopt Ordinance (2009) 18 as presented.  
**Motion by:** Alderman Higgins  
**Second by:** Alderwoman Sutherland

**Vote: Unanimous**

(A copy of the agenda memo, Cumberland County's memo and Ordinance (2009) 18 is hereby incorporated by reference and made a part of these minutes – see attachment two.)

**9. Presentation.**

**a. Presentation to Outgoing Board Members.**

Mayor Clark presented Alderwoman McCoy with a plaque and Town coin and thanked her for her service to the Town of Spring Lake. Alderwoman McCoy thanked the Town for supporting her as she served on the Board as an appointee. She was happy to serve. She urged the Town to continue what they are doing and continue to grow. Everyone needs to work together.

Alderman Hogans was absent. Mayor Clark stated that he will also receive a plaque and coin and thanked him for his service.

**b. Oaths of Office for Mayor and Board of Aldermen.**

Representative Marvin Lucas administered the oath of office to Ethel Clark to serve as Mayor. He then administered the oath of office to the following people: James O'Garra, Richard Higgins, Fredricka Sutherland, James Christian and Debora Hudson to serve as Aldermen for the Town of Spring Lake.

(Copies of the oaths of office are hereby incorporated by reference and made a part of these minutes – see attachment three.)

**10. New Business (Newly Sworn Board)**

**a. Election and Oath of Office for Mayor Pro Tem**

Mayor Clark advised that traditionally the Mayor Pro Tem is the person who received the highest number of votes. Alderwoman Sutherland requested that the Town Attorney explain how the Mayor Pro Tem is elected. Mr. Jackson stated that the Mayor Pro Tem election is controlled by North Carolina General Statute 160A-70 which states at the organizational meeting the council shall elect, from its members, a Mayor Pro Tem to serve at the pleasure of the council. Alderwoman Sutherland wanted to make sure the Board votes on who will serve as Mayor Pro Tem. Mayor Clark and Mr. Jackson both advised that there always is a vote on the Mayor Pro Tem and traditionally the motion has been to nominate the highest vote getter by name, seconded and voted on by the Board.

**Action:** The Board approved a motion to nominate James O'Garra to serve as Mayor Pro Tem.

**Motion by:** Alderman Higgins

**Second by:** Alderman Christian

**Vote:** Unanimous

Representative Lucas administered the oath of office for Mayor Pro Tem to Alderman James O'Garra.

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

**b. Oath of Office for Police Chief**

Mayor Clark administered the oath of office to the new Police Chief, Troy McDuffie, and welcomed him to Spring Lake.

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

**II. Board and Staff Comments:**

**Mayor Clark**

- Introduced and welcomed Cumberland County Commissioners Billy King and Marshall Faircloth, her family members, her friends and her supporters.

**Alderman Higgins**

- "I look forward to the New Year and wish everyone a very Merry Christmas and a Happy New Year."

**Mayor Pro Tem O'Garra**

- "Merry Christmas and a prosperous New Year."

**Alderman Hudson**

- Thanked everyone for coming out tonight.
- "I challenge you to stay involved. That is my passion for Spring Lake to see more involvement."
- Thanked her family members, co-workers and church members for coming out and asked them to stand and be recognized.
- "Merry Christmas and a Prosperous New Year to all."

**Alderman Christian**

- Thanked everyone for coming out. "It has been a long time since I have felt like my life has had a real purpose since leaving the service and now I really feel like my life has a purpose, serving my town. I appreciate everyone who supported me, my family and friends."
- Wished everyone a Merry Christmas and a Happy New Year.

**Alderman Sutherland**

- Thanked everyone for being here also.
- She thanked her husband and son, her supporters and her pastor for helping her

during the election. "I want to continue to work hard as I have done in the past for this great Town of Spring Lake and may God continue to bless you all."

- Thanked the outgoing Board Members for their service.
- Merry Christmas to everyone.

**Mr. Uskiewicz**

- "This is a new day and I am looking forward to the challenges and opportunities and I think it is going to be an exciting year."

**Mr. Jackson**

- Thanked Ms. McCoy and Mr. Hogans for their service. "It is good to feel the electricity in the air about the positive direction this Town is going and I just want to continue to ask the Board to support the Police Department and let's continue the movement."
- Wished everyone a Happy Holidays.
- Still happy to be here.

**10. Adjournment.**

**Action:** There being no further business to come before the Board, the meeting was adjourned at 7:41 p.m.

**Motion:** Alderman Higgins

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

**Vote:** Unanimous

Mayor Clark invited everyone to stay and enjoy the refreshments.

Rhonda D. Webb, MMC  
Town Clerk

ATTEST:

Ethel T. Clark  
Mayor