

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

February 23, 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: Alderman Richard Higgins
Alderman Napoleon Hogans
Alderwoman Nellie McCoy
Alderwoman Fredricka Sutherland

Mayor Pro Tem James O'Garra was absent.

Others Present:

Larry Faison, Town Manager

John Jackson, Town Attorney

Alvin Brown, Police Chief

Allen Coats, Finance Director

Debbie Disbrow, Human Resources Officer

Danny Gerald, W&WR Director

Paul Hoover, Director of Inspections

Ken Metcalf, Recreation Director

Tom Spinks, Planning Director

2. Invocation.

Alderwoman McCoy 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.

5. Approval of Agenda and Consent Items.

The Board approved the agenda and approved the minutes of the February 9, 2009 Workshop and the amended minutes of the February 9, 2009 Board meeting.

Action: Approve the agenda and amend the minutes of the February 9, 2009 Board meeting to correctly reflect the record as indicated by Alderwoman McCoy.

Motion by: Alderman Hogans

Second by: Alderwoman Sutherland

Vote: Unanimous

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

6. Public Forum

Mr. Ken Smith, Odell Smith & Sons, 400 Odell Road, spoke concerning the Manchester Road sewer project. He stated that the time lapse of this project has spanned from June 2007 until the present. During this time Odell Smith & Sons has worked with the Town.

He stated that the encroachment was not received until eight months after the award date. Even if they had started this project on the start date it would have been two or three months before they received the encroachment. This project was roughly a \$670,000 project. It came in over budget and Odell Smith & Sons was still approximately \$83,000 lower than the next bid. There were numerous meetings with the Town and Odell Smith & Sons was willing to do the project for the amount of funds that was given to the Town. The original scope of work was cut down due to the money.

They were going to run it from Manchester Road toward Guns Plus first and then whatever money was left would go toward running the down Manchester Road toward Pope. Odell Smith & Sons has invested a lot of time and money into this project. They have worked with the engineer and property owners and requested that they be awarded this project. Mayor Clark thanked Mr. Smith.

7. New Business.

a. Delinquent Taxes for Year 2008.

Mr. Coats stated that this is an annual process we go through every year. The County Tax Collector sends out a report of unpaid taxes for the current fiscal year that are liens on real property and requests that each municipality charge the County tax Collector to advertise the tax liens. Mr. Coats requested the Board to accept the report of unpaid taxes and charge the County Tax Collector to advertise the tax liens.

Action: The Board approved a motion to accept the report of unpaid taxes and charge the County Tax Collector to advertise the tax liens.

Motion by: Alderman Hogans

Second by: Alderman Higgins

Vote: Unanimous

Alderman Higgins informed the Board that the house across the street from him is one of these properties and he is happy to have all the ammunition he can get.

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

b. Information Briefing on Sex Offenders Law.

Mr. Metcalf gave an overview of the General Statute 14-208.18, Sex offender unlawfully on premises. He stated that the Town was previously creating an Ordinance such as this one but while researching they discovered the State of North Carolina has passed a law in December 2008 that addresses this issue. He stated that the Town will approach this in more of a reactive fashion rather than proactive. The Town is already conducting

criminal background checks on all prospective coaches and assistant coaches. Signs have been ordered to post the statute at all park facilities. The Town's web site will highlight this initiative. The Police Department will highlight this in their April edition of the Citizen Newsletter. The information will also be distributed to all Community Watch groups.

Aldерwoman Sutherland stated that this is great!

Mayor Clark questioned if we should send the names of offenders to the local churches and Mr. Jackson stated that he does not recommend doing this. We could provide them with the General Statute.

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

c. Water and Sewer Capital Project Ordinance.

Mr. Coats presented the Capital Project Ordinance and stated that in February 2008 the Town applied for a Clean Water Management Trust Fund Grant (CWMTF) and in October 2008 we found out that we received the grant. The grant is to perform a study to determine if a waste water reuse program would be feasible. The grant is a matching funds grant. CWMTF would pay \$37,000 and the Town's portion would be \$36,500.

Action: The Board approved a motion to adopt Ordinance (2009) 4 to establish revenues and set expense appropriations for Clean Water Management Trust Fund Grant.

Motion by: Alderman Higgins

Second by: Aldерwoman McCoy

Vote: Unanimous

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

d. Clean Water Management Trust Fund Contract.

Mr. Gerald presented the contract or grant agreement with Clean Water Management Trust Fund for the study of alternative uses for the wastewater facility's effluent.

Action: The Board approved a motion to approve the grant agreement and authorize the Mayor to sign the agreement.

Motion: Alderman Hogans

Second by: Aldерwoman Sutherland

Vote: Unanimous

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

e. Stormwater Project Ordinance.

Mr. Coats presented the Project Ordinance to establish the initial budget for the projects that were presented to the Board at their October 27th workshop.

Action: The Board approved a motion to approve the Ordinance as stated on page 44. Ordinance (2009) 3.

Motion: Alderman Hogans

Second by: Alderwoman McCoy

Vote: Unanimous

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

8. Board and Staff Comments:

Alderman Hogans

- Thanked staff for outstanding workshop.

Alderwoman Sutherland

- Glad to be here.
- Thanked everyone for being here. Good to see new faces.
- Good to talk to Mr. Smith.

Alderman Higgins

- Glad to be here.

Alderwoman McCoy

- Glad to be here.
- Thanked Mr. Metcalf for the in depth report on the recreation center and the things that they are doing over there

Mr. Faison

- County is going through the revaluation assessment. Notices to property owners will be mailed the assessment. Appeals will be available and that will probably get some notoriety.
- In any fiscal year as we go through the budget process it is a challenge to put together the budget and balancing the needs with the resources. This coming fiscal year the Finance Director will have the added challenge of figuring out what the tax rate will be and what the corresponding values will be because as people appeal their values and that decision is agreed to, it has the effect of potentially lowering the revenues that we receive from that. The receipt of that knowledge will be strung out from today to past July 1st. It will be hard to gauge revenues which will affect the budget.

Mr. Jackson

- Really proud to be here.

Mayor Clark

- The Town received an official response form the Smith family concerning the Odell Road property. We will study this and place it on a future agenda.
- Thanked everyone for coming.

9. Closed Session.

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

Personnel and G.S. 143-318.11(a)(3) – Attorney-Client Privilege at 7:30 p.m.

Motion: Alderman Higgins

Second by: Alderman Hogans

Vote: Unanimous

The Mayor called the meeting back into Open Session at 8:42 p.m.

10. Adjournment.

Action: There being no further business to come before the Board, the meeting was adjourned at 8:43 p.m..

Motion: Alderman Hogans

Second by: Alderwoman McCoy

Vote: Unanimous

Due to the Town Clerk's absence, these minutes were taken by Debbie Disbrow, Human Resources Officer and typed by Rhonda Webb, Town Clerk.

Debbie Disbrow
Human Resources Officer

Rhonda D. Webb, CMC
Town Clerk

ATTEST:

Ethel T. Clark
Mayor