

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

November 08, 2010

**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 Fredricka Sutherland

**Others Present:**

Leonard Barefoot, Interim Town Manager  
Byron Blumenfeld, Interim W&WR Director  
Robert Doberstein, Fire Chief  
Troy McDuffie, Police Chief  
Tina West, HR Director

John Jackson, Town Attorney  
Allen Coats, Finance Director  
Paul Hoover, Director of Inspections  
Ken Metcalf, Recreation Director  
Rhonda Webb, Town Clerk

**2. Invocation.**

Alderwoman Sutherland gave the invocation.

**3. Pledge of Allegiance.**

Mayor Clark led the meeting in the pledge of allegiance.

**4. Additions or Deletions to Agenda**

Item 9f Resolution Extending Time to Issue Bonds Authorized at November 2003 Referendum was deleted from the agenda. Board to set Spring Lake Chamber Economic Development workshop for December 13, 2010 at 5:30 p.m. was added to the agenda as item 9f.

**Action:** The Board approved a motion to remove one item and add the other one in.

**Motion by:** Alderwoman Sutherland

**Second by:** Alderman Higgins

**Vote:** Unanimous

**Approval of Agenda.**

The Board approved the agenda as amended.

**Action:** The Board approved a motion to approve the agenda as amended.

**Motion by:** Alderman Higgins

**Second by:** Alderwoman Hudson

**Vote:** Unanimous

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

### **5. Approval of Consent Items.**

The Board approved the consent items: Minutes of October 11, 2010 Regular Meeting, Re-appointment to Board of Adjustment and Re-appointment to Recreation Advisory Board.

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

**Motion by:** Alderwoman Sutherland

**Second by:** Alderwoman Hudson

**Vote:** Unanimous

(A copy of the minutes of October 11, 2010 regular meeting, application for re-appointment to Board of Adjustment and application for re-appointment to Recreation Advisory Board is hereby incorporated by reference and made a part of these minutes – see attachment two and three.)

### **6. Public Forum**

Mr. Nathaniel Fitch, Sr. of 735 Goodyear Drive thanked the entire Board for what they have done for him and the youth of Spring Lake. He thanked Alderman Christian for the support. He also thanked Mayor Pro Tem O'Garra, Chief Doberstein and Ken Metcalf for all the help that they have given him in the past and during the boxing tournament. He presented them with an appreciation plaque. Alderwoman Sutherland thanked Mr. Fitch for all that he does for Spring Lake.

He also donated a check to the Parks and Recreation Department.

He stated that he formed the Fit Youth Activity League in 1992. There are several youth in the community who do not have mentors and we are trying to get them off the street and give them something positive to do. With Mr. O'Garra's help we hope to give them a summer camp next year to teach them the fundamentals of construction if we can find a building. We really need the community to help support us.

He asked about getting speed bumps in his neighborhood.

Ms. Sheila Horton of 1500 Mack Street spoke regarding the area behind her house where the hotel and the IHOP are being built. She is not happy that their property is too close to her back door. She wanted the property line to be pushed further back. Mayor Pro Tem O'Garra advised that there may possibly be shrubbery to buffer their property and hers.

### **7. Presentation**

#### **a. Update on Police Department**

Chief McDuffie highlighted some of the main points in the Protocol for Felony Investigations document that was provided in the packet. There are five phases of his plan. The most important aspect of moving forward will be funding for positions that are needed. We will still work closely with Cumberland County Sheriff's Department.

Alderman Christian commended the Chief on the work that he has done.

Alderwoman Sutherland also commended him for taking responsibility for the department and for ensuring that all officers are accountable for what they do. She inquired about whether Spring Lake will have a gang officer. Chief McDuffie stated that as we continue to grow that will be something that we can do. Captain Stafford attends the monthly gang meetings in Fayetteville and we keep updated on gang activity in Spring Lake. Until we have more officers we will utilize our resources with mutual aid agreements with surrounding agencies to help.

(A copy of the Protocol for Felony Investigations document is hereby incorporated by reference and make a part of these minutes – see attachment four.)

### **8. Public Hearing**

#### **a. P10-38: Initial Zoning of .44+/- Acres to C(P) Planned Commercial or to a More Restrictive Zoning District; Located at 2254 and 2258 N Bragg Boulevard and East of N Bragg Boulevard North of Maranatha Circle; Owned by Quality Oil Company.**

Mr. Scott from the County Planning Department presented Case P10-38 for initial zoning of the Quality Oil Company property. Water and Sewer is available to the property. He advised that the Cumberland County Planning and Inspections Department recommends approval based on the following:

1. The district requested is consistent with the 2030 Growth Vision Plan, which calls for “urban” at this location. It also meets the criteria for “heavy commercial” development that the Land Use Policies Plan requires.
2. The planned commercial district is consistent with the zoning for adjacent property under the same ownership in the town.
3. The request was submitted by the Town of Spring Lake.

He also advised that the effective date of annexation was July 27, 2010.

No one spoke for or against case #P10-38.

**Action:** The Board approved a motion to close the public hearing.

**Motion by:** Alderman Higgins

**Second by:** Alderwoman Sutherland

**Vote:** Unanimous

### **9. New Business**

#### **a. Action on Case #P10-38.**

Mr. Scott recommended approval.

**Action:** The Board approved a motion to approve case #P10-38 with the conditions as stated.

**Motion by:** Alderman Christian

**Second by:** Alderman Higgins

**Vote:** Unanimous

(A copy of the agenda memo, Cumberland County Planning Department memo and maps is hereby incorporated by reference and made a part of these minutes – see attachment five.)

**b. Resolution, Approving Wastewater Treatment and Collection System Capital Improvement Plan.**

Mr. Blumenfeld requested that the Board approve the Capital Improvement Plan. This plan outlines some concepts and ideas that might be implemented over the next ten years. Approving this plan does not commit the Board to spend any money. The Town is required to keep a current plan on file with DENR. The plan may change but will be brought to the Board for approval if it does. Additionally, any concept or plan will have to be approved by the Board before it can be implemented.

**Action:** The Board approved a motion to approve Resolution (2010) 23.

**Motion by:** Alderwoman Sutherland

**Second by:** Alderman Christian

**Vote:** Unanimous

(A copy of the agenda memo, Capital Improvement Plan and Resolution (2010) 23 is hereby incorporated by reference and made a part of these minutes – see attachment six.)

**c. Wastewater Treatment Plant Letter of Intent.**

Mr. Blumenfeld advised that the State of North Carolina has some confusion about what the Town of Spring Lake intends to do with their Wastewater Collections and Treatment Plant. They have requested that we formally submit a letter to them stating our intentions and believes that the State wants Spring Lake's Treatment Plant to stay on line. He advised that grant funds may be available to the Town based on our intent. He advised that the letter specifies that we will refurbish and enhance our plant by all means possible, to include the incorporation of tertiary treatment and water reuse. Board members expressed appreciation for Mr. Blumenfeld clarifying the Town's intention for the Wastewater Collections and Treatment Plant.

**Action:** The Board approved a motion to pass Resolution (2010) 24.

**Motion by:** Alderman Higgins

**Second by:** Alderwoman Hudson

**Vote:** Unanimous

(A copy of the agenda memo, letter of intent and Resolution (2010) 24 is hereby incorporated by reference and made a part of these minutes – see attachment seven.)

**d. Resolution, Signature Card.**

Mr. Coats advised that the previous Manager's name is still on the signature card and it needs to be removed. Additionally, Ms. West needs to be added to the card to allow her to sign checks in the Finance Director's absence. The Town requires two signatures on each check and our policy is to have a staff person and an elected official sign each check.

**Action:** The Board approved a motion to approve Resolution (2010) 25.

**Motion by:** Alderwoman Sutherland

**Second by:** Alderman Higgins

**Vote:** Unanimous

(A copy of the agenda memo and Resolution (2010) 25 is hereby incorporated by reference and made a part of these minutes – see attachment eight.)

**e. Budget Amendment, Fire Department.**

Mr. Coats advised that Budget Amendment #5 is to recognize insurance proceeds and transfer funds previously approved by the Board.

**Action:** The Board approved a motion to approve Budget Amendment #5.

**Motion by:** Alderman Higgins

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

**Vote:** Unanimous

(A copy of the agenda memo and Budget Amendment #2011.5 is hereby incorporated by reference and made a part of these minutes – see attachment nine.)

**f. Board to Set Date for Workshop with Spring Lake Chamber Economic Development Committee.**

Mayor Clark advised that the Spring Lake Economic Development Committee would like to hold a workshop with the Spring Lake Board of Aldermen on December 13, 2010 prior to their regular scheduled meeting.

**Action:** The Board approved a motion to set a workshop with the Spring Lake Economic Development Committee on December 13, 2010 at 5:30 p.m.

**Motion by:** Alderman Higgins

**Second by:** Alderwoman Hudson

**Vote:** Unanimous

**g. Discussion on Process for Hiring Town Manager.**

Mayor Clark suggested that the Board have Mr. Barefoot, one other Board member and herself look at the applications and determine who is qualified.

Mayor Pro Tem O'Garra suggested that we use a company to help with the process. He wants to see the applications.

Alderwoman Sutherland wants to have a reputable firm to help us find a manager. We will get what we pay for and we need to take bids from firms for this process. We do not need to rush into anything. She stated that she thought they reviewed all applications last time and Mayor Clark advised that they reviewed the final applications.

Alderman Christian agrees with Alderwoman Sutherland but would like the Board to have access to all applications.

Alderwoman Hudson stated that we need to take our time and she too would like to see all the applications. She would like to get input from citizens and employees because they play a vital role.

Alderman Higgins stated that the process we used for getting a police chief was a good process and would like us to do that same type of process for a town manager. We need to take our time. Mr. Barefoot's input will be very valuable.

Mr. Barefoot advised that when he went to Beaufort they hired their Council of Governments (COG) to advertise the position and screen the applicants for the Board. Then the Board narrowed the list down to the finalist to interview. He is not sure if our COG will do that but would like to check on it.

Mr. Jackson suggested that Mr. Barefoot solicit potential firms and the COG and bring that information back to the Board with costs estimates and the service they will provide. He may be able to bring alternatives to the Board as well.

It was the consensus of the Board to proceed with Mr. Jackson's suggestion.

#### **10. Board and Staff Comments:**

##### **Mayor Pro Tem O'Garra**

- Asked Mr. Jackson where we stand with the Industrial Park. Mr. Jackson stated that he has discussed the issue with their attorney and recommends that they produce a contract in writing for the Board's review. There was an issue with an easement that was granted but he found out today that issue has been resolved. Mayor Pro Tem O'Garra requested that Mr. Jackson provide an update on this issue every two weeks.
- Questioned the status of the title searches. Mr. Jackson stated that the first batch has been delivered to the Town but the second batch he is still working on. Four have come back. The title searches provide a name for the Town to use to contact owners for notification of the Town's intention. Mayor Pro Tem O'Garra asked why we haven't done anything with the ones we have and Mr. Hoover offered an update on the first set. All of those first eleven have been addressed. This is a process that will take time. Alderman Higgins asked about how and when the Board will get the information about what is going on with these properties and Mr. Hoover advised that he will provide the Board with a monthly update. He was out of the loop in the past but will ensure that the Board is updated on the progress of condemnations. He inquired if we can post the properties that the Town is taking action on, possibly on our web site or somewhere? We need to give the people in the community some expectation on what is going to happen and when we are going to get the Town cleaned up. Mr. Barefoot stated that he is going to get this topic on track.
- He expressed concern about Main Street and the lack of progress that we have not made. We need a new look on Main Street. He would like Spring Lake to assess the possibility of helping people on Main Street with some sort of incentive.
- He expressed concern about what he had been told concerning Mr. Hoover being asked about being Interim Town Manager.
- "We need to really come together to make this thing function. We need to put to rest the bickering among the Board. We are never, ever going to be the same, we are all individuals. Bottom line is we need to set a goal to make this place be the best it can be."
- Asked Mr. Metcalf about a state tournament that Spring Lake will host in March. Mr. Metcalf advised that the Town is hosting two state basketball tournaments the first weekend in March, girls 14 and under and girls 12 and under and the Town will host a regional tournament the weekend prior to that.

**Alderwoman Hudson**

- Thanked everyone for coming out.
- Thanked Mr. Fitch for what he does for the community. "The boxing events are enjoyable."
- "Wonderful time line on the Police Department plan."
- "Ken, Paul and all dept heads, I appreciate all of you, keep up the good work, we are moving in the right direction."

**Alderman Christian**

- Thanked Chief Doberstein for calling him to let him know that they had taken his mother to the hospital.
- "I agree with Mr. Fitch about the speed bumps in the neighborhood."
- "Police Department did a really good job with trick or treat."
- Appreciate everyone who came to his birthday party.
- Glad to see the residents here tonight.
- "Mayor Clark thanks for all you do. I like reading Walking in the Mayor's Shoes I know you are busy."
- "It has been almost a year since I've been on the Board and I look forward to building stronger relationships with my fellow Board members."

**Alderwoman Sutherland**

- Thanked the citizens for coming out.
- Thanked Ms. Smith and Mr. Brison.
- "I appreciate all the employees for all you do."
- "Since Mr. O'Garra made the first plea to get along with all the Board members, then maybe we will be on the right start for the new year because it comes from the top and maybe you can set an example that we can follow and maybe we can do what we need to do for this great Town of Spring Lake."
- Thanked Mr. Barefoot for coming in and getting our town back on track. Thanked him for getting the Waste Management situation back on track.
- Inquired about a flashing light at the school zones.
- Requested that DOT be contacted about traffic in the old taco bell area.
- Commended the citizens for coming out voting on Election Day and commended the poll workers and the Police Officers.
- Thanked Tammy for coming out and thanked her for her concern and reporting about the Town.

**Alderman Higgins**

- Just glad to be here and glad you all are here.
- Would like for the Town Manager to get a firm hold on our finances as soon as possible. Would like to see a break down on revenues as it comes in. "We will need to pay very close attention to the budget" and encouraged all Board members to do so.

**Mr. Barefoot**

- "I've got a good pair of ears." (Stated in jest.)

**Mr. Jackson**

- Since Richard stole my line, I am just going to say "amen." (Stated in jest.)

**Mayor Clark**

- Veteran's Day Ceremony is scheduled for Wednesday, November 10, 2010 at 10:00 a.m.

**11. Adjournment.**

**Action:** There being no further business to come before the Board, the meeting was adjourned at 8:30 p.m.

**Motion:** Alderman Higgins

**Second by:** Alderwoman Sutherland

**Vote:** Unanimous



*Rhonda D. Webb*

Rhonda D. Webb, MMC  
Town Clerk

ATTEST:

*Ethel T. Clark*

Ethel T. Clark  
Mayor