

Town of Spring Lake
Board of Aldermen Workshop
Municipal Building
300 Ruth Street
Spring Lake, NC 28390

November 9, 2009

MINUTES

5:00

p.m.

The Spring Lake Board of Aldermen held a workshop in the Grady Howard Conference Room of the Municipal Complex with Mayor Ethel T. Clark presiding.

Board Members Present: Mayor Pro Tem James O'Garra
Alderman Richard Higgins
Alderman Hogans
Alderwoman McCoy

Alderwoman Sutherland arrived at 5:23 p.m.

Others Present: Alderman Elect James Christian
Alderwoman Elect Debora Hudson
Allen Coats, Interim Town Manager
Ken Metcalf, Recreation Director
Rhonda Webb, Town Clerk

The purpose for this workshop was to discuss Recreation Department updates and issues.

1. Recreation Department Updates.

a. Information on the Parks and Recreation Trust Fund Grant for Mendoza Park

Mr. Metcalf advised that we are in the process of putting the application together but we need guidance from the Board as to whether they want to proceed with filing the application. It is due at the end of January. The Board's consensus was to proceed with the application.

b. Mutzberg Property

The Clean Water Management Trust Fund gave a grant to the Sandhills Area Land Trust and the Nature Conservancy several years ago for a park that will be used for passive recreation with a few benches. It will not be used for ball games and activities like that.

It is strictly a nature walking trail. They have given them several extensions on the grant due to the access problem. He stated that the Nature Conservancy requested that

the Town take the lead role in trying to obtain access to the property. After negotiations with various land owners, we have not been able to obtain an access easement to the property and we may need the Board to condemn some property to provide an access easement. The final extension on the grant is January 2010. Everything is on hold until they can get access into the property.

Mr. Jackson advised that he has looked at the options and believes access from Chapel Hill Road would be the best route. He stated that Statute allows condemnations for parks, recreation, streets, etc. It also allows for "quick takes" which means we would be on a 60-90 day plan to get possession of the property. Should the Board proceed in this manner a 30 day letter stating that we would be going on the property to survey it would have to be sent out and then based on a Resolution we would send a 30 day letter of our intent to condemn. If the owner does not work with us to negotiate an easement we could then purchase the property for a reasonable appraised price and take immediate possession. The ideal property for an easement would be the McCormick Farms property but the owner is not willing to provide the easement. The Rozier property looks to be the next best option. It is a vacant lot. Discussions have occurred between the Rozier property owners without successfully obtaining an easement. They were offered "fair market value" of \$18,000 and they refused the offer. Mr. Jackson and the Planning Director also spoke with the Brooks property owner without success. The McCoy property owners were approached and stated that they were not interested in selling their property. The McCormick property owner stated that he would only allow a temporary easement for surveying.

Compensation for the easement was discussed and the possibility of condemnation. We are pushing the wire on getting the condemnation letters out.

Alderman Higgins and Alderman Hogans expressed concern about making a decision without knowing the costs to the Town. Alderman Higgins asked if the Nature Conservancy wants the Town to pay for the easement and Mr. Metcalf said they will pay for it. Mr. Jackson advised that we have to have a public purpose for eminent domain and we have to be careful that we are not doing this for someone else if we have to condemn the property. We will need to have something in writing from the Nature Conservancy stating that it will be used for public purpose to protect the Town and something stating that they will pay the costs.

Mayor Pro Tem O'Garra asked about splitting it between Rozier and McCoy properties. Mr. Jackson stated that it would require two condemnations but anytime you can take less it is a good option. Mayor Pro Tem O'Garra stated that he hates to push anyone off their property. He would like to go back and try to talk with the property owners again before we proceed with condemnation.

Alderwoman McCoy asked about the reasons that we are allowed to condemn property and Mr. Jackson advised that first it has to be determined to be a public project. Then

you have what is called a use and necessities hearing before the Clerk once you file your petition and she determines if it is within the Statute, which is G.S. 40A. One of the statutory provisions is streets and parks and recreation. Once the Clerk determines that it is public use and necessity then you move forward with determining just compensation and use the "quick take" option.

Alderwoman Sutherland stated that she doesn't know if she wants to be a part of condemning property. Mr. Jackson stated that there is a condition from Clean Water Management Trust Fund that they have access to the property before they will approve the grant.

The Board's consensus was to step forward and be the conduit to get access to the property and explore the potential of using the Rozier, McCoy or Brooks's property to determine if they are amiable to selling their property to provide an easement.

2. Proposed Updated Parks Capital Improvement Plan (CIP).

Mr. Metcalf stated that he will be requesting approval or amendments to the CIP in January 2010. He provided the Board with an overview of the plan. He stated that if they adopt the plan they are not committing to spending money or to committing to the dates proposed. He stated that they are diligent in looking for stimulus and grant money. Projects that involve swimming pools and golf courses are not favored. He is hopeful on obtaining Community Development Block Grant money in the next fiscal year to implement the Wilson Avenue Park and the Woodland West Neighborhood Park. The Cumberland County School System has agreed to allow us to use their property through a lease for the Woodland West Neighborhood Park. He is proposing to break up Mendoza Park project into three phases. He recommended applying for the Parks and Recreation Trust Fund grant again in late January based on the proposed CIP.

3. Staffing Level Issues.

Mr. Metcalf requested that the Board approve funding a full time coordinator for athletics and a full time community center assistant. The positions would be funded from the General Fund by appropriation. The costs to fund these positions beginning in January would be \$39,000. The costs for a full year including benefits will be \$78,000.

Alderman Hogans asked what changed from budget time to now. It was clarified that the Coordinator position was an approved position that was frozen at budget time. Alderman Hogans stated that he is concerned about approving Recreation needs without assessing the needs of other departments and that should be considered when making these decisions. He believes that funding should take place alongside all other departments.

Alderwoman Sutherland asked if funding only the Coordinator position would lighten the workload and Mr. Metcalf stated that it would. She feels that this position is needed.

Mayor Pro Tem O'Garra stated that he is at the park most nights and we do not have as many people at the park as we used to. Mr. Metcalf stated that baseball season is always busier and we are ahead of what we used to have 10 years ago.

Alderman McCoy asked how long we expect people to work part time and how long we keep them. Mr. Metcalf stated that they usually do not stay long but they do have one part time employee who has been part time for 10 years. Part time employees now work anywhere from 12 to 39 hours per week.

Mayor Clark recommended that he work these positions into his budget for next year. She sees the validity of Alderman Hogan's statement.

Alderman Hogans asked how long this position has been vacant and it was determined that it was vacated in June of last year and has been vacant for about 18 months.

Alderman Higgins stated that he has always been against making position decisions in the middle of the year without having financial data. He proposed that the Manager bring back financial data and a recommendation for the Board. Mayor Pro Tem O'Garra agreed with this proposal. The Board's consensus was to proceed in this manner.

The meeting ended at 6:42 p.m.

Rhonda D. Webb, MMC
Town Clerk

ATTEST:

Ethel T. Clark
Mayor