

TOWN OF GARLAND
SPECIAL MEETING
OF THE BOARD OF COMMISSIONERS
TUESDAY, JUNE 23, 2014
6:00PM

The Special Meeting of the Board of Commissioners of the Town of Garland was held at the Garland Town Hall in Garland, N.C. on Tuesday, June 23, 2014 at 6:00pm.

The following members of the Board of Commissioners were present:

Ralph Smith
Carolyn Melvin
Denise Toler
S.J. Smith
Haywood Johnson

Also present was Mrs. Gabby of the *Sampson Weekly* and Chase Jordan from *The Sampson Independent*. Also in attendance were 3 citizens.

ADMINISTRATIVE

Mayor Winifred Murphy called the meeting to order at 6:00pm and welcomed everyone in attendance. Deputy Town Clerk, Jennifer Richardson was present serving as clerk recording notes for the meeting minutes.

QUORUM

Mayor Murphy and Deputy Clerk Jennifer Richardson established that there was a quorum present.

APPROVAL OF AGENDA

Mayor Murphy asked the members of the Board to review the presented agenda for consideration of approval. Mayor Pro-Tem Haywood Johnson made a motion to accept the agenda as presented. The motion was seconded by Commissioner Ralph Smith. There was no further discussion and the motion carried.

PARKS AND RECREATION

Mayor Murphy opened the floor to the board on how the town should proceed in regards to the freeze on parks and recreation. Mayor Muphy shared some information on how there is money in the bank and how Scott Bridgers was more concerned about the fund balance at the end of the year and how caution should be taken to spend as little as possible. Since the 2013 audit is not finished, when reviewing the towns fund balance for 2012, this fund balance was in the negative. Due to spending cuts and being conservative for 2011-2012, the fund balance increased to 6.8% although the LGC wants the town to be at least 8%. At the last audit that was completed for 2012, it was 6.8%. Commissioner Ralph Smith made the suggestion to have a separate account for recreational department and put the remaining balance in this year's recreational fund into this account and next year allocate the money to the recreational account as well. Doing this would allow more preparation and time for the town to have a first class regulation court. Commissioner Denise Toler had concerns on acting now since we made a promise to the youth. Mayor Murphy suggested that Commissioner Toler and Commissioner Melvin get together and make some recommendations to the board and decide on a location and consult with the other commissioners and the youth in the process. Commissioner Melvin commented that the funds are to include softball purchases and not just basketball goals. She also wanted to know how soon they could start on this project. After discussion, it was suggested that a schedule is brought back to the board for final review to include the location of where this court will be placed. A motion was made by Carolyn Melvin to open a separate bank account for the Garland Recreational Department with the existing balance of \$8,437.82 currently in the Parks and Recreational Fund. It was seconded by Commissioner Denise Toler. There was no further discussion and the motion carried unanimously.

TOWN CLERK/FINANCE OFFICER STATUS

Mayor Murphy informed the board that she has contacted the Employment Security Commission in reference to the Town Clerk/Finance Officer position. She is in the process of filling out an application that they will need in order to advertise the position with no cost to the town. She provided the board with a job description for the Town Clerk/Finance Officer. After discussion, the board will advertise with the NCESC as well as the Sampson Independent or Sampson Weekly. Interested applicants can pick up an application along with the job description at the Town Hall. A motion was made by Commissioner Ralph Smith to proceed with advertisement for the Town Clerk/Finance Officer Position. It was seconded by Mayor Pro Tem Haywood Johnson. There was no further discussion and the motion carried unanimously.

PART TIME HELP STATUS

Mayor Murphy informed the board that she has been in contact with Temporary Connections in reference to someone that can assist with typing the minutes, answering the phone, and filing documents. At this time the temporary agency does not have a person that is bonded unless the town was to bond them. Mayor Murphy is waiting to hear back from them for additional options.

LEO GREEN INVOICE

Mayor Murphy has spoken with Leo Green and although they would like payment as soon as possible, they are willing to work with the town on paying the invoice in the amount of \$17,205.00. Since the town does not have an attorney, the LGC have been reviewing all documents so that we can know when the Water Meter Project can proceed. In addition, Mr. Green has also made contact with the LGC and has been working with Manessa Cooper. Mayor Pro Tem Johnson wanted to know if any interest would be charged since Mr. Green is working with us on paying the invoice. Mayor Murphy informed the board that no additional interest would be charged right now.

TOWN ATTORNEY SEARCH

Mayor Murphy provided the board with a copy of the ordinance pertaining to Town Attorney and read aloud their duties. She introduced Michael Porter, owner of Michael Porter Law Firm in Fayetteville, NC. Mr. Porter introduced himself along with sharing his background, education, and experience with the board. Mr. Porter grew up in Fayetteville, NC and went to college at Methodist University and then to law school at University of Chapel Hill. Shortly after, Mr. Porter starting working on litigation cases with an insurance defense firm. From there, he has tried several cases during his four years with Anderson, Johnson, and Lawrence & Butler Law Firm in Fayetteville, NC. He then worked for the Charleston Group where he represented governments and agencies on various matters such as City of Fayetteville, Hoke County DSS, Public Works Commission, Caper Fear Valley, East Point Mental Health, and the Fayetteville Metropolitan Housing Authority. Mr. Porter stated that he does have a broad range of experience and has practiced law for seven years. He currently has his own law firm and has been very successful. He also mentioned Mr. Albert Kirby, Dr. Eddie Powell, Mr. Andy Jackson as local references that would speak very highly of him. Mayor Murphy asked Mr. Porter some interview questions. Mr. Porter responded to those questions and provided the board with his contact information for any additional questions.

The next applicant was Mr. Justin Lockamy who practices with Ben Warwick and Frank Bradsaw in Clinton, NC. Mr. Lockamy introduced himself along with sharing his background, education, and experience with the board. Mr. Lockamy grew up in Sampson County. He has been practicing for three years and currently practices real estate and state law. He has also done work for the City of Clinton on their collection efforts and contract review proceedings. The firm also represents DSS in child support and adult protective service matters. He is aware of the challenges the Town of Garland faces. His job as town attorney would help us avoid and identify any legal hurdles. Mr. Lockamy did his undergrad with the University of North Carolina at Chapel Hill where he obtained his degree in Art & Theatre. He then went to law School at the University of Nebraska. His father-in-law and mentor, Timothy Howard, in Clinton, NC has done work for Sampson County. Mr. Lockamy would Charge \$85.00 an hour with no retainer fee. Mayor Murphy asked Mr. Lockamy some interview questions. Mr. Lockamy responded to those questions provided the board with his contact information for any additional questions.

Mayor Murphy opened the floor to the board for comments and discussions. After Discussion, Commissioner Ralph Smith made a motion to hire Mr. Porter as the Town Attorney at a rate of \$75.00 an hour. It was seconded by Mayor Pro Tem Haywood Johnson. There was no further discussion and the motion carried unanimously.

LGC RESPONSE & ASSISTANCE


The town received a third letter on last week from the LGC requesting another letter of explanation on the corrective action plan. Mayor Murphy has received the amended audit contract from Bryon Scott for 2013 and 2014. As of now, the price is still the same for \$10,000. Mayor Murphy requested approval to sign and send the forms back to the auditor. She also presented the board with documents that are due by June 30, 2014. These documents must be printed on June 30, 2014 that has to be in place for the current year's audit. All of the audits, amendments, and journal entries must be done no later than June 30, 2014. Due to both computers being occupied by office staff for water payments and journal entries, Mayor Murphy informed the board that she may need to be in the office after hours in order to get everything posted, such as unemployment insurance and bank transfers from one fund to another. She informed the board that they will be receiving in the mail a document from Mr. Scott attesting to no fraud. She informed the board that Pamela Cashwell is in the process of posting the correcting journal entries and Scott Bridgers will be here on June 25, 2015 to resolve any concerns she may have. Once the trial balance is in balance, Mr. Bryon Scott can come in and start on the audit. After some discussion, before payments can be entered in on July 1, 2014, the interim budget will have to be put in the system. Commissioner Ralph Smith will

make contact with Pamela Cashwell to assist to make sure that all documents are printed and information entered in by June 30, 2014.

A motion was made by Commissioner Ralph Smith that we open a new account for the Recreation Department. It was seconded by Mayor Pro Tem Haywood Johnson. Signature cards will have the same names as the other accounts to reflect Mayor Murphy and Mayor Pro Tem Haywood Johnson. They will add the Finance Officer's name once they are hired.

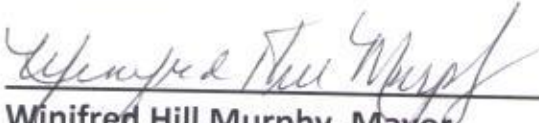
ADJOURNMENT

Mayor Pro-Tem Haywood Johnson made a motion to adjourn this meeting. The motion was seconded by Commissioner Carolyn Melvin. There was no further discussion and the motion carried unanimously. The meeting was adjourned at 6:56pm.


Jennifer Richardson, Deputy Town Clerk

*Board Approved
6/30/14*

APPROVED:


Winifred Hill Murphy, Mayor