TOWN OF GARLAND
REGULAR MEETING
OF THE BOARD OF COMMISSIONERS
TUESDAY, JULY 14, 2015
6:30 PM

The regular meeting of the Board of Commissioners of the Town of Garland was held at the Garland Town Hall in Garland, N.C. on Tuesday, July 14, 2015 at 6:30 pm.

The following members of the Board of Commissioners were present:
Haywood Johnson
Carolyn Melvin
Denise Toler
S. J. Smith

Also present were Mrs. Sylvia Chestnutt of the *Sampson Weekly*, Mr. Chase Jordan of the *Sampson Independent,* Deputy Chris Hardison of the *Sampson County Sheriff's Department,* Mr. Dave Strum of *Envirolink*, Mrs. Mary Brown, N.C. STEP Committee Facilitator, Mr. Ray Potts of *Jackson Builders*, Chief Thomas Norris of the *Garland Fire Department* and Mr. Mike Apke of *McGill Associates*. There were also 12 citizens in attendance.

ADMINISTRATIVE

Mayor Winifred Murphy called the meeting to order at 6:30 pm and welcomed everyone in attendance. Town Clerk, Pamela Cashwell, was present serving as clerk recording notes for the meeting.

PLEDGE OF ALLEGIANCE

Mayor Winifred Murphy invited everyone to stand and led the recitation of the Pledge of Allegiance.

INVOCATION

Mr. Leo Skinner local business man led the invocation.

QUORUM

Mayor Winifred Murphy and Clerk Pamela Cashwell established there was a quorum present.

APPROVAL OF AGENDA

Mayor Winifred 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 move 10. Appointment of Commissioner to 5A, move 11. Swearing in of Commissioner to 5B, move 13. Envirolink Report to 5C. Mayor Winifred Murphy requested 9. Public Comments to come prior to the Appointment and Swearing in of Commissioner to allow citizens the opportunity to express their opinions. Commissioner S. J. Smith asked if he didn't just make a motion to change that and Mayor Pro Tem Johnson repeated the above motion, Mayor Murphy then again requested for public comments to be before the appointment and swearing in of Commissioner. Mayor Pro Tem Johnson stated "you don't want the public comments to stay where it's at"? Mayor Murphy stated "no I want to give the public an opportunity to speak before we start our business". Mayor Murphy stated "according to N.C. General Statute 168-81.1, public comments is an opportunity to give our citizens a time to speak prior to Board action". Mayor Murphy stated "Mayor Pro Tem Johnson has a motion on the table and I am asking him to amend the motion to allow public comments prior to the appointment and swearing in of Commissioner". Commissioner S. J. Smith seconded the motion as made by Mayor Pro Tem Johnson. Commissioner Melvin stated 'so he is saying leave the public comments where they are on the agenda' and Mayor Murphy stated 'yes the motion and second is to not move the public comments section'. Mayor Murphy stated 'before I call for

the vote as Mayor I do want to allow public comment prior to the appointment and swearing in of the Commissioner but I will do the vote'. The motion carried unanimously. Mayor Murphy stated 'the amendment of the agenda has passed but I will still call for public comments prior to the appointment and swearing in and we have two people signed up to speak'.

PUBLIC COMMENTS

Mayor Murphy recognized Mrs. Judy C. Smith to address the Board. Mrs. Smith read from a written statement offering her services to the Board as a replacement to fill the vacant seat. She stated she didn't feel it was appropriate for three family members to serve on one Board especially when they represent a quorum. She stated she felt it was time she publicly offer her services to the Board to fill the vacant seat and thanked the Board for their consideration. Mayor Murphy requested Mayor Pro Tem Johnson assume her seat for about five minutes as she went to the other end of the table to address the Board as a citizen. Mayor Murphy read from a written statement addressing the Board regarding concerns she has as she encouraged the Board to make wise decisions that will improve services for citizens. She noted the tax rate and utility rates for the town are among the highest in the state yet services for citizens have not improved. She pointed out that all eyes and ears were on the Board and Mayor to make decisions that are in the best interest of the town. She stated the Board at the last meeting indicated they planned to appoint former Commissioner Michael Toler to fill the vacant seat and were not interested in taking applications from individuals who may be interested in serving. She stated while it is not illegal for three family members to serve on a Board it is unethical unless the people voted them in at election time. Mayor Murphy stated she welcomed comments but didn't expect any. Commissioner S. J. Smith stated 'you may not want to hear mine so I will keep my mouth shut'. Commissioner Denise Toler stating 'you are beating a dead horse because Michael isn't even here'.

APPOINTMENT OF COMMISSIONER

Mayor Pro Tem Johnson made a motion to reappointment Ralph Smith to finish out his term as Commissioner. Commissioner S. J. Smith seconded the motion and the motion carried unanimously.

SWEARING IN OF COMMISSIONER

Mayor Murphy administered the Oath of Office to Mr. Ralph Smith with his family in attendance and welcomed him back to the Board.

ENVIROLINK

Mr. David Strum presented the ***Envirolink*** monthly activity report for June 2015 to the Board. (See attached). Mr. Strum stated the town had an informal NC DENR site visit in June 2015 which led to a formal state inspection on July 9, 2015 and no violations were identified.

PRESENTATION OF CDBG CONTRACT AND RESOLUTION

Mr. Mike Apke of ***McGill Associates*** presented the engineering contract along with a signatory and certification form and resolution required for the CDBG. Mr. Apke informed the Board that the contract had been reviewed by town attorney Michael Porter and his suggestions have been incorporated into the contract. (See attached). Commissioner Ralph Smith made a motion to approve the engineering contract for ***McGill Associates*** for the CDBG. Mayor Pro Tem Johnson seconded the motion and the motion carried unanimously. Clerk Cashwell read the proposed resolution authorizing persons to sign requisitions aloud. Commissioner Ralph Smith made a motion to adopt the resolution as read. Commissioner Melvin seconded the motion and the motion carried unanimously.

PRESENTATION/REQUEST NEW FIRE DEPARTMENT

Mr. Ray Potts of ***Jackson Builders*** presented the Board with a plot plan of the new fire department and requested the Town of Garland place the six inch line highlighted in yellow relocating an existing fire hydrant to the new requested location. (See attached). Mr. Potts stated the water line tap for the two

inch service will be completed by his plumber and the fire department will be responsible for paying the town for a two inch meter. Mr. Potts stated the estimate for relocating the fire hydrant if his subcontractor completed the work is $11,500.00 and he reported this amount wasn't included in the contract and he was asked to request this work be done by the town. Chief Thomas Norris of the Garland Fire Department requested the town pay for moving the fire hydrant as it will cost them $11,500.00 if they have to pay the sub-contractor to do the work. Commissioner Ralph Smith agreed to research the costs of materials and labor associated with relocating the fire hydrant to the town if the public's works staff completed the labor and provide this information to the Board for further consideration of this request. Chief Norris stated a larger tax base would be served with the location of the new station. Mr. Potts reported construction was scheduled to be completed by December 2015.

SAMPSON COUNTY SHERIFF'S REPORT

Deputy Chris Hardison introduced Deputy Ollen Raynor who will be providing coverage when the assigned deputies are out. Deputy Hardison then presented the June 2015 patrol unit report. (See attached).

MINUTES APPROVAL

Mayor Murphy asked the Board to consider approval of the following sets of minutes: Commissioner Ralph Smith requested to be excused by the Board from voting on the minutes due to not having had time to review prior to the meeting. June 9, 2015, regular meeting: Mayor Pro Tem Johnson made a motion to approve the minutes as submitted. Commissioner S. J. Smith seconded the motion and the motion carried unanimously. (See attached).

June 23, 2015, special meeting & public hearing: Commissioner Toler made a motion to approve the minutes as submitted. Mayor Pro Tem Johnson seconded the motion and the motion carried unanimously. (See attached).

N.C. STEP

Mrs. Mary Brown thanked the Board for their continued support for the N.C. STEP program. She provided them with a list of recommendations approved by the N.C. STEP Committees for their consideration of approval. (See attached). Commissioner Ralph Smith asked if the mural had been selected for their review. Mrs. Brown stated the artist was currently working on the rendering. Commissioner Ralph Smith made a motion to approve the recommendations as listed with the exception of the mural. Commissioner S. J. Smith seconded the motion and the motion carried unanimously.

COMMISSIONER'S REPORT

FINANCE

Budget versus Actual – Clerk Pamela Cashwell provided copies of the budget vs. actual report to the Board and reviewed each budget fund revenues and expenditures. (See attached).

Bank Statements/A.P. Check Listing – Clerk Cashwell presented and reviewed copies of the bank statements and AP check listing to the Board. (See attached).

Internal Control Monthly and Quarterly Reviews - Clerk Cashwell informed the Board that Mayor Pro Tem Haywood Johnson was on the rotation schedule for this month to meet with the Mayor and Clerk to complete the monthly internal review checklists as Commissioner Toler covered for him last month. Mayor Pro Tem Johnson agreed to meet later this month to complete the reviews.

Credit Card Purchases- Clerk Cashwell provided the Board with the credit card purchases for the month and reviewed each charge with the Board. (See attached).

Update on 2014/2015 Audit- Clerk Cashwell informed the Board that the audit team has set a tentative date of August 17, 2015 to begin the 2014/2015 audit. Clerk Cashwell will be working with the independent auditor to finalize pre-audit preparations.

Response to LGC Letter- Clerk Cashwell provided the Board with a copy of a letter from Mrs. Sharon Edmundson of the LGC regarding weaknesses identified during the 2013/2014 audit. (See attached). Clerk Cashwell provided a written copy and read aloud a response letter addressing the identified weaknesses for the Board to consider. (See attached). Commissioner Melvin made a motion to approve the response letter to be sent to the LCG. Commissioner Ralph Smith seconded the motion and the motion carried unanimously.

Enrollment Forms for Board Member Benefits- Clerk Cashwell informed the Board that all enrollment forms for benefits needed to be turned in tonight so they can be sent to the benefits provider.

BUILDINGS/PARKS RECREATION

Updates on Quotes for Flooring Repair at Annex- Mayor Pro Tem Johnson stated he was working on getting estimates and plans to meet someone in the a.m. to get the first one. Mayor Murphy informed the Board the league has called inquiring about whether estimates have been received so we need to get them so they can be forwarded to the league for processing.

Update on Recreation- Commissioner Melvin voiced her frustration with delays in getting the basketball court installed. She stated it was previously approved by the Board and because it wasn't included in the minutes prepared by Mayor Pro Tem Johnson she wasn't able to pay for the concrete for the court and Mayor Murphy had suggested to her to bring it back before the Board. Commissioner Melvin made a motion to move forward with the basketball court as previously approved. Commissioner Ralph Smith asked how much money are we looking at spending. Commissioner Melvin stated it was whatever was in there before I can't remember the exact amount. Mayor Pro Tem Johnson stated wasn't it already approved and Commissioner Melvin stated yes. Mayor Murphy stated there is no money amount approved in the minutes. Mayor Murphy stated currently there is 19,914.00 in the recreation line item for this year's budget. Commissioner Ralph Smith stated he would like to see a detailed costs proposal of all the work to be done before he could commit to it. Commissioner Melvin stated she had already done this once but she would do it again and provide the Board with this information. Commissioner S. J. Smith said he had heard people say they would rather have something for the young people instead of the basketball court. Commissioner Melvin replied why do you say that the basketball court isn't for young people? She stated you have gotten in your mind that it was be drug dealers and grown people out there and I don't know why you are so against it. Commissioner S. J. Smith stated putting the court behind the building isn't a good location for it and if older people are playing it will be hard for the younger kids to get to play. Commissioner Melvin agreed to get a comprehensive costs proposal for the basketball court and provide it to the Board.

Update on Library Ceiling Tiles Installation- Commissioner Denise Toler stated the old tiles were going to be removed this week and the new tiles will be installed next week.

Stove at Old School Building- Commissioner S. J. Smith stated he was asked if the stove at the old school building could be purchased. Discussion followed as to what stove was being referenced and Mayor Pro Tem Johnson stated he would follow up on this and report back to the Board.

Rental of Community Buildings- Commissioner S. J. Smith stated he felt the Senior Center should be used only by the seniors and made a motion to no longer rent the Senior Center to the public for events. Commissioner Ralph Smith seconded the motion and the motion carried unanimously.

Security of Maintenance Shop- Mayor Murphy voiced concern about the security of the maintenance shop in light of the recent stolen items. Several options were discussed. Commissioner S. J. Smith made a motion to purchase a trail camera with a chip for approximately $300.00 to be placed at the shop. Commissioner Ralph Smith seconded the motion and the motion carried unanimously.

Use of Building by Senior Center- Mayor Murphy informed the Board that the locks have been changed on the agriculture building that adjoins the maintenance shop since items were discovered missing in the shop and no keys have been given out for the seniors to use that building and asked how they would like to move forward with the use of that building. Commissioner Ralph Smith made a motion to block the door between the two buildings preventing access to the shop area and once this is completed to provide a key to the building to the Senior Center Director to be used only by the

Director or Assistant Director to access the building for use by the seniors. Commissioner S. J. Smith seconded the motion and the motion carried unanimously.

Brief Recess- Mayor Pro Tem Johnson made a motion to take a five minute break at 8:11 pm. Commissioner Ralph Smith seconded the motion and the motion carried unanimously. Meeting called back to order at 8:16 pm.

Request to make repairs to reopen Community Center- Mayor Murphy requested the Board consider making repairs to the Community Center with the goal of reopening that building for use by the citizens. Commissioner Ralph Smith made a motion to table this item until the next month's regular meeting. Mayor Pro Tem Haywood Johnson seconded the motion and the motion carried unanimously.
Update on covering windows at the Community Center- Mayor Murphy questioned whether or not the windows should be boarded up as previously voted on if there is a potential to reopen the building. Discussion followed with the decision to follow through on the boarding up of all the windows.

SAFETY
No issued reported by Commissioner S. J. Smith.

STREETS
Purchase Requests- Cold Patch: Mayor Pro Tem Johnson stated he needed to purchase cold patch to repair several areas. Commissioner S. J. Smith stated it would be most cost efficient to buy it in bulk from the state like they had in the past. Stop signs: Commissioner S. J. Smith stated the need to purchase stop signs as there aren't any in inventory. Mayor Pro Tem Johnson made a motion to purchase five stop signs. Commissioner Ralph Smith seconded the motion and the motion carried unanimously. Commissioner Ralph Smith made a motion for Commissioner S. J. Smith to follow up on pricing and availability of bulk cold patch. Mayor Pro Tem Johnson seconded the motion and the motion carried unanimously.

PUBLIC WORKS – WATER/SEWER/GARBAGE
Update on Survey of John Street- Commissioner Ralph Smith stated he would check to see if the guy he had contacted had determined where the right of way is located on John Street and report back to the Board.
Update on State Inspection- Mayor Murphy stated she came and participated in part of the state inspection held last week. Two inspectors were on site and no violations were identified but they do plan to make some recommendations. Mayor Pro Tem Johnson stated he received a call after the inspection and stated the doors at the well houses need to be repaired so they all lock.
Update on SCADA Project- Workers are scheduled to be in town on Thursday to place an antenna on the water tank as part of updating the SCADA system. Workers will need access to the tank.

ADMINISTRATION
N.C. Rural Workshop- This will be a rural round table advocacy meeting held at Sampson Community College on Tuesday, August 4, 2015 from 9 am to 1 pm. Registration can be completed online.
Replacement of Awning at Sheriff Annex- Mayor Murphy presented a less expensive quote than previously submitted to recover the awning at the Sheriff annex. This quote was prepared by Image Design who actually made the original awning for a cost of $525.00. Commissioner Toler suggested waiting until the mural was decided upon to make a decision on the awning to make sure they match each other. Commissioner Ralph Smith made a motion to table this item until next month's meeting. Mayor Pro Tem Johnson seconded the motion and the motion carried unanimously.
Monthly Report- Mayor Murphy informed the Board that the Administration contract would be forthcoming for the CDBG. She reported her and Clerk Cashwell along with representatives from *McGill Associates* met with DENR staff to review the guidelines and tasks associated with the CDBG. She

emphasized that DENR staff informed us that even though *McGill Associates* will be performing a lot of the required work the Town of Garland is ultimately responsible for making sure the work is completed accurately and timelines are adhered to. The management of the CDBG will require time and attention by the Mayor and Town Clerk for the length of the project scheduled to run until 2018.

Mayor Murphy stated she had spoken with Mr. Rodney Tart of *Green Engineering* regarding meter readings for the bulk meters as the readings from the county are higher than the readings from the bulk meters monthly. She asked Commissioner Ralph Smith to be aware of this as Mr. Don Bull is to follow up as to why the readings are less than the county readings.

Residents are excited about the new garbage vendor and the staff of *Waste Industries* are continuing to work out issues with billing and delivery of the correct number of trash receptacles. Currently there are over forty out of town residents being serviced and they are pleased to be able to contract for collection services.

Board Re-Organization- Commissioner Ralph Smith agreed to assume his duties with Water/Sewer and Public Works. Mayor Murphy informed the Board she wanted to discuss with each Board member which committees they feel they are a better fit for before she makes any further committee assignments. She elaborated she would like to see a list of duties for each committee so when citizens have questions about different things they would know specifically which Board member to discuss these issues with. She then read an excerpt entitled "That's not my job" reminding all members that despite committees they are all responsible for the business of the town and communication with each other is important.

OLD BUSINESS:

Meeting Attendance- Mayor Pro Tem Johnson made a motion for the Board members to get paid for every meeting they attend. The motion was seconded by Commissioner Ralph Smith. Mayor Murphy asked if that included the Mayor and Mayor Pro Tem Johnson stated yes. Discussion followed with varying opinions and Mayor Murphy stated once the budget ordinance has been adopted the salary of the Board can't be reduced unless the Board member agrees. She stated under this motion if a member was out they would not get paid and that is essentially reducing their salary. Clerk Cashwell pointed out that the budget ordinance passed didn't include funds to pay each Board member per meeting attendance. Commissioner S. J. Smith stated he didn't feel the town could afford to pay Board members for each meeting they attended. Discussion followed regarding special meeting and what could be discussed at special meetings. Mayor Murphy emphasized the importance of all Board members to sign the waiver of notice is they couldn't attend a special meeting so the meeting can proceed as planned. Mayor Pro Tem Johnson rescinded the motion previously made.

CALENDAR OF EVENTS/ANNOUNCEMENTS/CONDOLENCES

July 30, 2015 2015 Summer Reading Super Hero Walk 3:00 pm – 3: 30 pm

August 4, 2015 N.C. Rural Workshop

Condolences: The Town of Garland sends our sincerest condolences to all of those who have recently lost loved ones.

ADJOURNMENT

Mayor Pro Tem Haywood Johnson made a motion to adjourn the meeting. Commissioner Ralph Smith seconded the motion and the motion carried unanimously. Meeting adjourned at 8: 56 pm.

Pamela Cashwell

Pamela Cashwell, Town Clerk/Finance Officer

Board Approved:

Winifred Hill Murphy

Winifred Hill Murphy, Mayor