

**TOWN OF GARLAND  
REGULAR MEETING AND PUBLIC HEARING  
OF THE BOARD OF COMMISSIONERS  
TUESDAY, November 19, 2019  
6:00 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, November 19, 2019 at 6:00 pm.

The following members of the Board of Commissioners were present:

Mayor Winifred Hill Murphy  
Mayor Pro Tem Mary Brown  
Commissioner Austin Brown  
Commissioner Eddie Bronson, Jr.  
Commissioner Carolyn R. Melvin

The following member of the Board of Commissioners were absent:

Commissioner SJ Smith

Also present were Mrs. Sylvia Chestnut of the *Sampson Weekly* and Mr. Chase Jordan of the *Sampson Independent*. There were citizens present.

ADMINISTRATIVE

Mayor Winifred H. Murphy called the meeting to order at 6:03 pm and welcomed everyone in attendance.

QUORUM

Mayor Winifred H. Murphy and Attorney Alan Maynard established there was a quorum present.

PLEDGE OF ALLEGIANCE

Mayor Winifred H. Murphy invited everyone to stand as she led the recitation of the Pledge of Allegiance.

INVOCATION

Mr. Michael Buchanan, Jr. provided the invocation.

APPROVAL OF AGENDA

Mayor Winifred H. Murphy asked the Board to review the agenda for approval. Mayor Murphy stated she would like to add the presentation from Fair Housing with Mr. Mike Barnett after public comments. Mayor Murphy would like to add under public works number seven Damage to Truck. Also, Mayor Murphy would like to move the closed session after minute approval.

Commissioner Austin Brown moved to approve the agenda as amended, seconded by Commissioner Eddie Bronson Jr. and the motion carried unanimously. (See attached).

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## **PUBLIC COMMENT**

Mrs. Jo Strickland was present to discuss what has been going around the Town of Garland for several months. It has been brought to her attention along with other citizens there is a Commissioner who no longer resides in the Town of Garland. This does not look good for the face of Garland. If the Commissioner will not resign on his own, the board needs to act and remove him. It will not look good on the Town if something were to happen.

Attorney Maynard stated without getting into any details that matter has been turned over to him, it will be addressed promptly.

## **COMMISSIONER REPORTS**

### **ADMINISTRATION**

Mayor's Message- Community Day was October 5, 2019 and the outcome was great. There were a lot of activities, participants, and sponsors. The money left over will go towards next year's Community Day. The Tar Heel Challenge Cadets were a significant help and we thank them publicly for that, along with the Sampson County Sheriff Department and the NC Highway Patrol.

There was vandalism with poles and the concession stand at the softball ball. We are working on getting all repaired. We are asking if our citizens will reach out to the town if anything out of the ordinary is seen.

Board of Election- We would like to thank all citizens who came out to express their support for the election that took place on November 5<sup>th</sup>, 2019.

Organization Meeting and Swearing In- Mayor Murphy stated we are trying to schedule the swearing in for Monday December 2, 2019, starting at Town Hall and then moving to St. Stephen AME Zion Church. Mayor Murphy asked for the board's approval to have the meeting on the date of December 2, 2019 instead of Tuesday December 3, 2019.

Commissioner Austin Brown moved to have the Swearing in Organization Meeting for Monday December 2, 2019 at 6:00pm, starting with the Public Hearing here at Town Hall and then the Swearing in and Organization Meeting 7:00pm at St. Stephen AMEZ Zion Church, seconded by Commissioner Carolyn R. Melvin. The vote carried unanimously.

Mayor Murphy stated there will be another public hearing for the CDBG project that was approved in 2017, due to the town needing more money to cover the bids. The engineer went to CDBG NC Department of Environmental Resources and stated, "Garland needs more money". They agreed to give the town more money that was left over from 2014 and 2016.

Christmas Tree Lighting Update: We are trying to get the Tree Lighting scheduled for December 6, 2019. We also need to get the Christmas lights up in town. Reggie will need to have the Christmas Lights up before Thanksgiving.

Ethics Training- Mayor Murphy stated Ethics Training is required for all elected officials. Any time they are appointed or elected you must complete the Ethics Training, which will involve Commissioners Austin Brown, Carolyn Melvin, Barbara Peterson, and SJ Smith.

Commissioner Responsibilities- Mayor Murphy will share with each of you what your responsibilities are. Please start thinking about what committee you would like to work on. I want you to be on a committee where you would be more effective.

Monthly Mayoral Report- Mayor Murphy would like for Commissioners to consider the opportunity to attend the Essentials of Municipal Government Training which is Saturday January 11, 2020. The cost is \$100 dollars. If you would like to attend this Training in Fayetteville please let us know by tomorrow.

Community Development Block Grant- Mayor Murphy stated we have been awarded the CDBG grant in the amount of \$750,000.00. We gave them 16 or 17 names for houses that could benefit from being rehabbed or reconstructed. From that there were 8 homes selected. It could not be a mobile home and the person had to own the home and meet certain income criteria. They looked at everything within the home and made their selection. We don't have much information on how long it will take to get this project started. This is a 3-year grant, the town does have to match the grant in the amount of \$8,000 dollars. We have had 2 public hearings concerning this grant, along with advertisements. With this grant, there will also be a walking track built at the new park, and ADA accessible restrooms.

Acknowledgements- Mayor Murphy would like to Acknowledge what was done for the Judy C. Smith family. Also, we would like to acknowledge Commissioner Ralph Smith's wife who is here tonight. Mayor Murphy thanked Mrs. Pearl Smith for being present and continuing to be a part of Garland.

Public Comment- Mr. Gary Robinson spoke about his concerns with the water meter transmitter that is placed in his yard to provide water and sewer to his home. He stated his concerns on the type of energy being given off the meter. Attorney Maynard stated that he will be in touch with Mr. Robinson about water sewer options.

Public Hearing Evening Light Church- Mr. Frank Morris brought forth a recommendation from the Evening Light Church that it be re-zoned from R-85 to General Business. This is so they will have room to complete the building in the front and the back. All the information was placed in the newspaper on October 30, 2019 and November 6, 2019. Pastor John Mckoy spoke about the process in how the church was able to be a part of the Town of Garland. Frank Morris stated, "the planning board recommend that the change be made from R-85 to General Business". Pastor John Mckoy stated, "the remodeling is to build onto the fellowship hall and add restrooms to the front of the church". Also, the church would like to open their facilities to the community in the event of a storm. Mayor Murphy closed this public hearing for a board decision.

Commissioner Austin Brown moved to rezone Evening Light property from R85 to General Business, seconded by Commissioner Carolyn R. Melvin. The motion carried unanimously.

Public Hearing Billy Jacobs- Mr. Frank Morris mentioned a request was made to have storage units placed on a piece of property zoned at Residential Agriculture. However, that zoning district doesn't allow storage units. "I recommend that we make text change to RA district to allow storage buildings". It was also published in the newspaper for two consecutive weeks. We ask that the board make this text change to allow storage units to the RA district." Mayor Murphy closed the storage building public hearing for the board's decision.

Mayor Pro Tem Mary Brown moved to accept the recommendation from the planning board to allow storage buildings in the RA zoning district, seconded by Commissioner Eddie Bronson Jr. The motion carried unanimously.

Public Hearing Cell tower- Mr. Frank Morris stated, "we would like to make a recommendation to make a text change to allow cell towers in the RA zoning district under line item J in the ordinance book". Mr. Frank Morris stated, "they want to place the tower in front of Mr. Julian Carr home". Mayor Pro Tem Mary Brown asked, "when adding these towers will there be a limit and how far apart will they be"? There was no response to this question.

Mayor Murphy stated the land the tower will be placed on does not belong to Tillman Construction. Mr. Frank Morris replied, "he has all the documentation concerning the property owner information". Mayor Murphy stated she would like to have more information concerning the Cell tower. Mr. Tim Register stated, "the Zoning board is not just asking for this specific tower, but in general to put in the ordinance were cell towers can be allowed". We are saying that the RA district is the best place to add cell towers as a permitted use. The recommendation is to add cell towers as a permitted use in the RA zoning district currently. Commissioner Austin Brown stated, "if it is just a text change to allow cell towers as a permitted use then it is not an issue". However, for a specific cell tower it will need to be discussed amongst the board. Mayor Murphy closed this public hearing at this time for the board's decision.

Commissioner Austin Brown moved to add cell towers as a permitted use in the RA zoning district, seconded by Mayor Pro Tem Mary Brown. The motion carried unanimously. Mr. Morris stated that he could now approve the cell tower permit from Tillman Construction without coming back to the board.

Finance- Mayor Murphy stated we are about halfway with the revenue that was received. The board should have a copy of the Budget VS. Actual in your packet that you can read over. If you have any questions, feel free to ask. The ethics training has been paid in full for everyone. We have ordered more flags and a Stenner pump. Community Day unrestricted and restricted has been increased.

Commissioner Austin Brown moved to approve the Amendment to the Budget ordinance, seconded by Mayor Pro Tem Mary Brown. The motion carried unanimously.

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Mayor Murphy stated in reference to the audit update, it is ready and will be presented in the January 2020 meeting. In your packet you will see the Powell Bill history report you can look over and see the decrease in the amount receiving. As our population decreases so does our money from the Powell Bill.

Utility Bills- Mayor Murphy stated we are trying to get new utility billing forms and the same system for Out of Town garbage customers. We will table the item at this time.

Storage Building at Lagoon Electrical- Mr. Leo Skinner stated, "he dropped off a proposal for \$700 dollars for the storage building". It was brought to his attention to put an area light around the storage building at the lagoon. He informed the board that they will need to add \$300 dollars to the proposed price for this task. Commissioner Austin Brown stated where the storage building is located it is always dark, so it is imperative that an area light be added.

Commissioner Austin Brown moved to approve the proposal for \$1000 dollars, seconded by Commissioner Carolyn R. Melvin. The motion carried unanimously.

Mr. Leo Skinner mentioned at the two wells there are no area lights burning, I will be able to check the bulb to get it working which will be \$80 dollars per well. With the total being \$160 dollars. If the circuit is damaged it will be another \$40 dollars added to the price.

Commissioner Austin Brown moved that Mr. Leo Skinner repair the lights at well 3 and 4 and bring the invoice, seconded by Mayor Pro Tem Mary Brown. The motion carried unanimously.

Mr. Leo Skinner, "stated the pole at the walking track was destroyed along with the light". If you go to the third light it is just hanging but that one can be secured and saved. The labor to replace the poles at the walking field will cost \$250 dollars. Also, the lights need to remain on from sundown to sunup. Commissioner Austin Brown stated with the lights not being left on it causes more vandalism to the park.

Commissioner Austin Brown moved to allow Mr. Leo Skinner to repair the lights in the amount of \$250 dollars to be taken out of parks and recreation fund, seconded by Mayor Pro Tem Mary Brown. The motion carried unanimously.

Commissioner Eddie Bronson Jr stated we need the lights on during sundown and sunup to prevent vandalism. I suggest we block it off on seventh street to prevent vehicles from entering at dark.

Commissioner Austin Brown has moved to leave the lights on all night, seconded by Mayor Pro Tem Mary Brown. The motion carried unanimously.

Mayor Murphy stated it has been said that vehicles are on the baseball field doing donut holes around the light poles and graffiti on the concession stand. "So please if you see any of this activity please make our board members, and me aware".

Cemetery Update- Commissioner Eddie Bronson Jr stated they are up and running. Commissioner Austin Brown stated he did speak to Mr. Shelton Bordeaux on the area Mr. Jimmie Blackman wants survey in Garland Cemetery. Mr. Shelton stated once he reaches out to Mr. Jimmie Blackman then he will work on getting it done.

Buildings- Mayor Murphy stated we have one estimate for the roof over the bay and we are waiting on another. The estimate was over \$13,000 dollars, meanwhile every time that it rains the bay area is constantly getting wet. We don't want to settle with one estimate we would like to have more than one. There is no heat in the office currently. Mr. Terry Long stated, "a new unit will be needed, and it will cost \$6,000 dollars". For this specific unit the parts are very limited so a new unit will be needed for the Town Hall.

A drone was approved to take pictures of the different roofs all over town. The ABC store roof and ceiling are in good shape; however, the building has a lot of mold in it.

Streets- Commissioner Austin Brown stated we had our paving vendor come down and do the work asked of them; however, they did not meet the satisfaction of what was asked. I was assured that they would come back and take care of any issues. Mr. Johnny Cain stated he would like for more than one person be here when he comes back so that the other places be addressed.

Public works- Mayor Murphy stated there has been some emergency requisitions made away from the table. The heat at the wells had to be taken care of as soon as possible. That was one of the decisions made. We are still having problems with the backhoe. Commissioner Austin Brown said he spoke with Reggie and he mentioned the backhoe will need to be fully serviced. Commissioner Austin Brown stated the sensor that was purchased for the backhoe was put on wrong.

CDBG- Mayor Murphy mentioned the state will give additional funds which will require a large amount of paperwork. Town Clerk Pamela Cashwell will have to keep all these grants separate. We will have to support the office staff during these grants. After analysis of remaining with Custom Controls or changing vendors, it is the recommendation of the finance officer that we remain with Custom Controls for modem upgrades with the SCATA system.

Mayor Pro Tem Mary Brown moved to stay with Custom Controls for the upgrades of our modems which is the Scada System, seconded by Commissioner Carolyn R. Melvin. The motion carried unanimously.

NC Clear Water- Mayor Murphy stated we are working in collaboration with several agencies to make sure our water and sewer system are working properly. We are trying to be proactive in getting our system working.

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Safety- Mayor Murphy stated we have approved purchasing a fire hydrant at the recommendation of the fire department. Which Commissioner would like to take on that responsibility to get another quote? Commissioner Carolyn R. Melvin will take on this responsibility. I have talked with a couple of you to do a streetlight assessment to see were streetlights are needed within the town.

Contractor Services- We have had some sewer backups, so I was thinking about Harvey Herring to help when we are unable to get in touch with Commissioner Austin Brown or Public works.

Minute Approval- Mayor Murphy stated we have two sets of minutes to approve. Monday September 16, 2019 and Tuesday October 1, 2019.

Commissioner Austin Brown moved to approve the Special Meeting and Public Hearing minutes for September 16, 2019, seconded by Commissioner Carolyn R. Melvin. The motion carried unanimously.

Commissioner Carolyn R. Melvin moved to approve the Regular Meeting minutes for October 1, 2019, seconded by Commissioner Austin Brown. The motion carried unanimously.

Membership Dues Art Council- Mayor Murphy suggested that we table this item.

Commissioner Austin Brown moved to table the Membership Dues for the Art Council, seconded by Commissioner Carolyn R. Melvin. The motion carried unanimously.

Closed Session

Commissioner Austin Brown moved to go back into closed session at 8:06pm for the purpose of personnel, seconded by Mayor Pro Tem Mary Brown. The motion carried unanimously.

Commissioner Austin Brown moved to exit closed session at 8:32pm, seconded by Commissioner Eddie Bronson Jr. The motion carried unanimously.

Alexis Devane  
Alexis Devane, Deputy Clerk

Board Approved:

Winifred Hill Murphy  
Winifred Hill Murphy, Mayor

January 7, 2020  
Date

Tuesday, 11/19/19