

MINUTES OF THE TOWN OF HOPE MILLS BOARD OF COMMISSIONERS
December 15, 2008 – 7:00 p.m.
Regular Meeting

Mayor Dees called the regular meeting of the Hope Mills Board of Commissioners to order on Monday, December 15, 2008 at 7:00 p.m.

GOVERNING BODY MEMBERS PRESENT

Mayor Eddie Dees, Mayor Pro Tem Gorman, Commissioners Doris Luther, Jackie Warner, and Tonzie Collins, Eddie Maynor.

GOVERNING BODY MEMBERS ABSENT – None

STAFF PRESENT

Town Manager Randy Beeman, Town Attorney John Jackson, Town Clerk Connie Spell, Chief Building Inspector Mike Bailey, Parks and Recreation Director Stan Braswell, Parks and Recreation Program Director Kenny Bullock Garage Supervisor Roy Howard, Police Chief John Hodges, Fire Chief Chuck Hodges, Police Captain John Smith.

INVOCATION AND PLEDGE OF ALLEGIANCE

Rev. Dennis Sheppard, Hope Mills United Methodist Church gave the invocation followed by the Pledge of Allegiance led by Commissioner Collins.

1. APPROVAL OF AGENDA – ADDITIONS OR DELETIONS.

Mayor Dees presented the agenda and asked if there were any adjustments, additions or deletions.

Motion was made by Commissioner Gorman, seconded by Commissioner Collins and carried unanimously to approve the agenda as presented with the following deletions:

New Business: 7 (c) Consideration to approve Change Order No. 8 – Hope Mills Dam Project.

7(d) Consideration to approve the agreement between Hope Mills Youth Association and the Town of Hope Mills.

2. PRESENTATIONS/REPORTS:

a. Presentation of the 2007-2008 Audit Report.

Mark Hedgepeth, Haigh, Byrd & Lambert, presented the Town of Hope Mills 2008 fiscal year financial statements. He reported the General Statutes of North Carolina requires municipalities to have annual audits with financial statements. He said the object of their engagement was the expression of an opinion on the Towns financial statements.

Mr. Hedgepeth briefly went over the independent auditors report and read the financial statement opinion. He said he had met with the Audit and Finance Committee and reviewed the financial statements in detail at that time. He also briefly reviewed the financial statements with the Board.

Mr. Hedgepeth said in summary the town's financial position as of June 30, 2008 was good. Operating results indicate that the town out performed the budgeted expectations of both revenues and expenditures. He encouraged the town to stay informed and involved in the operations of the town. Mr. Hedgepeth said as the town continues to grow he would encourage them to plan for the future.

Mr. Hedgepeth said on behalf of Haigh, Byrd & Lambert, he would like to express thanks to Town Manager Randy Beeman, Finance Director Jeff Saleeby and all the town staff for the courtesy that was extended to them and assistance that was provided.

The Board thanked the auditors for their hard work and extended a special thank you to Finance Director Jeff Saleeby, Town Manager Randy Beeman and the Town Staff.

Motion was made by Commissioner Luther, seconded by Commissioner Maynor to approve the 2008 Fiscal Year Audit Report as presented. The motion carried unanimously.

3. PUBLIC HEARINGS – None

4. PUBLIC COMMENTS.

Mr. D. W. Dowless, 3705 Floyd Drive, presented a petition requesting the enforcement of the curfew on Floyd Drive. He stated for the past two years the neighborhood had experienced a growing problem with gangs. He said there was a problem with graffiti and vandalism, etc.

Commissioner Collins requested Mr. Dowless talk with the Police Chief. Commissioner Maynor stated this was a problem that needed urgent attention.

5. CONSENT AGENDA:

Mayor Dees presented the consent agenda and asked if there were any items the board wished to place on the regular agenda for further discussion.

Commissioner Collins made a motion to approve the consent agenda as presented. Commissioner Gorman seconded, and the motion carried unanimously.

a. Consideration to approve 2008 Annual Certification of Firemen and 2009 Membership Roster.

Fire Chief Hodges reported the North Carolina General Statute requires that all certified fire departments submit a complete roster of its eligible firemen annually. He said the certification and dues must be submitted by December 31, 2008 in order to ensure state benefits for the firemen.

2008 Annual Certification of Firemen and 2009 Membership Roster approved.

b. Consideration to authorize purchase of 20 SCBA Air Packs for the Fire Department, funds allocated in 2008-2009 budget, total purchase price including tax \$118,758.31.

The Town received only one bid \$111,249.00 plus sales tax of \$7,509.31 – MES-Carolinas.

Authorized purchase of 20 SCBA Air Packs.

c. Consideration to authorize purchase of four defibrillators for the Fire Department, funds allocated in the 2008-2009 Budget, \$7,439.16.

The four defibrillators will be purchased under state contract from Welch Allyn, Inc.

Authorized purchase of four (4) defibrillators in the amount of \$7,439.16.

d. Consideration to authorize purchase of Turnout Gear for the Fire Department, from Municipal Emergency Services, the lowest and recommended bidder - \$19,574.75.

The following bids were received:

Municipal Emergency Services	\$19,574.75
The Fire Store	\$19,909.89
Galls	\$24,529.78
Darley	\$20,898.90

Authorized purchase of Turnout Gear from Municipal Emergency Services in the amount of \$19,574.75

e. Consideration of request from South View High School to use the Recreation Center and fee waiver.

Mr. Nathan Faulk, head basketball coach of South View High School requested to use the Parks and Recreation community room on December 22, 2008 for a Christmas party and requested a fee waiver.

Approved request and fee waiver.

Commissioner Maynor stated the town needed a policy for requesting a fee waiver and the request should be made 60-90 days in advance.

f. Consideration to approve unemployment claims - funds allocated in the 2008-2009 budget, \$14,258.40.

Finance Director Jeff Saleeby reported the town had received a reimbursement request from the Employment Security Commission in regards to David Stafford's unemployment claims. He stated the amount was \$14,258.40 and was included in the budget.

Approved unemployment claims in the amount of \$14,258.40.

g. Consideration to adopt Budget Ordinance Amendment No. 13 to allocate funds to purchase safety vests and allocate grant funds to be received - \$7,926.19.

The following Budget Ordinance Amendment was presented to authorize purchase of safety vests for the Police Department and to allocate grant funds received for this purchase:

**BUDGET ORDINANCE AMENDMENT
NUMBER THIRTEEN**

BE IT ORDAINED by the Governing Board of the Town of Hope Mills, North Carolina, that the following amendment be made to the General Fund for the 2008-2009 budget ordinance:

Section 1. To amend the General Fund for expenditures related to the purchase of safety vests, the expenditures are to be changed as follows:

<u>Account</u>	<u>Current Budget</u>	<u>Increase (Decrease)</u>	<u>Revised</u>
Uniform Allowance	\$ 16,500	\$ 7,926.19	\$ 24,426.19

Section 2. To provide for the additional costs, the following revenue sources are as follows:

<u>Account</u>	<u>Current Budget</u>	<u>Increase (Decrease)</u>	<u>Revised</u>
Safety Vest Grants	\$ 0	\$ 7,926.19	\$ 7,926.19

Section 3. Copies of this amendment shall be furnished to the Town Clerk and to the Budget Officer and the Finance Officer for their direction.

Adopted by the Hope Mills Board of Commissioners this 15th day of December, 2008.

Eddie Dees, Mayor

Attest:

Connie Spell, MMC, Town Clerk

6. OLD BUSINESS

a. Discussion of employee Christmas bonus.

Town Manager stated he and Jeff Saleeby had worked on various scenarios attempting to fund the Christmas bonus. He said the economic climate impacts the sales tax revenue and proactive measures had been taken to reduce and control department expenditures.

The Town Manager stated the latest sales tax figures had declined by \$6,000.00 and if the current trend continued there would most likely be a shortfall of \$64,000.00.

He and Finance Director Jeff Saleeby stated to maintain a viable town government it was not recommended to provide funding for a Christmas bonus.

Commissioner Maynor asked to continue to monitor the sales tax received and if additional revenues were received to go back and give some type of bonus if possible.

7. NEW BUSINESS.

a. Consideration to declare certain fixed assets surplus, and adopt Resolution authorizing the disposition by private sale.

The following resolution authorizing the disposition of certain personal property by private sale was presented:

RESOLUTION AUTHORIZING THE DISPOSITION OF CERTAIN PERSONAL PROPERTY BY PRIVATE SALE

WHEREAS, the Board of Commissioners of the Town of Hope Mills, North Carolina desires to dispose of certain surplus property of the Town;

NOW, THEREFORE, BE IT RESOLVED by the Hope Mills Board of Commissioners that:

- (1) The following described property is hereby declared to be surplus to the needs of the Town:
 - a. 1990 Peterbilt Sanitation Truck – VIN # 1XPZL50X6LD705020
Truck # 55 (Sanitation Department)
 - b. 1997 Lodal South Side Loader – VIN # 1L9AF59B6UK006104
Truck #51 (Sanitation Department)
 - c. 1982 American LaFrance Century -VIN #1AFAB1185CA17596
Fire Truck 2112 (Fire Department)
- (2) The Town Manager is authorized to dispose of the described property by private sale at a negotiated price.
- (3) The Town Clerk shall publish notice summarizing this Resolution in accordance with G. S. 160A-267.
- (4) The sale may be consummated not earlier than ten (10) days from the date of publication.

ADOPTED this 15th day of December, 2008.

EDDIE DEES, MAYOR

ATTEST:

Connie F. Spell, MMC, Town Clerk

In response to a question from Commissioner Luther, Roy Howard said there were a total of seven trash trucks, and two of which were not in service.

Commissioner Luther made a motion to adopt the resolution as presented. Commissioner Collins seconded, and the motion carried unanimously.

b. Consideration to accept Agreement for Purchase and Sale of Real Property and adopt Resolution Authorizing the Upset Bid Process for Selling Certain Town-Owned Property.

Mayor Dees reported the Board was given a document to purchase town property.

Mayor Dees stated to move forward would require the town to post notice of intent to sale and allow upset bids for a specific number of days before the acceptance of the offer.

Town Attorney John Jackson expressed concerns with the environmental provision in the Offer to Purchase contract. He said he would be very cautious about the town entering into a Guarantee Warranty Deed in an environmental situation. He said he would recommend a Special Warranty Deed whereby the Town was only warranting the property during their ownership.

Discussion followed on having the property appraised; receiving clarification and revise the contract requesting the Town be allowed to continue to use the property for parking; town revealing any encumbrances on the property, if any.

A lengthy discussion followed concerning the contract and the Upset Bid Process.

Commissioner Collins made a motion to authorize the Town Manager to get an appraisal of the property. Commissioner Maynor seconded, and the motion carried unanimously.

- c. Consideration to approve Change Order No. 8. -Removed from agenda.**
- d. Consideration to approve the agreement between Hope Mills Youth Association and the Town of Hope Mills. - Removed from agenda.**
- e. Consideration to designate a Town Official to attend the Joint Study Commission on Municipal Annexation, December 17, 2008.**

Mayor Dees said Mr. Beeman had attended the previous meeting and had provided the board with handouts and agenda received at the meeting. He said the League was asking each town have a representative present at the meeting.

Mayor Pro Tem Gorman made a motion to have Town Manager Randy Beeman attend the meeting. Commissioner Collins seconded, and the motion carried unanimously.

8. REPORTS AND INFORMATION ITEMS.

a. Town Manager's update report.

The Town Manager presented the Board with a written report on the following.

1. Railroad Crossing at Johnson Street.
2. Viper Radio System – 800 MHZ System.
3. Skate Park.
4. Pier Construction information – Lake Number One.
5. Agreement Hope Mills Youth Association, Park and Recreation.
6. Lake Ordinance Update.

b. Status report on the Hope Mills Lake/Dam project – Town Manager.

Town Manager Randy Beeman presented the Board with several documents one of which was the final punch list which delineates various items that needed to be corrected prior to a final inspection. He discussed the process for which McKim & Creed would provide certification to Dam Safety that the project had been constructed in accordance with the approved plans and specifications. He said Dam Safety would issue the authorization to impound the water and until the authorization is granted the lake can not be filled.

Mr. Beeman briefly explained the process of sealing the cracks in the wall and said Dam Safety had requested that they do a core on one of the cracks to verify that it did not extend very far into the topping slab.

Commissioner Gorman said during the pouring of the concrete, Dam Safety required core samples to be pulled. Mr. Beeman said as part of the invoicing received through McKim & Creed, contractor MacTec said there were thousands of core samples on every port and all the data had to be assembled and provided to Dam Safety for their review.

A brief discussion followed concerning who actually signs the document to allow the impoundment of water; light being out on the pedestrian bridge and under warranty; and monitors being placed on the dam to check vibrations.

Mayor Dees asked if anyone had any questions or comments concerning the lake/dam.

Micheal Mitchell, 5411 Thompson Circle, expressed concerns with who had the final decision to impound the water. Mr. Beeman reported McKim & Creed was the engineer of record and they would provide the certification to Dam Safety and Dam Safety would give permission to impound.

- c. **Committee Reports.** None
- d. **Department Monthly Reports.**

The following departments submitted reports for the month of November 2008.

- a. Fire Department
- b. Public Works Department
- c. Building & Grounds
- d. Street Department
- e. Fleet Maintenance
- f. Sanitation Department
- g. Parks & Recreation
- h. Inspection Department
- i. Police Department

Commissioner Gorman expressed concerns regarding the Fire Department report of a Walgreen employee pulling the store alarm and having the fire department respond to a false alarm.

Fire Chief Hodges stated the employee thought they smelled gas and as a precaution called the Fire Department.

9. STAFF COMMENTS.

The staff wished everyone a Merry Christmas.

10. OFFICIAL COMMENTS.

The Mayor and Commissioners thanked everyone for attending the meeting and wished everyone a Merry Christmas and a Happy New Year.

Commissioner Maynor said he appreciated the invitation very much to the Police Department Christmas party, but he would not be able to attend due to a prior engagement.

Commissioner Gorman asked the Town Manager to look into a stop light being placed at Dove Drive.

Commissioner Warner expressed concerns with the graffiti on the wall of the Hope Mills Bypass.

Commissioner Collins said he would like for the Board to set a date to conduct a workshop during the first week in January.

Mayor Dees asked the Commissioners to give input as to what items to be placed on the agenda for discussion at the workshop.

By consensus of the Board, a Special Meeting was scheduled for Monday, January 12, 2009 at 7:00 p.m., to discuss items that were tabled and to also plan for the year. Action may or may not be taken.

Commissioner Luther expressed concerns with pot holes on Ellison Street.

Mayor Dees thanked everyone who helped with the breakfast with Santa, Christmas Parade, and the Festival of Lights.

Mayor Dees reported the County Planning Board had asked the Board to submit any comments or suggestions concerning the 2030 Plan.

Mayor Dees reported Congressman Mike McIntyre office had contacted him and they would like to schedule a luncheon meeting on Monday, January 12th at 1:00 p.m. with any of the community leaders that would like to attend. Mayor Dees said he would like to extend the invitation to the County Commissioners as well.

Mayor Dees congratulated Commissioner Warner and Douglas Byrd High School for representing Hope Mills in the State playoffs and 71st High School as well.

Reminded everyone Town Hall would be closed December 24-26, 2008 for Christmas Holidays and would be closed on January 1, 2009 New Years Day and there would be no garbage pickup on those days.

11. CLOSED SESSION.

Mayor Pro Tem Gorman made a motion to conduct a closed session pursuant to NCGS 143-318.11(a)(6) to discuss a personnel matter. Commissioner Luther seconded, and the motion carried unanimously.

Mayor Dees called for a five minute break before entering into closed session.

At 9:32 p.m. Commissioner Maynor made a motion to return to open session. Commissioner Luther seconded, and the motion carried unanimously.

Mayor Pro Tem Gorman made a motion to seal the minutes of the closed session until such time as the release of the information would no longer frustrate the purpose of the closed session, and further no action was taken.

12. ADJOURNMENT.

At 9:33 p.m. upon a motion by Commissioner Luther, seconded by Commissioner Warner and unanimously carried the meeting was adjourned.

EDDIE DEES, MAYOR

ATTEST:

Connie F. Spell, MMC, Town Clerk