

**TOWN OF HOPE MILLS  
BOARD OF COMMISSIONERS SPECIAL MEETING  
January 14, 2009 – 7:00 p.m.**

The Special Meeting of the Hope Mills Board of Commissioners was called to order on Wednesday, January 14, 2009, at 7:00 p.m. by Mayor Dees.

**GOVERNING BODY MEMBERS PRESENT**

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

**GOVERNING BOARD ABSENT** – None.

**STAFF PRESENT**

Town Manager Randy Beeman, Town Attorney John Jackson, Assistant Town Manager/ Clerk Connie Spell, Finance Director Jeff Saleeby, Parks and Recreation Director Stan Braswell, Police Capitan John Smith.

Mayor Dees asked if any questions had been turned in on the Spillway project. Town Clerk Connie Spell stated none had been received.

Mayor Dees said he had some questions and he would give them to Ms. Spell to submit to the appropriate agency.

**1. DISCUSSION OF PROPOSED LAKE/BOAT FEES AND FINES.**

The Board was presented for review and discussion information on the proposed lake/boat fees and fines as recommended by the lake committee.

Attorney Jackson discussed in length civil penalties and misdemeanor penalties. He discussed the limit on misdemeanor penalty was \$500.00

Attorney Jackson reported he had talked to the League and the League had taken a position that anything penal in nature that had been criminalized, even though it is called a civil penalty the money goes to the schools, except the League states you can decriminalize something and the monies would end up going to the town.

Attorney Jackson said he has advised every town that he has been associated within every penalty provision of every ordinance you put a civil penalty if appropriate, and an alternative misdemeanor penalty.

Attorney Jackson recommended the town review the ordinance to see if they want to keep the criminal penalty as well as the civil, then the Finance Director needs to make arrangement to make those monies payable to the schools. He said this would be in all the ordinances not just the Lake Ordinance.

*The Board discussed the dam/fish ladder fines and upon motion of Commissioner Warner, seconded by Commissioner Collins and carried unanimously the following fines were approved:*

**DAM/FISH LADDER FINES**

First Offense	\$250.00
Second and any subsequent offense	\$500.00

The Board discussed if a Park Attendant could administer the fine. Attorney Jackson stated he would investigate.

After a discussion, it was the consensus of the Board to recommend the following fees and fines and implement with an ordinance change and bring back to the board for adoption:

**NO WAKE ZONE**

First Offense	\$250.00
Second and any subsequent offense	\$500.00

Fines will be considered through criminal court system.

**BOAT PERMIT FEES - MOTORIZED**

Annual Fees	\$50.00 (in-town residents and out-of-town residents)
Daily Fees	\$10.00 (in-town residents and out-of-town residents)

**BOATING WITHOUT PERMIT – MOTORIZED**

First Offense	\$100.00
Second Offense	\$250.00
Third Offense	\$500.00

**FEEDING OF WATERFOWL**

The Board discussed the current ordinance on feeding water fowl. It was the consensus of the Board that if this becomes a problem then it will be brought back to the Board for further action. The Board said the Town needed to educate the public with proper signage and the dangers of feeding ducks.

**SKATING & GRAFFITI ON TOWN PROPERTY**

Town Attorney Jackson said if “Defacing Public Property” was already included in the Town Code of Ordinances this would include graffiti.

The Board discussed “no skating on town property” was already included in the current ordinance, but no fine. There was discussion that provisions were in the ordinance for penalties, Section 1-7 (a) and (f). Attorney Jackson and staff will review further.

Also, the board discussed hiring a park attendant and funds should be included in the upcoming budget. There was discussion of using sworn officers, private contractor, and/or employee of the town.

**2. DISCUSSION OF 2008-2009 FEE SCHEDULE, POLICE DEPARTMENT – NON TOWN SPONSORED EVENTS.**

The Board was distributed information of the 2008-2009 Fee Schedule with the current fees for the Police Department – Non Town Sponsored Events. Mayor Dees stated these fees were approved on June 16, 2008 by the Board. He said the approved fee schedule included a \$200 application fee but there was not an explanation of what the person received in return for this fee. Also, the current fee schedule included \$50.00 per hour for each officer used.

The Board discussed expenses incurred by the Town for these events – cost for clean-up, blocking streets with barricades.

Captain John Smith stated it was his understanding the \$200.00 application fee would help the Town pay for equipment used and the \$50.00 per hour was for the officer who worked the event. He further stated the \$50.00 was excessive and he recommended the current going rate of \$20.00 per hour. He also suggested a permit fee be based on anticipated crowd.

There was discussion concerning using off-duty officers for these special events and cost to the Town for overtime.

*After a lengthy discussion, Mayor Dees reported the 2008-2009 Fee Schedule shall remain effective until recommendations from the Police Department are received for consideration.*

**3. DISCUSSION NAMING POLICY FOR TOWN PROPERTY.**

The Board discussed the need for a Naming Policy for Town owned property.

*Following discussion, the Board appointed Commissioner Luther, Commissioner Collins, Town Manager Randy Beeman and Assistant Town Manager/Town Clerk Connie Spell to serve on a committee to review the policies from other cities/towns and bring a recommendation back to the board for consideration.*

**4. DISCUSSION AND FINANCIAL UPDATE –FINANCE DIRECTOR JEFF SALEEBY.**

Finance Director Jeff Saleeby reported the budget workshops need to be moved to the end of March. He said there was much work to be done and suggested scheduling the budget workshops for March 23<sup>rd</sup>, 24<sup>th</sup>, and 25<sup>th</sup>.

Mr. Saleeby said he had sent out RFP's for audit services for the next 3 years. He said the contract with Haigh, Byrd & Lambert had expired. He stated a proposal for audit services should be on the February 16<sup>th</sup> board agenda.

Mr. Saleeby briefly discussed the Cumberland County property tax revaluation coming up this year.

#### **5. DISCUSSION JULY 4<sup>TH</sup> FESTIVAL.**

Mayor Dees asked the board if they wanted to down size, scale back or discontinue the July 4<sup>th</sup> Festival. He said the fireworks for the festival are approximately \$20,000.00 to \$24,000.00. He said the town has a contract that stipulates the town would be required to pay 40% even if the town cancels the event.

Mayor Pro Tem Gorman said he felt the citizens would not like doing away with the festival and this was a quality of life issue.

Commissioner Warner said the town may want to expand what we are doing and encourage more vendors and charge for the vendors to set up.

There was discussion on the Town obtaining a sponsor to assist with the fireworks display and promote their business.

*It was consensus of the Board to continue the July 4<sup>th</sup> Festival and include in the budget discussions.*

#### **6. DISCUSSION FEE WAIVER FOR RECREATION CENTER.**

Mayor Dees said some of the individuals/groups that have requested a fee waiver to use the Recreation Center have not given the board very much notice. He said there had been discussion of requiring a 45 or 60 day notice.

There was discussion on the current ordinance *stating reservations may not be made longer than two months in advance.*

The Board suggested anyone who wanted to request a waiver of the fees should make the request at least thirty (30) days in advance. This would give the Board ample time to make a decision and vote on the waiver. Mayor Dees said this would require an ordinance change. *It was consensus of the Board to create an ordinance amendment and bring back to the board for consideration.*

There was a brief discussion of the organizations listed in the current ordinance that are allowed to use the center at no charge. The Town Attorney suggested the Board carefully review the organizations who receive the fee waivers. The Board agreed the list of organizations who do not pay is very lengthy and should be reviewed because the Parks & Recreation staff is very much involved with set-up, clean-up and the Recreation Center needed to pay for itself.

The Board discussed charging a \$100 deposit fee and/or a custodial fee for the individuals/groups who receive a waiver.

*Following a lengthy discussion Parks and Recreation Director Stan Braswell was asked to submit recommendations of a custodial fee for the board to consider; changing the days out you can reserve the recreation center and request a waiver; and review and update the list of civic organizations in the current ordinance who are allowed to use the center at no charge.*

#### **7. DISCUSSION CONCERNING SECURITY.**

Town Manager Randy Beeman briefly discussed monitoring the areas around the dam/spillway, pedestrian and vehicular bridge through some type of electronic device. Mr. Beeman asked if the board was interested in pursuing some type of security. He said he had looked at using the same type of camera system that was there during construction.

Mr. Beeman said there are different levels of security that could be researched if the board was interested. He said it was not only for protecting against vandalism, but it is also protecting the town if someone does goes onto the fish ladder there would be documentation that should help the town from the liability exposure.

The board briefly discussed coming up with an operational manual. Mr. Beeman said there is a policy in place but it is still being worked on.

*It was consensus of the Board for the Town Manager to obtain estimates for a security system for the dam/spillway and submit to the board.*

**8. DISCUSSION COMMERCIAL SANITATION AND SCHEDULE.**

Commissioner Collins stated the Town had discussed previously requiring a three (3) month deposit for commercial sanitation collection. *Finance Director reported he would implement and include in the Fee Schedule around the first of February.*

There was discussion concerning a four-day work week for the Sanitation Department. Mr. Beeman reported the department has staffing issues but the goal was to work toward this so that the vehicles would be out of operation for maintenance one day a week.

The Board discussed investigating recycling - pros and cons. Commissioner Warner stated this may help to save money for the Town and save the environment.

Mayor Dees reported the board had discussed previously concerning a four-day week but with the discussion of recycling this may not be possible or if it would be feasible.

Mayor Dees asked the board if they had any additional ideas on this matter to please let Mr. Beeman know.

**9. DISCUSSION TOWN COMMITTEES FOR 2009.**

The Board was distributed handouts of Applications for Appointment received for the various Town Committees. Mayor Dees requested the Board review the applications and the appointments would be made the first regular meeting in February. He asked Mrs. Spell to contact the current chairperson of each committee and remind them to contact their committee members to complete an application if they desire to be considered for re-appointment.

**10. ADJOURNMENT.**

Commissioner Luther made a motion to adjourn the meeting at 9:18 p.m., seconded by Commissioner Collins and carried unanimously.

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EDDIE DEES, MAYOR

ATTEST:

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Connie F. Spell  
Town Clerk