

TOWN OF RICHLANDS
NORTH CAROLINA

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The Richlands' Board of Alderman met in Regular Session Tuesday evening, October 11, 2011 at 6:00 pm at the Richlands Town Hall. Present for the meeting were:

McKinley Smith, Mayor ProTem
Fran Pierce, Alderman
Paul Conner, Alderman
Hans Jacobsen, Alderman
Tom Brown, Alderman

Also present for the meeting were:

Gregg Whitehead, Town Administrator
Keith Fountain, Town Attorney
Thomas Bennett, Chief of Police
Johnathan Jarman, Public Works Director
Dan Oliver, Progress Energy

Doug Lewis, Progress Energy
Trevor Normile, Advertiser News
Erin Juhls, Collections, Clerk

There were twelve (12) citizens present.

MEETING CALLED TO ORDER:

Mayor Pro Tem McKinley Smith called the meeting to order at 6:00 pm.

PLEDGE OF ALLEGIANCE:

Alderman Paul Conner

INVOCATION:

Alderman Hans Jacobsen

ADOPTION OF AGENDA:

A motion was made by Alderman Fran Pierce, seconded by Alderman Paul Conner to adopt the agenda as written. The motion was unanimously carried.

ADOPTION OF MINUTES:

A motion was made by Alderman Paul Conner, seconded by Alderman Fran Pierce to adopt the minutes of the Regular Board Meeting of September 13, 2011 and the minutes of the Closed Session Meeting on September 13, 2011. The motion was unanimously carried.

FRANCHISE RENEWAL WITH PROGRESS ENERGY (Second Reading):

In order to adopt the Franchise Ordinance between the Town of Richlands and Progress Energy the ordinance needs to be approved a second time by the Board. The first reading of the ordinance was approved by the Board on September 13, 2011. The Franchise ordinance allows Progress Energy to utilize the public right-of-way for the purposes of providing electrical services, transmission, etc. in the town. Mr. Dan Oliver and Mr. Doug Lewis with Progress Energy were present to answer any questions the Board had.

A motion was made by Alderman Tom Brown, seconded by Alderman Fran Pierce to approve the Franchise Ordinance with Progress Energy. The motion was unanimously carried.

LIBERTY CENTER MINISTRIES PROPERTY REQUEST (Help Building):

Mr. Whitehead informed the Board that Liberty Center Ministries is seeking to obtain the Help Building from the Town of Richlands and wants to continue to use the building for community outreach and provide access to the local AA membership as well as the Richlands Rotary and Richlands Ruritans. The town can deed real property to a non-governmental entity as long as the entity continues to utilize the structure for civic/public use. The town is also authorized by law to attach conditions and/or covenants that assure that the property will be put to a public use by the receiving entity.

After some discussion a motion was made by Alderman Tom Brown, seconded by Alderman Hans Jacobsen to have the Town Administrator and the Town Attorney proceed with negotiations on the AA Building with Liberty Center Ministries. The motion was unanimously carried.

DESIGNATION OF APPLICANT'S AGENT RESOLUTION:

Mr. Whitehead presented to the Board the resolution which is required in order for the town to be eligible to receive reimbursement for Hurricane Irene recovery costs from the State. The Board needs to designate a Primary Agent (Town Administrator) and a Secondary Agent (Town Clerk) to sign and submit the necessary recovery forms on behalf of the town.

A motion was made by Alderman Hans Jacobsen, seconded by Alderman Paul Conner to adopt the resolution to designate the Town Administrator as the Primary Agent and the Town Clerk as the Secondary Agent to sign and submit the necessary disaster recovery forms on behalf of the town. The motion was unanimously carried.

SIDEWALK FUNDING REQUEST (Resolution 2011-04)

Mr. Whitehead presented to the Board Resolution 2011-04. He informed the Board that the town has an excellent chance to receive NCDOT funding in order to construct a sidewalk from the intersection of Franck Street and Wilmington Street to NC 24/U.S. Highway 258 on the side of the Onslow County Museum and Library. Adopting the resolution will provide Board support for the project.

After a brief discussion, a motion was made by Alderman Paul Conner, seconded by Alderman Hans Jacobsen to adopt Resolution 2011-04. The motion was unanimously carried.

BOARD OF ADJUSTMENT RE-APPOINTMENT:

Mr. Whitehead informed the Board that the Zoning Board of Adjustment Alternate term for Mr. Jeff Clark (100 Henrian Street) has expired and that Mr. Clark has expressed his desire to remain on the Board of Adjustment as an Alternate.

A motion was made by Alderman Tom Brown, seconded by Alderman Paul Conner to re-appoint Mr. Jeff Clark to the Board of Adjustment as an Alternate for an additional three years. The motion was unanimously carried.

NCLM VOTING DELEGATE:

Mr. Whitehead informed the Board that they are required to designate an authorized voting delegate and alternate in order for the municipality to be qualified to vote during the League Business Meeting at the Annual NCLM Conference.

A motion was made by Alderman Fran Pierce, seconded by Alderman Tom Brown to designate Mr. Gregg Whitehead as an authorized voting delegate for the NCLM. The motion was unanimously carried.

ADMINISTRATOR NOTES AND UPDATES:

The Town Administrator, Gregg Whitehead presented a copy of notes and updates to the Board which are attached to these minutes. He also reported on the following:

- ▶ Work on the Community Building is progressing. The kitchen is being stripped tomorrow and the architect will be here as well to look over the work.
- ▶ With the November meeting of the Board of Alderman falling on Election Day, the Board may want to consider rescheduling the meeting to another date.

A motion was made by Alderman Tom Brown, seconded by Alderman Hans Jacobsen to move the November Board of Alderman meeting to Tuesday the 1st of November. The motion was unanimously carried.

POLICE REPORT:

Chief Thomas Bennett presented a copy of the Activity Report for September, 2011 to the board. A copy of the report is attached to these minutes.

PUBLIC COMMENT:

Ms. Anne-Marie Conner informed the board she was contacted by Huffman Vineyards and that they would like to set up a booth to sell their wine at the Richlands Street Fair on November 5, 2011. It was determined that they would be selling their wine on a DOT street and Mr. Whitehead stated that he would review the Town Ordinances.

Mr. Tom Brown spoke as a citizen of the Town to address a letter to the editor that was written after the last Board meeting. He expressed his concern with some of the information that was stated in the letter regarding the traveling of board members. The first thing he disagreed with is that the figures were inflated. He stated that he purposely asked the Town Clerk what the cost would be if everyone went to the meeting. He feels that it is not right to say that the numbers were inflated when in fact the numbers were less than what they would have been. He also stated that a statement was made in the letter that we go to learn how to approach things and about what we can and cannot do. He feels that as Board members if we do not know at this point what we can and cannot do then we are in trouble. Mr. Brown feels that while the meeting can be beneficial he has found in his 18 years of being a Board member there are very few things that are brought back to the town. Once in awhile a good idea is brought back but feels that these ideas can be brought back by the Mayor, Mayor Pro Tem or the Town Administrator. He noted that the statement was also made that at the time we do not have a Mayor and that if the Board can not go then one Board member should not be singled out to go. Mr. Brown stated that Mayor Pro Tem McKinley Smith has all the rights and functions of the Mayor even though he does not have the title of Mayor. He also noted that in the letter it said that it was their belief that some things are discussed between certain Board members before meetings and decisions are made then. Mr. Brown stated in his 18 years he has never seen a decision made outside of this Board room. He feels that since the letter was written about him and his agenda he would also like to encourage the citizens of Richlands to attend the meetings and makes no promises but just as he always has, he will do the best of his ability to represent the Town of Richlands and the best interest of all the people of Richlands.

Ms. Fran Pierce spoke in response to Mr. Brown and stated that she was the one that wrote the letter and stands by everything she wrote and that it was her opinion and will continue to voice her opinion. She did not write the letter directed to Alderman Brown and does not understand why he felt so. She also stated that she was elected to represent Richlands and has done her best and will continue to do her best.

Ms. Shirley Turner asked Alderman Brown why he felt the letter was directed to him. His response was how could it not be directed to him when it is concerning a motion that he made and the discussion that he had. She also asked him why if he feels that we should be represented at these meetings but then turns around and says that they do not bring much back to us. He replied that he stated that 2 people should represent and bring back any information that they feel would be beneficial to the Town of Richlands. He feels that the amount of information that does get brought back is not beneficial enough to spend six or seven thousand dollars for everyone to attend. Ms. Turner also questioned the amount that was estimated to attend the meeting for two people. Alderman Brown stated that the amount estimated was not for two people but for six. During Ms. Turner and Alderman Brown's discussion, Mayor Pro Tem McKinley Smith ended it calling time on the speaker.

BOARD MEMBERS CONCERNS:

Alderman Paul Conner: Would like to answer Ms. Turner, Alderman Pierce and Alderman Brown. Alderman Conner expressed that he felt like they were being called out in regards to the letter stating that certain things are discussed between Board members before meetings because there were only 4 of them present at the last Board meeting and a discussion took place between 3 of them. He stated that he has never made a spiteful decision and after the meeting last month and then reading the letter, it just hit him wrong and feels it not only hurts him but hurts everyone.

Mayor Pro Tem McKinley Smith: Was visited by two High School students last week regarding Operation Courtyard Cleanup Sweep. They would like to do a fundraiser to clean up and restore the senior courtyard located at Richlands High School. They would also like to contact local businesses for donations. Would like everyone to please help these students in any way they can.

PERSONNEL: No Concerns

ADJOURN:

There being no further business, a motion was made by Alderman Fran Pierce, seconded by Alderman Paul Conner to adjourn the meeting at 6:40 pm. The motion was unanimously carried.

Respectfully submitted,

Mayor Pro Tem McKinley Smith

Erin Juhls, Collections Clerk