

TOWN OF RICHLANDS
NORTH CAROLINA

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The Richlands Board of Aldermen met in Regular Session on Tuesday, December 13, 2011 at 6:00 pm at the Richlands Town Hall. Present for the meeting were:

Mayor Pro Tem McKinley Smith
Alderman Tom Brown
Alderman Hans Jacobsen
Alderman Paul Conner
Alderman Fran Pierce

Also present were:

Gregg Whitehead, Town Administrator	Johnathan Jarman, Public Works Director
Thomas Bennett, Chief of Police	Doreen Putney, Town Clerk
Keith Fountain, Town Attorney	Erin Juhls, Collections Clerk
Trevor Normile, Duplin Times	Steven Myers, Onslow County Schools
The Honorable Paul A. Hardison, District Court Judge	

There were 55 citizens present

MEETING CALLED TO ORDER:

Mayor Pro Tem McKinley Smith called the meeting to order at 6:07 pm.

PLEDGE OF ALLEGIANCE: Alderman Tom Brown

INVOCATION: Mayor Pro Tem McKinley D. Smith

ADOPTION OF AGENDA:

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

ADOPTION OF MINUTES of November 01, 2011:

A **motion** was made by Alderman Tom Brown, seconded by Alderman Fran Pierce to approve the Regular Board Meeting Minutes of November 01, 2011. The motion was unanimously carried.

ADJOURN:

A **motion** was made by Alderman Fran Pierce, seconded by Alderman Tom Brown to adjourn the meeting at 6:10 pm. The motion was unanimously carried.

SWEARING IN OF NEWLY ELECTED OFFICIALS:

The Honorable Paul A. Hardison, District Court Judge administered The Oaths of Office for the incoming Mayor and Alderman. The Officials sworn in were:

McKinley D. Smith, Mayor
Tom Brown, Alderman
Robert J. Willems, Alderman
Paul Conner, Alderman
Kent Painter, Alderman
Kandy L. Koonce, Alderman

RECEPTION:

A small reception was held for the newly elected officials and their families.

MEETING CALLED TO ORDER:

Mayor Smith called the meeting to order at 6:42 pm.

APPOINTMENTS OF TOWN ADMINISTRATOR, TOWN CLERK AND TOWN ATTORNEY:

A **motion** was made by Alderman Tom Brown, seconded by Alderman Kandy L. Koonce to appoint Gregg Whitehead as Town Administrator. The motion was unanimously carried.

A **motion** was made by Alderman Tom Brown, seconded by Alderman Paul Conner to appoint Keith Fountain as Town Attorney. The motion was unanimously carried.

A **motion** was made by Alderman Paul Conner, seconded by Alderman Tom Brown to appoint Doreen Putney as Town Clerk. The motion was unanimously carried.

MAYORAL COMMITTEE APPOINTMENTS:

Mayor Smith made his appointments as follows:

Public Safety Committee: Alderman Tom Brown and Alderman Kent Painter
Public Works Committee: Alderman Kandy L. Koonce and Alderman Rob Willems
Finance Committee: Alderman Paul Conner

NOMINATION AND APPOINTMENT OF MAYOR PRO TEMPORE:

Town Attorney, Keith Fountain, presided over the appointment of the Mayor Pro Tempore by ballot if needed.

A motion was made by Alderman Tom Brown, seconded by Alderman Kandy L. Koonce to nominate and appoint Alderman Kent Painter as Mayor Pro Tempore. The motion was unanimously carried. No ballot was needed.

PUBLIC HEARING (Zoning Map Amendment Ordinance 2011-05) 137 Koonce Fork Rd.:

Mayor Smith opened the meeting to hear public comment on a proposed change to the Richlands zoning map designating tax parcel 44-47.2 located at 137 Koonce Fork Rd as HB Highway Business from R-10 Residential.

With no comments from the public, Mayor Smith declared the Public Hearing Closed.

ZONING MAP AMENDMENT ORDINANCE 2011-05:

With the required public hearing being held, the Board deliberated on the request to change Tax Parcel 44-47.2/137 Koonce Fork Rd. from R-10 Residential to a HB Highway Business.

A motion was made by Alderman Tom Brown, seconded by Alderman Kent Painter to approve Zoning Map Amendment Ordinance 2011-05. The motion was unanimously carried.

ONslow COUNTY SCHOOLS PRESENTATION by Mr. Steven Myers:

Mr. Myers, Assistant Superintendent for Auxiliary & Information Systems, presented to the Board information on student population, growth and enrollment data for school in Onslow County particularly Richlands Schools and what is in the works to address current and future needs. Mr. Myers provided a print out of the presentation for the Board to follow. Mr. Myers answered questions presented to him by the Board.

There was no action needed or taken by the Board.

PARADE PERMIT ORDINANCE REVIEW:

Town Attorney, Keith Fountain, reported that the Board may want to consider a temporary suspension of the Parade and Demonstrations section of the Richlands Code of Ordinances, Title 6, Chapter 2, Article C in order to review the constitutionality of the current ordinance language. Certain groups are targeting the constitutionality of municipal parade and assembly permit ordinances and a temporary suspension will allow for the board to review the ordinance. This will limit the town's exposure to potential liability.

After a brief discussion by the Board a **motion** was made by Alderman Tom Brown, seconded by Alderman Kent Painter to temporarily suspend the Parade Demonstrations section of the Richlands Code of Ordinance Title 6, Chapter 2, Article C. The motion was unanimously carried.

NCDOT SIDEWALK AGREEMENT:

Town Administrator, Gregg Whitehead, presented to the Board the formal Sidewalk Agreement between the Town of Richlands and NCDOT authorizing the use of \$50,000 in NCDOT Sidewalk Enhancement Grant Funds to be used to construct a sidewalk along S. Wilmington St.

to Franck St. Alderman Paul Conner requested for the Town Administrator to investigate also stripping a crosswalk if there are any funds left over.

After discussion from the Board, **a motion** was made by Alderman Kent Painter, seconded by Alderman Paul Conner to approve the NCDOT Sidewalk Agreement between the Town of Richlands and NCDOT. The motion was unanimously carried.

RESOLUTION OF SUPPORT 2011-05:

Mayor Smith presented to the Board Resolution 2011-05 thanking the Onslow County Board of Commissioners for Hurricane Irene Recovery Support.

A motion was made by Alderman Tom Brown, seconded by Alderman Kandy L. Koonce, to approve Resolution 2011-05. The motion was unanimously carried.

BUDGET AMENDMENTS #1 & #2:

Gregg Whitehead explained to the Board Budget Amendments #1 and #2 for FY 2011/2012. These are unbudgeted revenues and expenditures that occurred due to Hurricane Irene debris clean-up activities. Amendment #1 covers FEMA revenues and expenditures for the collection and debris removal. Amendment #2 covers FEMA revenues and expenditures for emergency response overtime costs.

A motion was made by Alderman Tom Brown, seconded by Alderman Kent Painter to approve Budget Amendments #1 and #2 for FY 2011/2012. 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:

- Announced that the Essentials of Municipal Government for newly elected officials is being offered in five different locations. This will include the required ethics training that all elected and re-elected officials are to obtain within the first 12 months of office. Mr. Whitehead suggested either the Greenville class or the Wilmington Class. The Board members are to let the Town Clerk know which session they would prefer to attend.
- Gave an update on the NCDOT street paving project and the funding issues. Mr. Whitehead will investigate the difference between a bank note vs. loans vs. bonds and will report at the next meeting.

POLICE REPORT:

Chief Thomas Bennett presented a copy of the Activity Report for November 2011 to the Board. A copy of the report is attached to these minutes. Chief Bennett also reported on the following:

- Reported that early Friday morning around 1:00 am, Officer Davis observed a vehicle parked in front of Main Moon restaurant, the front glass was broken to the building and a

robbery was in progress. The suspect attempted to drive away and run down the police officer. The officer shot out the tires on the suspect vehicle. Suspect drove down Hwy 258, crashing into a ditch and got away, however, after investigation, the suspect was apprehended in Raleigh that evening. There were no injuries to Officer Davis.

PUBLIC COMMENT: None

BOARD MEMBERS CONCERNS:

Alderman Tom Brown: “Campers” have come into town and taken residence in tents. Can we look into our ordinances regarding a vagrant/homeless policy? Also, he has been approached by a couple of citizens regarding dog waste in Venters Park. Can we also look into an ordinance regarding not allowing pets in the park?

Alderman Rob Willems: Expressed his pleasure for being on the Board.

Alderman Paul Conner: Welcomed the new board officials. Stated that this years’ Christmas parade was awesome. Also remarked that this years’ street fair was a huge success.

Alderman Kent Painter: No concerns at this time.

Alderman KandyL. Koonce: No concerns at this time.

Mayor McKinley D. Smith: No concerns at this time

PERSONNEL: None

ADJOURN:

With no further business, **a motion** was made by Alderman Tom Brown, seconded by Alderman Kent Painter to adjourn the meeting at 7:59 pm. The motion was unanimously carried.

Respectfully Submitted,

Mayor McKinley D. Smith

Doreen Putney, Town Clerk