

**TOWN OF GARLAND
EMERGENCY MEETING
OF THE BOARD OF COMMISSIONERS
THURSDAY, OCTOBER 12, 2017
6:30 PM**

The emergency meeting of the Board of Commissioners of the Town of Garland was held at the Garland Town Hall in Garland, N.C. on Thursday, October 12, 2017 at 6:30 pm.

The following members of the Board of Commissioners were present:

**Haywood Johnson
Ralph Smith
S. J. Smith
Lee Carberry**

The following member of the Board of Commissioners was absent:

Carolyn Melvin

ADMINISTRATIVE

Mayor Winifred Murphy called the meeting to order at 6:30 pm and thanked everyone in attendance for coming out to the meeting. Town Clerk, Pamela Cashwell, was present serving as clerk recording notes for the minutes.

QUORUM

Mayor Winifred Murphy and Clerk Pamela Cashwell established there was a quorum present.

APPROVAL OF AGENDA

Mayor Murphy requested to move item five to item three. Mayor Pro Tem Haywood Johnson made a motion to approve the agenda with the requested amendment, seconded by Commissioner Ralph Smith and carried unanimously.

DANGEROUS BREED OF DOGS ON TOWN PROPERTY

Mayor Murphy stated at the last meeting she informed the Board of two pit bulls being housed in a pen on town property which was authorized by Commissioner Ralph Smith. Mayor Murphy stated when she noticed the dogs, Commissioner Ralph Smith indicated he saw no problem and she stated she asked twice if this shouldn't be a Board decision and he said to bring it to the Board so the Board could decide. She stated she talked to the Board about liability and insurance issues and the Attorney advised against the dogs being on town property, advised another location and also advised to check with the insurance company. She said all Board members felt it was okay to leave the dogs and no action was taken even though the Attorney advised that they should not be there. She said the following day she went by the shop around 2:45 pm which was yesterday and she stepped into the door that she didn't go inside the shop and within just a few couple of minutes both dogs were running from the front part of the shop and barking toward me in lightning speed and attack mode and surrounded me on both sides. Mayor Murphy then said "So I ask you at this time do you still

plan to take no action as a Board on the dangerous breed of dog, two pit bulls on town property who could physically assault anyone, me, children, anyone in the area, DOT workers that might be going in there? Are your feelings the same on this issue”? Commissioner S. J. Smith stated we said we were going to give him a couple of days then he would have to move them. Commissioner Ralph Smith made a motion that we do not have no dogs unless they're dogs we catch in traps on town property seconded by Mayor Pro Tem Haywood Johnson and carried unanimously. Mayor Murphy stated she would like to say because she was in a panic mode, her husband has been falsely accused and she holds this Board responsible for personal liability for this incident. Commissioner S. J. Smith stated it's not our fault. Commissioner Ralph Smith stated wait a minute Mayor, I think that would have to come under our and Mayor Murphy interjected, I'm talking about the Board now not, but I just want you to know I have a \$300.00 estimate for my truck and there might be some other expenses that are related so that's all I will say about that. Mayor Pro Tem Johnson said “hold, hold, what happened”? Mayor Murphy replied “I'll talk about that later but that's all I can say at this point”.

CLOSED SESSION

Commissioner Ralph Smith made a motion to enter into closed session at 6:35 pm pursuant to *G.S. 143-318.11-(6)* Personnel and (3) Attorney/Client Privilege, seconded by Commissioner S. J. Smith and carried unanimously. Clerk Cashwell exited closed session and turned off the recorder as advised by the Board.

OPEN SESSION

Open session called to order at 7:11 pm by Mayor Murphy. No action taken in closed session except confidential employee information.

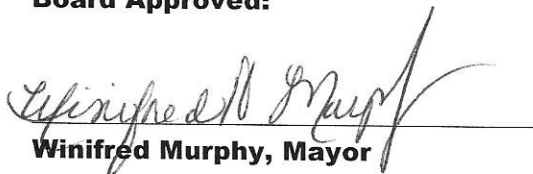
ADJOURNMENT

Commissioner Ralph Smith made a motion to adjourn the meeting at 7:12 pm, seconded by Mayor Pro Tem Haywood Johnson and carried unanimously. Meeting adjourned at 7:12 p.m.



Pamela Cashwell, Town Clerk/Finance Officer

Board Approved:


Winifred Murphy, Mayor