

TOWN OF GARLAND
REGULAR MEETING OF THE BOARD OF COMMISSIONERS
TUESDAY, April 4, 2023
6:30 PM

The Regular Meeting of the Board of Commissioners of the Town of Garland was held at the Garland Town Hall in Garland, N.C. on Tuesday, April 7, 2023, at 6:30 pm.

The following members of the Board of Commissioners were present:

Mayor Pro Tem Carolyn R. Melvin
Commissioner Jo A. Strickland
Commissioner Barbara A. Peterson
Commissioner Ralph Smith, Jr.

Also present: Mayor Austin Brown, Town Clerk Jennifer Gray, Haley Hogg, Kimberly Moffett, and Tony Porter with the Mid Carolina Council of Government, Wendy Taylor and Bob Graczyk.

CALL TO ORDER

Mayor Austin Brown called the meeting to order at 6:30 pm and welcomed everyone in attendance. Town Clerk, Jennifer Gray, was present and recorded notes for the minutes.

PLEDGE OF ALLEGIANCE

Mayor Austin Brown led everyone in the pledge of allegiance.

INVOCATION

Ms. Carolyn Melvin offered the invocation.

QUORUM

Mayor Austin Brown and Clerk Jennifer Gray established there was a quorum present.

APPROVAL OF AGENDA

Mayor Brown requested board members review the agenda for approval. It was requested that the following items be added/changed on the agenda.

- ❖ Buildings: Concession Stand Update Mayor Austin Brown
- ❖ Water & Sewer: Courtesy calls to customers before cut-off and reconnect time
- ❖ Manufactured Home Ordinance update: Scratched from the agenda per Commissioner Ralph Smith's request

Commissioner Ralph Smith made a motion to approve the agenda with said changes, seconded by Mayor Pro-Tem and the motion carried unanimously.

PUBLIC HEARING

Mayor Austin Brown opened the Public Hearing for SUP 23-01 Garland Airport Rd Special Use Permit. Town Clerk Jennifer Gray issued testimony oath to Haley Hogg with the Mid-Carolina Council of Government for the Town of Garland and Karen Fryar, landowner and Special Use Permit Applicant. Each party presented the findings of facts.

Commissioner Ralph Smith made a motion to approve SUP 23-01 Garland Airport Road Special Use Permit with the following conditions. The motion was seconded by Commissioner Peterson and the motion was carried unanimously.

1. The applicant shall obtain the required NCDOT Driveway permit prior to commencement of construction.
2. The applicant shall obtain and provide to the Town a copy of the approved Septic Permit issued by Sampson County Environmental Health.
3. Prior to commencement of construction, the applicant shall obtain all necessary building permits from Sampson County and other outside agencies.
4. The building and parking design shall be required to meet all ADA requirements, which will be reviewed and approved by Sampson County. Paved access to the building from the Handicap space shall be provided.
5. To protect the residential character of the area and surrounding properties, no outdoor storage shall be permitted on the subject property. All items/goods associated with the retail establishment shall be located entirely within the primary structure.
6. Prior to issuance of a Certificate of Occupancy and retail operations beginning on the subject property, the applicant shall install all site improvements in accordance with the site plan approved that meets all conditions of approval of this Special Use Permit. The applicant shall notify the Town of Garland when site improvements are installed so that the Zoning Administrator can perform a final site inspection to ensure compliance with the approved site plan. If site elements are not installed according to the approved plan and conditions, a Certificate of Occupancy will not be issued until all site elements are installed according to the plan.
7. To ensure safe access for two-way vehicular traffic, the driveway should be a minimum 20' width to adequately accommodate two vehicles. The parking lot aisle shall be extended to 20' as well to accommodate two-way traffic internal to the site.
8. This Special Use Permit is issued for the use of Retail only. Any change of use to the property is subject to the requirements outlined in the Town of Garland Unified Development Ordinance.

PUBLIC COMMENT

Town Clerk Gray provided the board with a statement prepared by Deputy Clerk Harper regarding the Rita Koehler account. Ms. Koehler moved some time ago; she has not been to the Town Hall to close out the water account. Mr. Koehler and the children still reside in the home. Deputy Clerk Harper has made several attempts to contact Mr. and Mrs. Koehler about the water account. The board instructed Town Clerk Gray to try to make contact with the parties involved to resolve the deposit issue and report back at the next board meeting.

Town Clerk Gray provided the board with a statement prepared by Deputy Clerk Harper regarding the Erica Wynn account. The water meter transmitter wire was cut after the water was disconnected for non-payment. Commissioner Jo Strickland made a motion to add a tampering fee of \$500.00 and the cost of the transmitter of \$42.00 to the account of Erica Wynn. The motion was seconded by Commissioner Ralph Smith, and it was carried unanimously.

COMMISSIONER REPORTS

FINANCE

Credit Card Purchases: One charge for the Adobe Pro

BVA & A.P. Check Listing: Clerk Gray provided the listing for both.

Property Tax Information: Collection Fees for the town are based on a percentage of the assessed taxes. Personal and real property incurs a 2% collection fee on the assessed tax. Vehicle tax assessed incurs a 1½% collection fee. According to Sampson County Finance Director David Clack the collection percentage is the same rate that was set when the contract for collection was originally signed. It is unknown at this time if the fee will increase. This is something that is voted on by the Sampson County Board. When a piece of property in Garland is foreclosed upon for taxes, the starting bid on that property is for the taxes owed. If the property is sold for more than the taxes owed, the proceeds are paid to the Sampson County Clerk of Court for the owner to collect. If the property owner does not collect the proceeds, it is then turned over to the State Treasurers Office as unclaimed funds. Sampson County does not keep any proceeds from the property sale.

Budget/Spending Water/Sewer Fund: Clerk Gray addressed the board regarding the payment for pump repairs from Pearson Pump Sales. It was determined that the pump repair funds were included in the Capital Outlay account.

Budget Amendment 22-23-04: Commissioner Haywood Johnson made a motion to accept Budget Amendment 22-23-04 as presented. Commissioner Barbara Peterson seconded the motion, and it was carried unanimously.

Bank Reconciliations: Clerk Gray informed the Board that the Bank Reconciliations were completed through February, the only reconciliation outstanding is March 2023.

BUILDINGS/CEMETERY

Commissioner Peterson spoke to Tim Dudley on April 3, 2023 after visiting the cemetery. Commissioner Peterson will contact Mr. Dudley on April 5, 2023 to instruct him to move forward with the cemetery rock project for the driveways.

Commissioner Peterson and Commissioner Strickland met with Ms. Fisher of Fisher Daycare about the lease on the former ABC Store Property and former Head Start Building. It was discussed that the properties would not be suitable to lease due to the size of the ABC Store Building and Head Start Building repairs that would need to be brought up to code. This matter has been tabled until the next meeting.

Commissioner Strickland addressed the board about the need for an A/C vent in the computer storage closet. This was included in the installation of the new A/C unit that was previously installed by Terry Long Electrical. Clerk Gray was instructed to contact Terry Long Electrical about getting the vent installed.

Commissioner Strickland gave an update on the use of the Concession Stand Building.

Commissioner Strickland addressed the need for the bay door in the maintenance shop at town hall to be repaired. Commissioner Smith stated he would get with PW Boone about the repair.

PARKS AND RECREATION

Nothing to Report

STREETS

Commissioner Smith gave an update on the water leak on Belgrade Ave. The sink hole in the parking lot of Garland Tire and Auto was discussed and need for repairs and funding.

PUBLIC WORKS – WATER/SEWER/GARBAGE

Commissioner Smith gave an update on the backhoe repair.

Commissioner Smith brought to the board the need to contact citizens prior to their water being disconnected for non-payment. Commissioner Smith made a motion to contact citizens prior to water disconnection. The motion was seconded by Commissioner Johnson. The motion was carried with four votes by Commissioner Barbara Peterson, Mayor Pro-Tem Carolyn Melvin and Commissioner Ralph Smith Jr., Commissioner Haywood Johnson and one vote nay by Commissioner Jo Strickland.

Commissioner Smith made a motion to abolish the 3:30 cut on time with businesses having priority. Commissioner Johnson seconded the motion, and it was carried four to one. The motion was carried with four votes by Commissioner Barbara Peterson, Mayor Pro-Tem Carolyn Melvin and Commissioner Ralph Smith Jr., Commissioner Haywood Johnson and one vote nay by Commissioner Jo Strickland.

Leaf and Limb pick-up was tabled until the next regular board meeting.

SAFETY – Commissioner Strickland reported that the deputies who are patrolling town are doing a good job and that she is satisfied.

Commissioner Strickland gave an update on criminal activity in the town.

OLD BUSINESS

Commissioner Peterson made a motion to approve Resolution #2023-06 Resolution Authorizing Sampson County Tax Collection. The motion was seconded by Mayor Pro-Tem Carolyn Melvin and the motion was carried unanimously.

NEW BUSINESS

Commissioner Smith stated that there were too many keys floating around, to the Town Hall. There was discussion about the deputies having access to the building for restroom use and time clock use. Commissioner Smith stated that the deputies will turn in their keys and use a paper time sheet to record their hours and find other restroom facilities to use. Commissioner Smith made a motion to re-key the Town Hall and have four keys cut. One for Mayor Brown, one for Mayor Pro-Tem Melvin, one for Deputy Clerk Harper and one for Town Clerk Gray. Commissioner Johnson seconded the motion. The motion was carried with four votes by Commissioner Barbara Peterson, Mayor Pro-Tem Carolyn Melvin and Commissioner Ralph Smith Jr., Commissioner Haywood Johnson and one vote nay by Commissioner Jo Strickland.

Commissioner Smith stated no-one should have access to the Town Hall security cameras with the exception of the Mayor and Mayor Pro-Tem. Commissioner Smith made a motion to grant access to the security system to the Mayor and Mayor-Pro Tem only. Commissioner Johnson seconded the motion. The motion was carried with four votes by Commissioner Barbara

Peterson, Mayor Pro-Tem Carolyn Melvin and Commissioner Ralph Smith Jr., Commissioner Haywood Johnson and one vote nay by Commissioner Jo Strickland.

Mid Carolina Council of Government Kimberly Moffett addressed the board regarding the Town of Garland Code of Ordinance. The Code of Ordinance is in desperate need of updating. Commissioner Smith made a motion to allow the Mid Carolina COG to update the Town of Garland Ordinances in house. Commissioner Peterson seconded the motion, and it was carried unanimously.

Town Clerk Gray addressed the board about staff T-shirts. Commissioner Johnson requested this be tabled.

The board discussed a budget meeting for budget year '23-'24. Commissioner Haywood Johnson made a motion to schedule a budget meeting for April 18th, 2023 at 6:30 at the Garland Town Hall. The motion was seconded by Commissioner Smith. The motion was carried unanimously.

Commissioner Smith stated that no-one should be able to contact the town attorney with the exception of the Mayor and in the absence of the mayor, the Mayor Pro-Tem would be able to. Commissioner Smith made the motion that no-one will be able to contact the attorney unless it is the mayor or mayor pro-Tem. There was discussion as to the legality of this motion. The motion was seconded by Commissioner Johnson. The motion was carried with four votes by Commissioner Barbara Peterson, Mayor Pro-Tem Carolyn Melvin and Commissioner Ralph Smith Jr., Commissioner Haywood Johnson and one vote nay by Commissioner Jo Strickland.

Mid Carolina COG Code Enforcement Officer acting on behalf of the Town of Garland gave an update on the progress of the code enforcement cases in the Town of Garland. There was discussion by the board of the cases presented. Mr. Porter answered the questions presented to him. Commissioner Strickland made a motion to allow Mr. Porter to continue code enforcement for the Town of Garland. The motion dies for lack of a second.

MINUTES APPROVAL

Regular Meeting – March 7, 2023

Commissioner Smith made a motion to adopt the minutes as presented, seconded by Commissioner Peterson, and the motion was carried unanimously.

CALENDAR OF EVENTS/ANNOUNCEMENTS/CONDOLENCES

Condolences: The Town of Garland sends our sincerest condolences to all of those who have recently lost loved ones.

Regular Board Meeting – May 2, 2023 at 6:30 pm

ADJOURNMENT

With there being nothing further to discuss, Commissioner Ralph Smith made a motion to adjourn, Commissioner Johnson seconded the motion. The motion carried unanimously. The meeting was adjourned at 7:59 pm.

Duly adopted this the 2nd day of May, 2023 while in regular session.

Carolyn Melvin
Carolyn Melvin, Mayor Pro - Tem

ATTEST:

Jennifer Gray
Jennifer Gray
Town Clerk/Finance Officer

