

1 **Town of Pleasant Garden**  
2 February 18, 2008  
3 Kirkman Municipal Building

4  
5 **Minutes**  
6 Special Called Town Council Meeting on Soccer  
7

8 **In attendance**

9 Mayor Anne Hice  
10 Councilwoman Chris Johnson  
11 Mayor Pro Tem Nancy Jo Smith  
12 Councilman Rick Wallace  
13 Councilman Bob Wyrick  
14

15 **Also in attendance**

16 Sandy Carmany / Interim Town Clerk  
17 Don Vaughan / Town Attorney  
18 Lynn Willis / *Pleasant Garden Post*  
19

20 **Audience**

21 30 +  
22

23 Mayor Hice called the meeting to order at 4:30pm.  
24

25 Councilman Wallace delivered the invocation.  
26

27 Mayor Hice led the Pledge of Allegiance.  
28

29 **Roll Call**

30 Interim Town Clerk Carmany called the roll and all members were in attendance. A quorum was  
31 present.  
32

33 **Approval of Agenda**

34 **MOVED by Mayor Hice to add the following items on the proposed meeting agenda: Add “Time**  
35 **line” and Employment of Soccer Commissioner’ under Item A, add “Code of Ordinances 32.10 –**  
36 **32.12 is authority not website” under Item B, and Code of Ordinances 30.16 under Item C,**  
37 **seconded by Mayor Pro Tem Smith. APPROVED, 5-0.**  
38

39 **MOVED by Councilman Wyrick to add a public comment period as Agenda Item #5 and**  
40 **renumber the remaining items following it on the agenda. APPROVED, 5-0.**  
41

42 **New Business**

43 *A. Town Soccer Program:* Mayor Hice presented a packet of materials (*copy attached*) that included a  
44 time line in an attempt to put things into perspective. Councilman Wyrick asked what all this had to do  
45 with soccer, and Mayor Hice responded that would become evident as the council went through the  
46 materials. Mayor Hice outlined perceived problems on how the soccer program affects the operation  
47 of Town Hall and actions that have been taken to correct those problems including changes to the locks  
48 and security system, outfitting the Training Room for use by the soccer program, donation of a laptop

1 computer and lockable steel file cabinet, moving a telephone into the soccer office, and creating  
2 procedures for making copies. She noted the hiring of Brent Lewis as the Soccer Commissioner, the  
3 timing of the resignations of the Town Administrator/Clerk and Assistant Clerk, and the hiring of Kim  
4 Payne to cover the financial duties; the Interim Town Clerk has a full schedule between this date and  
5 the end of March. Mayor Hice asked if Mr. Lewis is a Town employee; records show a hire date of  
6 November 26, 2007 with gross pay of \$1,067 in December and a W-2 provided to Mr. Lewis for tax  
7 purposes.  
8

9 Mayor Pro Tem Smith asked Councilman Wallace to shed some light on the situation. Councilman  
10 Wallace responded that money was budgeted as a stipend for compensation of Mr. Lewis' time. The  
11 W-2 was for simplification for taxes and simplicity of record keeping. Town Attorney Vaughan stated  
12 that if Mr. Lewis received his check through PayChex and taxes were taken out, he is an employee of  
13 the Town, not an independent contractor. Mayor Hice noted that according to the NCLM that handles  
14 the Town's Workers' Compensation program, Mr. Lewis is covered; Councilman Wallace responded  
15 that former Administrator/Clerk Schrieber put Workers' Compensation coverage on the position, not  
16 the person. Councilman Wyrick said this came up at the January Town Council meeting through the  
17 financial information provided by Kim Payne.  
18

19 Mayor Pro Tem Smith asked if it has been the policy in the past for one person to make employment  
20 decisions or must the whole council make the decision? Councilman Wallace responded that the  
21 person was "pre-employed" with the authorization of the stipend in the adopted budget and payment  
22 was to be executed with the fall soccer season. Councilman Wyrick stated that everyone has known  
23 since July that the position was funded. Mayor Hice asked if a job description was added to the  
24 Personnel Policy; Mayor Pro Tem Smith noted that there is not a definition for "Part-time Season  
25 Employee" in the policy.  
26

27 **MOVED by Mayor Pro Tem Smith to add the category of "Part-time Seasonal Employee" to the**  
28 **Personnel Policy and to prepare a job description using the list submitted by Mr. Lewis as the**  
29 **basis for that description.** Mayor Hice suggested that the Clerk check with NCLM to see if he is  
30 covered by Workers' Compensation; Town Attorney Vaughan said a person's private insurance would  
31 pay for injuries if the person does not have Workers' Compensation. Councilman Wyrick said if we  
32 are going to add the category, what are the responsibilities and obligations? "Stipend" should be  
33 changed to "salary" and may not be a sufficient amount. Mayor Pro Tem Smith clarified she was  
34 asking that the Town Council prepare a policy, not adopt it at this point although both the policy and  
35 the job description are needed. Town Attorney Vaughan volunteered to word the definitions of "part-  
36 time" and "seasonal" in response to a question from Councilman Wallace.  
37

38 Mayor Pro Tem Smith offered to **SPLIT HER MOTION INTO TWO SEPARATE PARTS.**  
39

40 **MOVED by Mayor Pro Tem Smith to add the category of "Part-time Seasonal Employee" to the**  
41 **Personnel Policy**, seconded by Councilwoman Johnson. **APPROVED, 3-2.** (*Yes – Hice, Johnson,*  
42 *Smith; No – Wallace, Wyrick*) [*Part 1 of the original motion only*]  
43

44 **MOVED by Mayor Pro Tem Smith to prepare a job description of soccer commissioner using**  
45 **the list submitted by Mr. Lewis as the basis for that description**, seconded by Mayor Hice. [*Part 2*  
46 *of the original motion*] Councilman Wyrick stated that the Town has great volunteers and he is not  
47 sure this needs to be a paid position. He asked to hear from Mr. Lewis.  
48

1 *Brent Lewis of 6012 Dehaven Road* said he originally accepted the stipend to cover some of his  
2 expenses, including a \$400 cell phone bill, and it was never intended to be a salary. He does not  
3 volunteer for the money and he wants the stipend rescinded and submit reimbursable expenses instead.  
4 Mayor Pro Tem Smith interjected that “stipend” implies “payroll” and that she has talked with Acting  
5 Finance Officer Kim Payne to create an expense category in the budget. Mr. Lewis reiterated that all  
6 he wants is to be reimbursed for expenses and does not want to be a seasonal employee. Mayor Hice  
7 noted that the cell phone bill was reimbursed and subtracted from the stipend; “reimbursement” equals  
8 “receipts.” Further discussion between Mr. Lewis and councilmembers clarified what some of his  
9 expenses have been in the past, that the Finance Officer could make the necessary adjustments to  
10 create a line item in the budget for reimbursable soccer expenses, that approximately half the stipend  
11 of \$3,000 should be sufficient to cover those expenses, and that action was needed in the 2007-08  
12 budget to cover those expenses during the spring soccer season. Mr. Lewis noted that dropping the  
13 employee status for the Soccer Commissioner would also solve the conflict of interest problem with  
14 the Recreation Board, and he wished to remain as a volunteer, not an employee. Mayor Pro Tem  
15 Smith stated she understood Mr. Lewis, but the job description was still needed so everyone would  
16 know the details of the Soccer Commissioner’s duties. This action would not create a position or hire  
17 anyone.

18  
19 **Action on Mayor Pro Tem Smith’s motion** to prepare a job description of soccer commissioner  
20 using the list submitted by Mr. Lewis as the basis for that description): **APPROVED, 3-2** (*Yes – Hice,*  
21 *Johnson, Smith; No – Wallace, Wyrick*)

22  
23 *B. Recreation Board Duties as to Soccer Program:* Mayor Hice noted the discrepancies between  
24 sections 32.10-32.12 of the Code of Ordinances and the description of the Recreation Board’s duties  
25 found on the Town’s website. She asked if we are to follow the ordinances, and Town Attorney  
26 Vaughan responded “Yes.” Mayor Hice said soccer is not mentioned in the Town’s ordinances.  
27 Councilman Wyrick asked if the soccer program reports to the Recreation Board. Mayor Pro Tem  
28 Smith stated the website is not up to date; references to the use of the building was removed from the  
29 Ordinances during the 2006 rewrite. Councilman Wyrick asked if she was saying that soccer is not  
30 under the Recreation Board, and Mayor Pro Tem Smith responded that it is not defined in the  
31 Ordinances. Town Attorney Vaughan suggested a motion be made to clarify this.

32  
33 **MOVED by Councilman Wyrick to clearly state in the Town Ordinances or wherever necessary**  
34 **that the Soccer Program in its entirety falls under the guidance and direction of the Recreation**  
35 **Board, seconded by Councilman Wallace.** Mayor Pro Tem Smith read from Section 32.11 of the  
36 Code of Ordinances that Town Board’s recommendations must be approved by the Town Council.  
37 Councilman Wyrick asked if that includes new programs and processes and Mayor Hice responded this  
38 is covered in Section 32.10 of the Ordinance. Further discussion focused on where in the Ordinance  
39 this should be placed, the role of Town Boards in relation to the Town Council, and the process for  
40 changing the Code of Ordinance that includes public hearings.

41  
42 Councilman Wyrick accepted a friendly amendment from Councilman Wallace to change the wording  
43 of his original motion stated above.

44  
45 **MOVED by Councilman Wyrick that the Recreation Board will supervise the Soccer Program,**  
46 **seconded by Councilman Wallace.** Mayor Hice stated that policy is being written now and  
47 Councilman Wyrick asked if that is proper. Town Attorney Vaughan responded that it can be done  
48 and that the Clerk be directed to draft it. **APPROVED, 5-0.**

1 Councilwoman Johnson requested a five-minute recess to cancel her participation in a conference call.  
2  
3 Mayor Hice recessed the meeting at 5:37pm.  
4  
5 Mayor Hice called the meeting back to order at 5:43pm.  
6  
7 Councilwoman Johnson explained that no one checked to see if she had prior commitments when this  
8 meeting was scheduled and she had this previously scheduled conference call she had to take. She  
9 asked that she be informed the next time. Councilman Wallace asked Interim Town Clerk Carmany if  
10 the legal requirements of law were followed in setting and advertising this meeting, and she responded  
11 “yes.” Mayor Hice said it was common courtesy to check with other councilmembers. Councilman  
12 Wyrick stated the reason the meeting was called was due to the Mayor’s summoning of Mr. Lewis to  
13 the attorney’s office this afternoon; there must have been a serious problem that needed all  
14 councilmembers’ attention. Town Attorney Vaughan stated he suggested the meeting, not the Mayor.  
15 Councilman Wyrick said all councilmembers should have been informed of the meeting with the  
16 attorney, and Mayor Hice responded there was not time to do so.

17  
18 *C. Mayor and Town Council Roles Relating to the Soccer Program – Code of Ordinance 30.16:*  
19 Mayor Pro Tem Smith stated that the Recreation Board does not control what goes on in Town Hall.  
20

21 **MOVED by Mayor Pro Tem Smith, seconded by Mayor Hice:**  
22 **The designated area within the Town Hall that shall be open for public and volunteer use shall**  
23 **be:**

- 24 • **The Entrance Foyer**
- 25 • **The Council Chamber**
- 26 • **The Training Room**
- 27 • **The Public Restrooms**

28  
29 **The following procedures regarding the Pleasant Garden Soccer Program shall be effective**  
30 **immediately:**

- 31 • **The Soccer Program shall have a town laptop computer, a lockable steel file and the**  
32 **training room dedicated for its use.**
- 33 • **Make every effort to provide a telephone with answering service for soccer use located in**  
34 **the training room.**
- 35 • **Town Employees or Council Members will operate the postage machine, copier, fax and**  
36 **other information technology equipment.**
- 37 • **The Town Clerk will deposit all money.**

38  
39 **USE OF THE TOWN HALL AFTER REGULAR HOURS**

40 **Town Council Members will open and close the building the following dates;**

- 41 • **February 21 Coaches Meeting...Anne Hice**
- 42 • **February 23 Soccer Registration...Anne Hice**
- 43 • **March 1 Soccer Registration...Nancy Jo Smith**
- 44 • **March 8 Soccer Registration...Chris Johnson**
- 45 • **Draft Dates TBA TBA...Council Members**
- 46 • **Additional Dates TBA...Council Members**

47

## ON SITE SOCCER REGISTRATION

### Volunteers will:

- Write receipts
- Approve applications
- Answer questions about the program

### Council Members will:

- Make copies of applications
- Accept registration fee money/checks

### Soccer Commissioner and Council Member will:

- Reconcile receipts with applications at the end of each day

## WALK IN REGISTRATION

### The Town Clerk will:

- Accept registration money/checks
- Write receipts
- Approve applications
- Make copies of applications
- Reconcile receipts with applications

Mayor Pro Tem Smith stated that persons handling money must be bonded, and volunteers are not bonded. Councilman Wyrick asked why do this since the Town Council just made the Recreation Board in charge of soccer. Mayor Pro Tem Smith responded this motion deals only with Town Hall and its equipment. Mayor Hice asked Town Attorney Vaughan why there is a secure area. He responded due to private documents, money and equipment that are for use of the staff and Town Council only; these are not public areas. Mayor Hice noted that former Town Administrator/Clerk Schrieber began this process and that the duties can be handled by the Interim Town Clerk and herself. More volunteers are needed because one employee should not work 70-80 hours to run this program. She purchased and donated the steel file cabinet, and the Training Room can be used any time Town Hall is open.

Mayor Pro Tem Smith asked Mr. Lewis if he saw any problems. He noted the difference between volunteers and employees and the need for someone to understand the needs of the soccer program. Some registration forms were lost last year when persons unfamiliar with the process handled them; he asked if the Interim Town Clerk could handle the workload. Further discussion between Mayor Pro Tem Smith, Mr. Lewis, and Town Attorney Vaughan focused on sponsorships, delivery of plaques, time management, and bonding issues. Mr. Lewis acknowledged he was not instructed to purchase a copier nor was he told he couldn't have copies made.

Councilman Wallace stated he would not support the motion, citing the "hassle factor." There were no problems in the last two years, and we have managed in the past with nothing stolen or lost. Paid staff should be used to do this, not volunteers. Councilman Wyrick stated he would not support the motion for the same reasons. He talked with former councilmembers and employees and no one had any problems with the soccer program or work disruption. If time management is a problem, hire a temporary and quit expecting volunteers to do what needs to be done. The Town should be citizen friendly.

1 Councilwoman Johnson noted the Town Attorney had advised no kids be behind the counter and that  
2 only bonded people should be handling money. We may not have been caught in the last eight years.  
3 Why pay our attorney if we are not going to listen to his advice? Councilman Wallace asked if all  
4 volunteers could be bonded, and Town Attorney Vaughan responded, “You can do what you want to  
5 do.” Mayor Hice cited problems with children behind the counter in the past and noted that previous  
6 staff has “lived with it.” Councilman Wyrick said if this was a huge problem, we would have heard  
7 about it previously.  
8

9 **ACTION on Mayor Pro Tem Smith’s motion stated above: APPROVED, 3-2 (Yes – Hice,**  
10 *Johnson, Smith; No – Wallace, Wyrick)*

11  
12 **Public Comment**

13 *Alan Marshall of 2318 Carlford Road* asked if every event is going to be listed in the Code of  
14 Ordinances; if they are not listed, the Town cannot do them.  
15

16 *Jean Greeson of 700 E. Ritters Lake Road* noted that the Recreation Board was created by the Town  
17 Council on June 8, 1999 and has been charged to handle every event that came along. If the  
18 Ordinances are wrong, don’t blame soccer or the Recreation Board. She helped collect soccer money  
19 many times. We should not be reinventing the wheel. Get the facts straight.  
20

21 *Chris Culler of 6401 Brookline Drive* reviewed the history of the soccer program and his involvement  
22 for the past 8-10 years. The program started small, the Town Council did not interfere, and they did  
23 not have problems. Three volunteers have given numerous hours on their cell phones and on the fields.  
24 Other needs are more important and he would like to see work on a permanent soccer facility. Work  
25 for and with us to control the problems.  
26

27 *Cristina Bragg of 5117 Charlston Road* criticized the Mayor and other women on the Town Council  
28 for their actions in doing what they want, not what’s good for the Town. Previous staff supported what  
29 the soccer volunteers did. She said that the Mayor/grandmother of a player had booted soccer out of  
30 the Town.  
31

32 Town Attorney Vaughan left the meeting at 6:20pm. Interim Town Clerk Carmany assumed the duty  
33 of timing the speakers.  
34

35 *Mike Toth of 2680 Briar Oak* stated he volunteered as a soccer coach and his team did not win a single  
36 game last year. He asked that the Town not handcuff the program.  
37

38 *Kim Rayle of 1221 Kearns Hackett Road* stated she is a volunteer at Pleasant Garden Community  
39 Center and she feels the pain. Remember it is all about the youth; we want kids here, not running in  
40 the streets.  
41

42 *Jeff Triplett of 2416 Crawford Road* asked what do you see on Saturdays – kids playing soccer and  
43 baseball. The Town Council is on the right track for accountability, but has stepped over a fine line.  
44

45 *Brent Lewis of 6012 Dehaven Road* read in the Pleasant Garden Post that we wanted everyone to get  
46 involved. “Change” is not in his definition of “involved.”  
47

1 *Brent Hylton of Ryegate Drive* stated he had volunteered since the inception of the soccer program.  
2 The goal is to make kids happy. We should set examples for them.

3  
4 Time expired for the public comment period.

5 **Council Comment**

- 6 • *Councilman Wallace* thanked the public for attending the meeting on short notice. There was a  
7 lack of professionalism in removing the stipend; it was meant as an expense reimbursement,  
8 “compensation for appreciation.” He hopes to see the start of professionalism, and one of these  
9 days there will be a Town Council that is positive, professional, and progressive thinking.
- 10  
11 • *Councilwoman Johnson* stated she was a proponent of soccer and had pushed for the variance  
12 for the fields. Her only concern is that different people have told different stories. The only  
13 things that changed is copying and bonding. Towns have gotten in trouble over this in the past,  
14 and she wants things to go smoothly. Thanks for attending tonight.

15  
16 *Councilman Wyrick* thanked people for coming on short notice. This meeting wasn’t needed but  
17 happened because things were not handled professionally. He cited a quote from Marjorie Moore  
18 “*Volunteering is the ultimate exercise in democracy. You vote once a year, but when you volunteer,*  
19 *you vote every day about the kind of community you want to live in.*” He tried to find out the problem.  
20 The mayor made it personal by dragging his family into it.

- 21  
22 • *Mayor Pro Tem Smith* thanked people for coming. She stated we will work it out. Someone has  
23 to open the building; if councilmembers don’t have to come and collect money, that will be  
24 OK.
- 25  
26 • *Mayor Hice* stated she supported soccer and everything about it. Timing has not been good due  
27 to staff resignations. She trusts Interim Town Clerk Carmany to handle walk-in registrations  
28 correctly, and asked that people trust us to make copies and reconciliations. She’s sorry people  
29 have hard feelings about her and cited a good former principal she knows, Doris Henderson,  
30 who always does twice as much as she asks of others. She is not willing to ask the Interim  
31 Clerk to work 70-80 hours a week with only Sundays off; the Mayor’s biggest job is to look  
32 after the staff. Someone from the Town Council or staff has to be accountable and responsible;  
33 maybe as we work through this, people will realize my support for the program. It is  
34 unfortunate that people spread rumors and incorrect information.

35 **Adjournment**

36 **MOVED by Councilwoman Johnson to adjourn, seconded by Councilman Wallace.**

37 **APPROVED, 5-0**

38  
39 The meeting was adjourned at 6:45pm.

40  
41  
42 \_\_\_\_\_  
43 Clerk

\_\_\_\_\_ Date

44  
45  
46 \_\_\_\_\_  
47 Mayor