

1 **Town of Pleasant Garden**
2 May 13, 2008
3 Kirkman Municipal Building

4
5 **Minutes**
6 Town Council Regular Monthly Meeting
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 / Town Administrator/Clerk
17 Don Vaughan / Town Attorney
18 Kim Payne/Acting Finance Officer
19 Lynn Willis / *Pleasant Garden Post*
20 Adria Hairston, *News & Record*
21

22 **Audience**

23 40+
24

25 **Call to Order**

26 Mayor Hice called the meeting to order at 7:02pm.
27

28 Mayor Hice welcomed everyone and noted there were special guests present with good information to
29 present.
30

31 Councilwoman Johnson delivered the invocation.
32

33 Mayor Hice led the Pledge of Allegiance.
34

35 **Roll Call**

36 Town Administrator/Clerk Carmany called the roll, and all members were in attendance. A quorum
37 was present.
38

39 **Approval of Agenda**

40 **MOVED by Councilman Wallace to approve the agenda**, seconded by Councilwoman Johnson
41 **APPROVED, 5-0.**
42

43 **Consent Agenda**

44 Mayor Hice noted that Governor Mike Easley had declared May as Seat Belt Awareness Month and
45 that she had heard radio commercials reminding everyone to buckle up.
46

47 **MOVED by Councilman Wallace to designate May as Seat Belt Awareness Month in Pleasant**
48 **Garden**, seconded by Councilman Wyrick. **APPROVED 5-0**

1
2 **MOVED BY Councilman Wallace to approve the minutes of the March 11, 2008 Public Hearing**
3 **on the Land Use Plan and the April 8, 2008 Regular Meeting as presented**, seconded by Mayor
4 Pro Tem Smith. Councilman Wyrick noted a correction was needed on page 7, line 44 by inserting the
5 word “*not*” after the word “*do*.” The minutes were **APPROVED, 5-0** with the noted correction.
6

7 **Presentation**

8 *Tim Marion, member of the Guilford County Open Space Committee:* Mayor Hice welcomed Mr.
9 Marion and noted that he is a member of the committee from this part of the county. Mr. Marion
10 introduced Alex Ashton who is the county representative and John Young who is the chairman. Mr.
11 Marion defined “open space” as land in a predominantly undeveloped condition including forests,
12 wetlands, stream corridors, managed meadows, and agricultural areas – space we don’t want to be
13 touched anytime soon or hopefully forever. There is a nine-member citizen committee that helps guide
14 the county to ensure the judicious use of its funds to purchase open space.
15

16 Mr. Ashton shared a slide presentation and maps showing scattered target areas for protection; the
17 county commissioners must approve all land purchase and take into consideration ecological,
18 geological and historical aspects when doing so. He reviewed various land acquisition projects in the
19 county, some of which will be part of the state’s Mountains to Sea Trail. 2004 bond money is being
20 used for these purchases, and there are limited tax breaks for willing sellers in some cases. The
21 committee is seeking to protect some buffer areas around Southwest Park that is in southern part of
22 Guilford County. There is also interest in working with Pleasant Garden to establish buffer areas for
23 open space around Hagan Stone Park; interested property owners should contact the county. A copy of
24 Mr. Ashton’s PowerPoint presentation is attached to these minutes.
25

26 *Paul Kron of the Piedmont Triad Council of Governments* presented a progress report on the first two
27 phases of the Municipal Complex plan that consisted of drawing a base map and making a site
28 analysis. He explained the maps he placed on the walls showing an overview of Town Hall and the
29 parking areas, the gazebo, magnolia tree, cleared areas and soccer fields, gravel driveways and worn
30 areas used for parking. He noted an area of loblolly pines that was a good candidate for a management
31 plan and referenced reports written by the forester. The next map was labeled with the details so
32 anyone could get an understanding of what is out there. There is a map showing the areas with soils
33 that have problems or limitations and poor drainage. The color-coded base map shows the primary
34 features, some wetlands/standing water, two ridgelines and an intermittent stream. In addition to the
35 basic analysis, he gave a preview of the next steps, a base map for the public to review and begin to
36 share ideas. The last overlay showed stream buffers and vegetation around the sides adjacent to nearby
37 neighbors, excluded areas that are not good for septic systems or foundations for buildings. A decision
38 should be made about the existing trails and natural areas and whether they should be maintained and
39 managed. Mr. Kron was able to define areas to avoid as well potentially usable areas, their potential
40 functions and relationships to one another. There is an older soil survey that can provide more exact
41 information about the soils in specific areas than the more recent state map.
42

43 The next step calls for citizen involvement and a survey, a steering committee, drafting alternative
44 concepts, the steering committee reviewing the concepts, and a final Town Hall meeting to critique the
45 final concept. It would make sense to proceed with Phases 3, 4, and 5 in the original contract proposal.
46

47 **Moved by Councilman Wyrick that the Town move forward with steps 3, 4 and 5 and ask Mr.**
48 **Kron to redraft the contract to stipulate that.** The total cost for those three phases was estimated at

1 \$7,750; the estimate for the first two phases was \$5,000 with approximately \$3,700 actually spent.
2 Acting Finance Director Kim Payne confirmed there was money still available for engineering services
3 in the 2007-08 budget. **MOTION APPROVED, 5-0.**
4

5 Mr. Kron will send the PowerPoint presentation and a revised contract to Town Administrator/Clerk
6 Carmany. The survey can be included in a Town newsletter hoped to go out in June. Mr. Kron clarified
7 that he was authorized to proceed with the next steps during the current fiscal year.
8

9 **Public Comment**

10 Mayor Hice read the guidelines for public comments and asked Town Attorney Vaughan to keep time.
11

12 *Brent Lewis of 6012 Dehaven Road* stated the Town Council said during its March meeting that soccer
13 would fall under the supervision of the Recreation Board. He was surprised to find the Town had
14 rewritten the financial policy in May giving that approval to the Mayor and Town Clerk. He felt this
15 was disrespectful and showed a lack of leadership. He felt there were other things the Town Council
16 should be working on. He has run recreation programs for 25 years and has never seen such poor
17 leadership as in Pleasant Garden. Kids should be the priority. They will be looking at options to
18 further develop the soccer program. The kids and the Town deserve better. Time was called.
19

20 *Dr. Scott Waldren of 3631 Fieldview Road* stated he is a dentist practicing in Pleasant Garden and was
21 speaking on behalf of Brent Lewis through his affiliation as a soccer coach and a sponsor. The
22 program has grown from 50 to 650 participants under Mr. Lewis; he has gained support from the
23 parents and is a committed volunteer. The Town Council seems to be unable to say thank you. You
24 have the gift of a capable competent man; get out of his way and let him do his job. What changes do
25 wish to make to the soccer program to make it better?
26

27 *Alan Marshall of 2318 Carlford Road* informed the Town Council of a budgeting process used by Oak
28 Ridge where they schedule a town hall meeting to allow citizens to give input to the budget. He asked
29 that the Town Council consider doing this next year. Mayor Hice noted that Summerfield did this in
30 January, and Pleasant Garden will hold such a meeting before June.
31

32 *Charles Routh of 1029 Nesbit Road* stated he has a map survey that indicates the 'A' soils and 'B' soils
33 for perking so Paul Kron will not have to spend the money to have this done again. He also has
34 topography maps for the entire area. He spoke to the Land Use plan, saying that the no growth option
35 was not good, and will make things go topsy-turvey.
36

37 *Adam Jones of 422 East Sheraton Park Road* spoke about the soccer program from the perspective of
38 having played in the program and worked for it for the past four years. He has the opportunity to play
39 in college because of this program run by volunteers. He thinks the program should grow more and the
40 fields improved. Brent Lewis has put in hours and hours of work; the program should not be changed.
41

42 **MOVED by Mayor Hice to close public comments**, seconded by Mayor Pro Tem Smith.
43 **APPROVED, 5-0.**
44

45 **Reports**

46 A. *Town Administrator/Clerk Carmany* referred to the written report included in the agenda packet.
47 (*copy attached*) She read portions of a letter from Karen Neill of the NC Cooperative Extension

1 Service citing factors that likely lead to the death of the magnolia tree including soil compaction by
2 heavy equipment, the thick layer of mulch, and the severe drought. *(copy attached)*
3

4 The computer in the Town Hall lobby is functional but no member of the public has used it; the issue
5 concerning the Internet use policy has been resolved. Mayor Hice, Councilman Wyrick and she are
6 reviewing applications for the Administrative Assistant position. There will be a run-off election on
7 June 24 so the council chambers will be used for a voting poll that day; the Recreation Board meeting
8 in June will have to be changed. A briefing on the Jordan Lake Rules is being held on May 20. The
9 final draft of the Land Use Plan will be ready for adoption at the June 10 meeting.
10

11 Town Administrator/Clerk Carmany referenced her May 5, 2008 memo to councilmembers regarding
12 the Town's financial policies and how they apply to the soccer program, asking if the policy adopted in
13 June 2006 should be enforced or changed. The first issue was the required use of purchase orders for
14 all the Town's transactions that she had planned to fully implement after the June 30 transition.
15 However the Town had received invoices in the last two weeks exceeding \$12,000 for merchandise
16 and services that she did not know had been ordered by the soccer program. Mayor Hice referred to
17 Town ordinances that state that the Recreation Board shall comply with the state law and Town
18 ordinances and policies. Town Attorney Vaughan informed the Town Council they had the option to
19 change the policy tonight but not the ordinances; he noted that Mrs. Carmany's memorandum was
20 correct.
21

22 The second item was the requirement that bids or informal proposals be obtained for purchases
23 between \$5,000-20,000. The recent purchase of soccer shirts for \$6,300 fell into that requirement, but
24 to her knowledge, this was not done. She suggested issuing a RFP in July for items that routinely
25 exceed the \$5,000 threshold and locking in a per unit cost for the entire year. Town Attorney Vaughan
26 confirmed that this requirement would apply to purchases made by volunteers for Town programs as
27 well.
28

29 The third item addressed the preaudit documentation by the Finance Officer that there is money in the
30 budget for purchases. Current paid expenditures and pending invoices will exceed the amount now
31 budgeted for the spring soccer program. A proposed budget amendment to appropriate the additional
32 \$12,000 in registration fees that have been received will not cover all the remaining expected expenses
33 so soccer sponsorship money will have to be used to cover them.
34

35 Speaking to the fourth item, Town Administrator/Clerk Carmany referred to a memo written by former
36 Town Clerk Brooks Lockhart in February 2007 stating that only the Mayor and Town Administrator
37 have the power to execute contracts. There are no contracts or written financial agreements signed by
38 the Mayor or Administrator on file for the port-a-johns or with the Carolina Dynamo for the June
39 soccer camp.
40

41 The fifth item addressed unequal treatment of soccer sponsors with discounts being given to some of
42 the last-minute people who signed up and of a vendor who offered special payment in order to receive
43 the contract for plaques.
44

45 Mrs. Carmany noted the part of her official job description that requires her to alert the Council to
46 breaches in financial policy and make recommendations to resolve them. This memo was submitted in
47 keeping with that requirement.
48

1 In response to a question from Mayor Pro Tem Smith, Town Administrator/Clerk Carmany described
2 how a RFP process to purchase soccer shirts could work with the soccer volunteers creating the
3 specifications for the shirts and bids awarded to the best responsible bidder, similar to how the grounds
4 maintenance and fireworks contracts were bid. Mayor Pro Tem Smith stated she felt the adopted
5 financial policy should be followed, and Mayor Hice noted that the oath requires officials to perform
6 their duties and General Statutes state that failure to do so is a Class I misdemeanor.
7

8 Councilman Wyrick stated that he had been accused of being too much “by the book” in the past year
9 and he does expect us to follow the ordinances and policies; he feels there has been some
10 misrepresentation in these issues. He is the liaison with the Recreation Board and has been left out of
11 things such as the meeting with the attorney on this issue. There are some control issues, and there is
12 fault on both sides for allowing this program to grow without sufficient assistance and oversight. We
13 are where we are today, and we need to move forward in a way to help the soccer program that is very
14 important to the Town while having oversight. This could have been handled better, but we do need
15 rules, regulations, purchase orders, vouchers, a policy that says who can buy what, and who can spend
16 money. He noted that the requirement to obtain three bids was in the Town’s previous financial
17 policy, not the current one. The policies we have are not complete and may not be adequate. We need
18 to work together as a Town to get things done.
19

20 Mayor Hice stated she agreed with Councilman Wyrick. It is apparent that past employees had not
21 taken the time to make the needed updates and corrections. Mayor Pro Tem Smith and Councilwoman
22 Johnson spoke to following the financial policy adopted two-and-a-half years ago. Mayor Pro Tem
23 Smith noted that the financial policy should be part of board orientation in the future. Councilman
24 Wyrick spoke to the need for these issues to be handled through the Recreation Board and the council
25 liaison. Mayor Hice mentioned the requirement to have a legally signed agreement with Guilford
26 County Schools to use the Idol Field that covers insurance and workers’ compensation. Councilman
27 Wyrick volunteered to facilitate the Recreation Board and try to resolve this issue.
28

29 Town Administrator/Clerk Carmany said there was another issue that has arisen since the memo was
30 written concerning a flammability certification from the fire marshal for the soccer tents. *[It has since
31 been determined that the county gave incorrect information and the certification will not be needed for
32 the short-term use of the tents by the soccer program.]*
33

34 **MOVED BY Mayor Pro Tem Smith to abide by the financial policy and set the purchase order**
35 **threshold at \$100, seconded by Mayor Hice. APPROVED, 5-0.**
36

37 B. *Financial/Budget:* Kim Payne suggested that the attorney, auditors, soccer people, and one or more
38 councilmembers get together and resolve the issue of the Private Money Account. He presented the
39 financial report for the period ending April 30, 2008 showing the General Fund balance at \$1,073,178,
40 the Capital Reserve balance at \$1,764,000, and the Capital Projects account at \$3,665 for a total of
41 \$2,840,830. *(copy attached)* The items noted in red in the Budget vs. Actual will be pulled in line with
42 the Budget Amendment #8 that covers past expenses in the county contract, postage, service on office
43 equipment, sub-contracted personnel, and the soccer program to be taken from increased soccer
44 revenue, Town Administrator/Clerk Payroll, and Employee Hospital Insurance.

45 **MOVED BY Councilwoman Johnson to approve budget amendment #8, seconded by Mayor Pro**
46 **Tem Smith. APPROVED, 5-0.**
47

48 **MOVED BY Councilman Wallace to close the Capital Projects account and move the \$3,664.84**

1 **back into the Capital Reserve account**, seconded by Councilman Wyrick. **APPROVED 5-0.**

2
3 C. *Legal Update:* Town Attorney Vaughan reported that the General Assembly went into session this
4 day. Two weeks ago he spoke to the Guilford County delegation with Mayor Hice present regarding
5 HB1195, and it has been sent to bill drafting. Councilman Wyrick asked how long this would take and
6 why a letter was not sent this time. Town Attorney Vaughan responded it was because he was able to
7 do this in person and a letter was not necessary.

8
9 D. *Long Range Planning Board:* Glenn Morgan stated there was nothing to report from the short April
10 meeting. He gave the council some thoughts for feedback: there is a lot of long-range planning going
11 on around us by other government entities such as the state planning new interchanges on US421,
12 Guilford County with the construction of new schools, the City of Greensboro with new housing, and
13 the private sector in planning grocery stores and shopping areas. With all that going on around us, the
14 Long Range Planning Board does not want to reinvent the wheel or out-plan the professional planners.
15 There is nothing we can do to stop or change it. There are two main things going on in Pleasant Garden
16 that are important right now – the soccer program and Paul Kron’s work on the municipal complex.
17 He needed feedback on specific items the Board should be working on.

18
19 Councilman Wallace asked if the Town Council had to formally adopt the Land Use Plan, and Mayor
20 Hice responded yes, the entire document and all its chapters must be adopted. Councilman Wallace
21 noted that the start of this plan was relevant at the time because Greensboro was encroaching on
22 Pleasant Garden and we did not have any say-so about ETJ (*extra-territorial jurisdiction*). Does the
23 Town have any control over ETJ on properties near the Town? Now that there is a land use plan, can
24 we fight the annexation agreement made with Greensboro? Town Attorney Vaughan said it will take
25 action by the General Assembly to change the charter. Greensboro would have to agree to any changes
26 in the annexation lines. Town Attorney Vaughan stated the Town Council would have to take action
27 no later than next Town Council meeting and that may be too late.

28
29 E. *Zoning Board:* Board Chairman Alan Carroll was not present to report.

30
31 F. *Recreation Board:* Chairman Brent Lewis reported every member was in attendance for the April 22
32 meeting. They worked on the budget worksheet, Veteran’s Day, discussed purchase of a steamer and a
33 Marine flag, and soccer issues. The volunteer appreciation dinner was cancelled due to the lack of
34 responses. The Board talked about using local talent and inflatable games for the Independence Day
35 celebration; the Lion’s Club will operate the One Stop Shop. An accident occurred at the soccer field
36 where a child’s arm was broken in two places, and the EMS response time was poor. However, after
37 checking the investigative report, it was found that the original call was coded as a non-emergency
38 call. There was also a problem that the soccer fields were never mentioned in the call and there is no
39 street number assigned to the fields. The Pleasant Garden Fire Department ordered green street
40 number signs for the soccer fields. The Blood Drive/Vision Screening is coming up on July 26. Mr.
41 Lewis is stepping down as chairman of the Recreation Board and resigning completely from the Board;
42 with his soccer duties, he cannot continue to do both with all the work and stress. He enjoys working
43 with events and will assist when he can. Mayor Pro Tem Smith thanked Brent for his service and asked
44 Town Attorney Vaughan what a quorum for the Recreation Board now is. Three is the quorum now;
45 three is a quorum of the soccer committee as well.

1 **Old Business**

2 *A. Adoption of Flood Damage Prevention Ordinance:* Town Administrator/Clerk Carmany stated that
3 Warren Simmons gave a full explanation of this proposed ordinance at the public hearing preceding
4 this meeting. Mayor Hice noted that the actual wording of the needed action was found on page 19 of
5 the ordinance materials. *(copy attached)*
6

7 **MOVED BY Councilman Wallace to adopt the Flood Damage Prevention Ordinance**, seconded
8 by Councilwoman Johnson **APPROVED, 5-0.**
9

10 *B. Ordinance changing the speed limit on portions of Alliance Church Road:*

11 **MOVED BY Councilman Wallace to approve the change in speed limit on portions of Alliance**
12 **Church Road**, seconded by Councilman Wyrick. Councilwoman Johnson asked if a traffic study has
13 been conducted, and Town Administrator/Clerk Carmany responded that the ordinance under
14 consideration came from NCDOT as a result of a study by the engineer. The NC Board of
15 Transportation must approve the change once the Town Council acts on the ordinance. **MOTION**
16 **APPROVED, 5-0**
17

18 *C. Approval of the 2008-09 Grounds Maintenance Contract* – Town Administrator/Clerk Carmany
19 reported that two responses were received in response to the RFP and referred to an analysis of the two
20 proposals. *(copy attached)* She explained that many of the items that are extras in the current contract
21 are now included as part of the base bid in the new contract.
22

23 **MOVED BY Councilman Wallace to accept Still's Lawn Service contract for the 2008-09 fiscal**
24 **year**, seconded by Mayor Hice. Councilman Wyrick stated he had a problem with separating the
25 contract into two sections when it is one property; why not state \$956/month for the entire contract? In
26 response to a question, Mr. Payne clarified that the Town pays for the mowing of the soccer fields out
27 of the General Fund; only some extra items come out of the Private Money Account. **Councilman**
28 **Wyrick suggested amending the motion to change the contract to a single monthly price of \$965,**
29 **and councilmembers accepted the amendment by consensus. The amended motion was**
30 **APPROVED, 5-0.**
31

32 Town Administrator/Clerk Carmany referred to additions to the contract that clarify any extra work
33 must be authorized by the Town Administrator/Clerk before the work is performed.
34

35 *D. Personnel Policy Revisions:* Town Administrator/Clerk Carmany noted that several needed
36 revisions to the Personnel Policy were identified when Mayor Hice, Councilman Wyrick and she met
37 to discuss the hiring of the Administrative Assistant. The first item was the need to define the salary
38 ranges for the two staff positions. Mayor Pro Tem Smith offered the figures she presented back in
39 January as a starting point. Councilman Wyrick said he was not prepared to discuss this issue and
40 wanted to review the information previously provided by Randy Billings of the Piedmont Triad
41 Council of Governments.
42

43 There was discussion about the need to have sufficient separation between the salary ranges between
44 the two positions.
45

46 **MOVED BY Councilman Wyrick to expand the salary range for the Administrative Assistant to**
47 **\$10-15 per hour.** This would equate to \$31,500 per year based on a 40-hour workweek.
48 **APPROVED, 5-0.**

1
2 Town Administrator/Clerk Carmany said the second issue was the need to define annual benefits for
3 part-time positions. The proposal is that permanent part-time employees earn annual leave on a pro-
4 rata basis. Councilman Wyrick noted the need to guarantee such an employee a certain amount of time
5 per pay period so that that person's pay would not fluctuate.
6

7 **MOVED BY Councilman Wyrick to revise the personnel policy by inserting that permanent**
8 **part-time employees earn annual leave on a pro-rata basis on whatever hours are decided for**
9 **that position**, seconded by Councilwoman Johnson. **APPROVED, 4-1** (*Yes – Hice, Johnson, Smith,*
10 *Wyrick; No – Wallace*)
11

12 Mayor Hice and Councilman Wyrick reviewed the need to go ahead and set the number of hours this
13 position would work. 24-28 hours was the number discussed in their meeting. Councilman Wyrick
14 moved to establish 24 hours per week for the Administrative Assistant and then withdrew that motion
15 after Councilman Wallace stated he believed a fulltime person was needed help catch up on all the
16 work.
17

18 **MOVED BY Councilman Wallace that a fulltime Assistant Clerk be hired based on the adopted**
19 **salary range**, seconded by Councilman Wyrick. He stated this would help provide the staff and
20 oversight needed for the Town's programs, including soccer. Councilman Wyrick noted that when
21 Town Administrator/Clerk Carmany assumes the financial duties, additional staff will cover other
22 duties. Councilwoman Johnson asked if two permanent fulltime employees were needed; Mr. Payne
23 stated in his personal opinion they are needed. **MOTION APPROVED, 5-0.**
24

25 **MOVED BY Councilman Wallace to move the meeting time of the May 19, 2008 special meeting**
26 **to 7:00pm and add personnel issues to the agenda of the special meeting**, seconded by Mayor Hice
27 **APPROVED, 5-0.** The salary range for the Town Administrator/Clerk will be discussed at that time.
28

29 The last issue dealt with employee insurance benefits.
30

31 **MOVED BY Mayor Pro Tem Smith to offer insurance benefits to employees working at least 30**
32 **hours per week and allowing an employee to request that the Towns' portion of those premiums**
33 **be included as part of his/her salary package if he/she does not want the insurance benefits**,
34 seconded by Mayor Hice. Councilman Wyrick asked if this was common practice, and Town Attorney
35 Vaughan responded it was a policy question. There was discussion that this could be part of individual
36 salary negotiations but did not need to be written into the Personnel Policy. **DEFEATED, 0-5.**
37

38 **MOVED BY Councilman Wyrick to remove this item from the Personnel Policy**, seconded by
39 Mayor Pro Tem Smith. **APPROVED, 5-0.**
40

41 Town Administrator/Clerk Carmany asked if the defeated motion referred to the provision of insurance
42 benefits from employees working at least 30 hours per week.
43

44 **MOVED BY Mayor Pro Tem Smith that permanent part-time Town employees who work at**
45 **least 30 hours a week are entitled to insurance benefits paid by the Town**, seconded by Mayor
46 Hice. **DEFEATED, 2-3.** (*Yes – Hice, Smith; No – Johnson, Wallace, Wyrick*)
47

1 **New Business**

2 *A. Approval of the 2008 Fireworks Contract:* Town Attorney Vaughan advised that the proposed
3 contract with Zambelli requires the Town to remove any unexploded works, to provide the services of
4 two laborers to assist with the erection of the display, and that the terms of the contract fall under the
5 Commonwealth of Pennsylvania. Mayor Pro Tem Smith asked if a contract has been signed with the
6 Pleasant Garden Community Center, and Town Administrator/Clerk Carmany responded that she was
7 working with Kim Rayle to get that done. It was agreed by consensus to delay consideration of the
8 contract until the special meeting on May 19, 2008 to give Town Administrator/Clerk Carmany time to
9 investigate the contracts from previous years.

10
11 Councilman Wyrick requested a 5-minute break at 10:35pm. The meeting was reconvened at 10:42pm.

12
13 *B. Approval of Agreement with Carolina Dynamo:* Town Attorney Vaughan stated that the letter
14 submitted by the Carolina Dynamo in regard to the June soccer camp was sufficient because it releases
15 the Town from any liability for the soccer camp. A copy of their liability insurance form was attached
16 to the letter. *(copy attached)*

17
18 **MOVED by Mayor Hice to accept the letter from the Carolina Dynamo and approve their use of**
19 **the town soccer fields for the June 16-20, 2008 soccer camp**, seconded by Councilwoman Johnson.
20 **APPROVED 5-0.**

21
22 *C. Public Comment Procedures/sign-in sheet:* Mayor Hice noted that the single sign-in sheet was used
23 tonight.

24
25 **MOVED BY Councilman Wyrick to adopt the single sign-in sheet that asks for the participant's**
26 **name, address, and phone number at all meetings with the topic column omitted.** He read past
27 correspondence from former Town Clerk Anne Baile quoting Town Attorney Vaughan who advised
28 that restrictions on the content of speech would be a violation of freedom of speech. **APPROVED, 5-0**
29

30 *D. Discussion of citizen request for Pleasant Garden business/privilege licenses:* This item was
31 included due to a citizen's request at the previous Town Council meeting.

32
33 **MOVED BY Mayor Pro Tem Smith to table this item**, seconded by Councilman Wyrick.
34 **APPROVED, 5-0.**

35
36 *E. Flags/banners:* Councilman Wyrick stated he had problem with the purchase of banners that was
37 made recently and read emails from Town Administrator/Clerk Carmany and councilmembers
38 regarding that purchase. He asked if this email correspondence constituted a meeting and violated the
39 Open Meetings Law. He preferred flags to the banners and showed some of the flags and one of the
40 banners. Councilman Wyrick shared his patriotic feelings about the symbolism of the flags and the
41 lack of significance of the flag banners. He had personally installed the flags on the telephone poles
42 three times in the past and would be willing to do so again and to start a fund to reimburse the Town
43 for the banners in order to erect the flags instead.

44
45 Mayor Hice shared the official flag code that spoke to the lighting of flag and that it not be used as a
46 decoration in general; she had seen 18-wheelers run under them and drag them. She observed that none
47 flew at same angle and some broke constantly; the Town is the model and should serve as the example
48 for citizens. She expressed concern for the safety of citizens erecting the flags. In response to the

1 Mayor's question, Councilman Wallace explained the use of police to direct traffic around the
2 trucks/workers erecting the Christmas banners. Councilwoman Johnson stated we shouldn't respect
3 the flag halfway instead of all the way.
4

5 Councilman Wyrick asked Mayor Hice if the reason she decided to buy banners was because she
6 thought they were disrespecting the flag and she responded, "Absolutely." Councilman Wyrick noted
7 that a lot of small towns fly flags instead of banners, and this does not disrespect the flag whatsoever.
8

9 Mayor Pro Tem Smith said the disrespect is for the flags to be swiped by cars, not to be lighted, to be
10 left out there in all types of weather, and to be left out there for weeks at a time. Councilwoman
11 Johnson stated she had a problem with no lighting for the flags and with trucks hitting them; the flags
12 have been mistreated in taking down and in storage. Her niece who will soon be departing for Iraq
13 would think all of us are a bunch of idiots.
14

15 Councilman Wyrick restated he preferred flags to the banners because US flags are more honorable
16 and patriotic than banners that are decorations only. In addition the Town Council did not formally
17 discuss this. The banners arrived quicker than the quoted three weeks, and there has been lots of
18 misinformation/exaggeration.
19

20 **MOVED BY Mayor Hice to put the banners up. APPROVED, 3-2.** (*Yes – Hice, Johnson, and*
21 *Smith; No – Wallace and Wyrick*)
22

23 Mayor Pro Tem Smith stated there are many suitable places on Pleasant Garden road where the flags
24 can be placed for a very brief time.
25

26 *F. Presentation of Proposed 2008-09 Budget:* Kim Payne explained the new chart of accounts he
27 created to simplify things and provide more flexibility and accountability, including the categories and
28 the items under each one. He referred to the budget section and noted that the property tax revenues
29 based on varying property tax rates are the only numbers that change; the operating numbers stay
30 constant except for the change due to the personnel action taken tonight. The only new items are
31 suggestions submitted by various councilmembers and that is where the real decisions will need to be
32 made.
33

34 Mayor Hice said the Town Council would go through page by page on every line item at Monday's
35 meeting. Mr. Payne said he would be happy to respond to councilmembers' questions and requested
36 that Board chairman come to that meeting to explain their budget requests. The last section shows the
37 revenues and expenses for the past three years.
38

39 Councilman Wallace asked what happens to the surplus money left at the end of the year; is it rolled
40 over into the next year's budget. He asked what that fund balance would be for this fiscal year. Town
41 Administrator/Clerk Carmany and Mr. Payne responded that any number would have to be a guess
42 since there are a number of invoices that have not been received to this point and would not be final
43 until the audit is completed. Town Administrator/Clerk Carmany pointed out that some of the
44 councilmembers' requests were included on the capital reserve sheet and did not have specific numbers
45 attached to them.
46
47
48

1 **Public Comment**

2 *Jean Greeson of 700 Ritters Lake Road* asked how much we owe you people for the show tonight. She
3 noted there have been a lot of tornados and asked where the Town's disaster shelter is. Mayor Pro
4 Tem Smith responded that Pleasant Garden United Methodist Church is qualified for one. The
5 Pleasant Garden Community Center was disqualified because there was no shower or generator. Mrs.
6 Greeson asked Town Attorney Vaughan why he was unaware there were so many things wrong with
7 the soccer finances. How many policies does the Town have? Time was called.

8
9 *Cristina Bragg of 5117 Charlston Road* spoke to the process of delivering soccer checks; she was told
10 by Mayor Hice and Town Administrator/Clerk Carmany they would be mailed. However, the
11 following Saturday Mayor Hice delivered some checks. She was unable to place the order for trophies
12 without a purchase order. She resigned from the Recreation Board as well due to the embarrassment
13 and humiliation of volunteers. She addressed Councilwoman Johnson regarding her decision on the
14 flag banners. Mayor Hice explained that she delivered two checks to two kids because Town
15 Administrator/Clerk Carmany had not received address information from Ms. Bragg. Time was called.

16
17 *Eddy Patterson of 6009 Springforest Court* encouraged the Town Council to appropriate money for the
18 disaster center in budget in view of the changing climate and storms we have been having. In regard to
19 storing the flags, the mildew was already on the big flag; it was dry as a bone and he rolled the flag for
20 storage. On a procedural note, if you are considering candidates who applied for the permanent part-
21 time position, you may have to readvertise the position. Town Administrator/Clerk Carmany
22 explained that the part-time position had never been advertised separately. Mr. Patterson stated he saw
23 tremendous lack of trust among various groups of people tonight.. Trust is something one cannot
24 demand or command – it must be earned one person at a time. He urged councilmembers to build that
25 trust.

26
27 *Alan Marshall of 2318 Carlford Road* observed that for ten years this Town opened its meetings with
28 an invocation, and then someone decided it needed to be a moment of silence. He did not know how
29 many years the Town has flown American flags on patriotic holidays, but someone decided to do away
30 with that and do something else. The soccer program was going along just fine, but is now in the
31 crosshairs. He offered to put the flags up for the Town.

32
33 *Steven Brandt of 6384 Walter Wright Road* stated he had a son in Iraq and thanked Councilman
34 Wyrick and Councilman Wallace for their stances. One of the things he noticed in Pleasant Garden
35 was the flags flown on Pleasant Garden Road last year and was disappointed with the Town Council's
36 action.

37
38 Mayor Hice stated that the public comment period was over.

39
40 **Staff Comment**

41 none

42
43 **Council Comment**

44 *Councilman Wallace* said he was out of loop on the banners. He addressed Brent Lewis regarding the
45 financial aspects of soccer; the Town has been very lenient and there has never been any question
46 about where money went. It's all about protocol and financial policy; there had not been Town
47 Council support in the past to change it. We need to institute vouchers to manage the money and stay
48 within the budget. The recreation program has been best board for the ten years of the Town's life. He

1 hated that people resigned and he saw opportunities down the road. There was a paid soccer position
2 established in last year's budget, and he was sorry it was changed. He thanked citizens for staying for
3 the long meeting.

4
5 *Councilwoman Johnson* thanked everyone for staying for the meeting. She absolutely meant no
6 disrespect for anyone on the banner/flag issue, but we need to go with protocol. She respected
7 everyone there and has a family member leaving soon for Iraq. There are many emails and phone calls
8 that go on behind the scenes that the public does not know about where citizens say bad things about
9 each other. She thanked Town Administrator/Clerk Carmany and Mr. Payne for their work on the
10 budget.

11
12 *Mayor Hice* read "*The Law of the Garbage Truck*" that spoke to people who dump their "garbage" on
13 others; successful people do not take the garbage from others and spread it. Love the people who treat
14 you right and pray for the ones who don't.

15
16 *Mayor Pro Tem Smith* mentioned a concern that probably needs to go through the Zoning Board and
17 come back to Town Council, a very clear statement about placement of political signs. The information
18 is in the Ordinance Book but is hard to find and understand. Town Attorney Vaughan stated it is illegal
19 to place them in the right-of-way and must be placed on residential property with permission, not
20 commercial property. Mayor Pro Tem Smith noted it is not legal to place them on Town property, and
21 Town Attorney Vaughan agreed.

22
23 *Councilman Wyrick* thanked Mr. Lewis, Ms. Bragg and the entire Recreation Board; he was
24 disappointed about their resignations but respected their decisions. He also thanked them for keeping
25 the soccer program going and growing. He apologized for getting emotional about the flags, but he has
26 a son-in-law in service and gets emotional about that. He stated that emails do go out that are mean-
27 spirited and read two from Councilwoman Johnson regarding moving chairs in the Council Chambers
28 for the polling place. He has done more "dirty work" volunteering in this town than others have done.
29 Councilwoman Johnson responded that her emails were intended to be halfway tongue-in-cheek.

30
31 **Adjournment**
32 **MOVED by Mayor Pro Tem Smith to adjourn, seconded by Mayor Hice APPROVED, 5-0**

33
34 The meeting was adjourned at 11:50pm.

35
36
37
38 _____
39 Clerk

_____ Date

40
41 _____
42 Mayor