

TOWN OF MAIDEN

February 19, 2018

MINUTES OF REGULAR MEETING

The Maiden Town Council met on Monday, February 19, 2018 at 7:00 p.m. for their regularly scheduled meeting, held in the Council Chambers at the Maiden Town Hall.

Present for the meeting were Mayor Pro-Tem Max Bumgarner Jr, Councilmembers Danny Hipps, Trina Michael, Marcus Midgett and Ronnie Williams. Mayor Bob Smyre was absent.

Also present were Town Manager Todd Herms, Town Attorney Scott Conrad and Town Clerk Elizabeth Krige.

Others attending: See attached sheet.

The meeting was called to order at 7:00 p.m. by Mayor Pro Tem Max Bumgarner Jr.

The invocation was given by Councilmember Danny Hipps.

The Pledge of Allegiance was led by Councilmember Marcus Midgett.

4. Approval of Agenda

Mayor Pro Tem Bumgarner requested Council remove item 8 A under New Business.

MOTION WAS MADE BY COUNCILMEMBER TRINA MICHAEL AND SECONDED BY COUNCILMEMBER MARCUS MIDGETT TO APPROVE THE AGENDA AS AMENDED. MOTION CARRIED UNANIMOUSLY.

5. Citizens Requests and Comments

There were no remarks.

6. Approval of the Minutes (2/5/2018 Meeting and Closed Session):

MOTION MADE BY COUNCILMEMBER DANNY HIPPS AND SECONDED BY COUNCILMEMBER TRINA MICHAEL TO APPROVE THE REGULAR MEETING AND CLOSED SESSION MINUTES OF THE FEBRUARY 5, 2018 MEETING. MOTION CARRIED UNANIMOUSLY.

7. Consent Agenda

A. Finance Officers Report-January

Councilmember Danny Hipps asked about the balance for the NC Management Trust, from December to January, it increased \$4 million dollars. Mr. Herms explained that Apple paid their taxes. Dianne Lowe stated the rates were better in this account.

MOTION MADE BY COUNCILMEMBER RONNIE WILLIAMS AND SECONDED BY COUNCILMEMBER TRINA MICHAEL TO APPROVE THE CONSENT AGENDA. MOTION CARRIED UNANIMOUSLY.

8. New Business

B. Splash Pad Rules

Recreation Director Jody Rogers presented a list of rules for the Maiden Splash Pad. Mr. Rogers said he used the rules from Gaston County Park and Hickory's splash pads as a guide. One rule he did not include was Hickory's rule about not bathing in the Splash Pad. These rules are entirely up to Council to approve or change.

Councilmember Danny Hipps asked if the Splash Pad would be open seven days a week. Jody Rogers said yes and Councilmember Hipps asked about cleaning and maintenance. Jody Rogers said one of the rules states the Splash Pad can be closed at any time. Rogers said there would be maintenance, but it could be performed during the hours the Splash Pad was closed. Councilmember Hipps brought up closing for a half day on Sundays.

Councilmember Marcus Midgett asked how much cleaning there would be, and Jody Rogers said it would be minimal. Mr. Herms said that unless a child became sick or used the bathroom, there would not be much cleaning required. This has been a compliant from other splash pads Mr. Herms said.

Laura Dellinger, a citizen, asked what hours the Splash Pad would operate. Councilmember Hipps said from 10 AM to 7 PM, every day. Ms. Dellinger interjected she didn't think the Splash Pad should be open during church hours. Mr. Herms said people go to church at a variety of times on Sunday. In addition, this is a park and Mr. Herms said he didn't think it was necessary to close on Sunday however Council could decide to set different hours of operation for Sundays if they choose.

Councilmember Hipps asked Attorney Scott Conrad his thoughts on the rules. Mr. Conrad said he did not see anything that raised concerns. He asked about the adult accompanying a child rule, specifically does that mean the parent would need to go into the water with the child? Jody Rogers said no, the parent would need to be there to supervise the child. Rogers also said it would be a difficult rule to enforce.

Councilmember Hipps asked if the Recreation Staff would be the rule enforcers. Mr. Herms said if there are people not following the rules, Jody would deal with it just as he does currently. Mr. Herms said the rules are good and broad.

Jody Rogers said something else the Council should consider was the popularity of Splash Pads and that summer camps and daycares would likely use our facility.

Councilmember Hipps asked if there was a maximum occupancy. Mr. Rogers said there was not.

MOTION WAS MADE BY COUNCILMEMBER DANNY HIPPS AND SECONDED BY RONNIE WILLIAMS TO ADOPT THE MAIDEN SPLASH PAD RULES AS WRITTEN. MOTION CARRIED UNANIMOUSLY.

C. Maiden Dam Project Bid Award

Mr. Herms said Council had awarded the bid and approved the funding. Typically, this contract would not come back before Council but due to the length of the project and past issues Mr. Herms felt it was prudent to bring it before Council again. Mr. Herms said he was able to negotiate \$20,000 off the price by allowing the construction company 18 months to complete the project.

Mayor Pro Tem Max Bumgarner Jr asked what phase of the project this contract covered. Mr. Herms said it was phase 2 and 3 and will meet all minimum requirements from the State of North Carolina.

Mr. Herms stated there is an additional piece of the project, demolition of the building but that is not required by the State.

Councilmember Ronnie Williams asked if the building was secured and Mr. Herms said it was as secured as it could be.

MOTION WAS MADE BY COUNCILMEMBER TRINA MICHAEL AND SECONDED BY RONNIE WILLIAMS TO ALLOW TOWN MANAGER HERMS TO SIGN THE CONTRACT TO BEGIN THE MAIDEN DAM PROJECT. MOTION CARRIED UNANIMOUSLY.

D. Approval of State Grant Application-Fire Department

Assistant Chief of the Fire Department Kenneth Huffman addressed Council. Mr. Huffman stated in the past the Fire Department had funded their portion of the grant with money from their line items. Of the last 6 applications, the Fire Department has been successful in receiving grant funding three times. Mr. Huffman stated this was a matching grant. The grant continues to get harder to win as there are thousands of applications submitted. Mr. Huffman is asking for permission to apply for the grant. The Fire Department is also asking that Council fund this grant 100%. In the past, the Fire Department have used money already in the budget but we are asking for Council to fund the grant.

The State posts the grant in January and the grant is due on March 1. The total grant request is \$61,490. It is awarded May 15th, and takes a few weeks to purchase the items approved by the grant. The portion from the state is \$30,000 in reimbursement. The Fire Department is asking Council for \$29,000. The grant requires the Fire Department to purchase these items up front. Mr. Herms said this is not a budget amendment request, the Fire Department has money in their budget to cover the grant purchases.

Councilmember Hipps said he did not understand the presentation that way. Assistant Chief Huffman requests that Council assume 100% of the funding of the grant. Mr. Herms said when this request was presented, it was not presented in this way by the Fire Chief. Assistant Chief Huffman said the Fire Department feel this is an opportunity for the Council to step in and help the Fire Department. This request is something that will be brought before the Council every year.

Councilmember Danny Hipps asked Assistant Chief Huffman if the Fire Department was asking for an additional \$30,000? Assistant Chief Huffman said the total upfront would be \$61,000 then the Fire Department would purchase the equipment, so the Council would need to fund \$29,000.

Mr. Herms asked when the deadline was for this grant. Huffman stated the grant was due March 1. Mr. Herms asked Dianne Lowe if this could be done as it seemed funds would need to be transferred and there was not a budget amendment before Council. Ms. Lowe said not without a budget amendment. Huffman said the grant would not be awarded until May 15. Huffman said in the past they have paid the 50% out of their line items. Fire Chief Tracy Caldwell said he has \$30,000 in Capital Outlay and then have Council fund the remainder. He states the Town Manager advised against this and he looked for other funding sources. Caldwell states he may be able to get some funds from the county.

Mr. Herms said he didn't think there was a problem with Council funding it, however the way in which it was presented to him and how it was presented to Council are different. Mr. Herms said he was under the impression the Fire Department budget had funds available to cover the request. Mr. Herms said Assistant Chief Huffman is requesting a budget amendment which staff did not prepare because it was not communicated that one would be needed.

Councilmember Danny Hipps said he understands Mr. Herms desire for transparency and good communication. Mr. Hipps said the in the past, if you have a \$60,000 grant and you are going to absorb it out of your budget, when the reimbursement comes in, it does not go back to your line items, instead it goes into the General Fund. It does not seem like there is any incentive for any department to apply for a grant. Councilmember Hipps said you are going to force departments to spend a lot of money and the grant funds do not come back to them. This is not how other municipalities handle the process.

Mr. Herms said during the budget process, he works with department heads to set up a grants line item for them when applying for a grant.

Councilmember Danny Hipps said he agreed with Todd about having the discussions and planning ahead of time during the budget process.

Finance Officer Dianne Lowe asked to speak. She stated when revenues come in on the grant, it is on the revenue side, the line item is increased to account for the revenue, therefore the money does go back into that line item.

Councilmember Marcus Midgett asked Assistant Chief Huffman if this grant was different than the ones applied for in the past. Mr. Huffman said it was the same grant the Fire Department had previously applied for. Councilmember Midgett said it was different because the Fire Department had never asked for money before.

Huffman said if this is not approved by the Council, the Fire Department will utilize the funds they have within their line items. This is about \$29,000 the Council would spend according to Mr. Huffman.

Mayor Pro Tem Max Bumgarner Jr asked if there were any questions.

Max Bumgarner Jr asked if the money had to be spent before the grant funds were received. Mr. Huffman said they would have to make purchases right away due to the fiscal year end.

Councilmember Ronnie Williams asked if Mr. Huffman was saying that the Fire Department budget currently had funds available to cover the expense of the grant. Mr. Huffman said no. Chief Caldwell said he has about \$47,000 in his budget that he can move. He said he also has some contingency monies available from the county. Councilmember Williams wanted to make sure he understood the total amount to be spent would be \$29,000 if the grant was awarded. Assistant Chief Huffman said that was correct.

Councilmember Williams asked if the Fire Department were to get a grant from the county, would the money go back into the Fire Department's line items? Councilmember Hipps said this money would go into the General Fund and then there would need to be a budget adjustment to put it into the Fire Department's line items, Mr. Herms confirmed that was correct.

Laura Dellinger, spoke out to say she believed the Council should help the Fire Department and that \$30,000 was not much money.

Councilmember Hipps asked Assistant Chief Kenneth Huffman if the following were the options on the table: 1) The Fire Department cannot apply for the grant and should use their budget to buy the items 2) The Fire Department can apply and the Town will pay the \$29,000 or 3) or only fund it partially.

Assistant Chief Kenneth said he could log into the grant application and reduce the request. He stated that the equipment at the Fire Station was aging and the cost of replacing those items was always increasing.

Mr. Herms said that if Council wished for the grant application to proceed they would have to consider a budget amendment at the next meeting.

Councilmember Williams asked Chief Caldwell if he could ask the county for funding.

Mr. Herms asked if he could make a recommendation. Mr. Herms said legally the Council could not approve funds that are not in the line item. Council would need to pass a budget amendment at the March 5th meeting. Mr. Herms said he suggests the grant be applied for in the manner discussed with Chief Caldwell using funds that are already in the budget and staff will present a budget amendment on March 5th. Mr. Herms asked Mr. Conrad who said he agreed that funds could not be committed as there was not a budget amendment on the agenda.

Councilmember Hipps asked if we could give them permission to proceed with the grant application and then staff will present a budget amendment at the next meeting. If Council votes yes, then Council will

supply additional funds if Council votes no, the Fire Department will have to proceed with the grant using the money already budgeted to them.

Councilmember Williams told Chief Caldwell he would like to see him get funds from the county. Chief Caldwell said that is a five to six week process. Mr. Herms said that Chief Caldwell has \$17,000 from the county now.

Councilmember Midgett asked what would happen if Council does not approve the budget amendment at the next meeting? Mr. Herms said the Fire Department would have to use the money they have been budgeted.

Councilmember Midgett said he was confused about the \$47,000 Chief Caldwell said he had in his budget and was wondering if the Fire Department was awarded the grant what they would do with these funds. Chief Caldwell said buy more equipment. Mr. Herms said the Fire Department was taking the total of several line items to come up with \$47,000. Councilmember Midgett said it seems like things are happening very fast. At the last meeting we voted to join some other groups and now this.

MOTION WAS MADE BY COUNCILMEMBER DANNY HIPPS AND SECONDED BY COUNCILMEMBER RONNIE WILLIAMS TO PROCEED WITH THE GRANT APPLICATION. MOTION CARRIED UNANIMOUSLY.

With no further comments...

MOTION WAS MADE BY COUNCILMEMBER TRINA MICHAEL AND SECONDED BY RONNIE WILLIAMS TO ADJOURN THE MEETING AT 7:46 PM. MOTION CARRIED UNANIMOUSLY.

Respectfully Submitted:

Elizabeth Yokley-Krige, Town Clerk

Robert L. Smyre, Mayor

ATTEST:

Elizabeth Yokley-Krige, Town Clerk