

**TOWN OF ANGIER
BOARD OF COMMISSIONERS
Tuesday, March 7, 2017, 7:00 P.M.
Angier Municipal Building
28 North Raleigh Street
Minutes**

The Town of Angier convened during a regularly scheduled Board of Commissioners meeting Tuesday, March 7, 2017, in the Board Room inside the Municipal Building at 28 North Raleigh Street.

Members Present: Mayor Lewis W. Weatherspoon
Mayor/ Pro Tem Commissioner Bob Smith
Commissioner Jerry Hockaday
Commissioner Craig Honeycutt
Commissioner Alvis McKoy

Staff Present: Town Manager Coley Price
Interim Finance Director Vanessa Young
Public Works Director Jimmy Cook
Librarian Amanda Davis
Planning and Permitting Technician Sean Johnson
Corporal Daniel King
Town Attorney Al Bain
Deputy Town Clerk Betty Pearson

Others Present: Tom Woerner and Rick Curl represented *The Daily Record*

1. **Call to Order:** Mayor Weatherspoon presided, calling the Board of Commissioners meeting to order at 7:00 p.m.
2. **Pledge of Allegiance:** Mayor Weatherspoon led the pledge of allegiance.
3. **Invocation:** Commissioner Alvis McKoy offered the invocation.
4. **Approval of the March 7, 2017, meeting agenda:** The Town Board approved the agenda as presented.

Board Action: The Town Board unanimously approved the March 7, 2017 meeting agenda as presented.

Motion: Commissioner Hockaday

Second: Commissioner Smith

Vote: Unanimous (4-0)

5. **Public Forum:** Mayor Weatherspoon provided an opportunity for audience members who wished to address the Board of Commissioners on issues not listed on the Agenda.

Seeing no one come forward, Mayor Weatherspoon closed the Public forum.

6. **Consent Agenda:** Commissioner Smith pointed out a couple of corrections to be made on the contract with Summit Engineering, Inc., regarding the Sidewalk Project. He made a motion to accept the Consent Agenda as listed below with the added changes to Item 6D contract with Summit Engineering, Inc.

- A. Minutes – February 7, 2017, and February 20, 2017, Town Board Regular and Special Called Budget Workshop Meeting Minutes. (Attachments # 1 and #2)
- B. Budget Amendments #BOA2017.11, #BOA2017.12, #BOA2017.13, and #BOA2017.14. (Attachments #3, #4, #5 and #6)
- C. The Hwy. 210/Park Street Sidewalk Extension Project Ordinance (Attachment #7)
- D. Contract with Summit Engineering, Inc., regarding the Sidewalk Project. (Attachment #8)
- E. Wake County Elevated Tank Capital Project Ordinance. (Attachment #9)

Board Action: The Board unanimously voted to approve the Consent Agenda as presented with the added changes to the Summit Engineering, Inc. contract.

Motion: Commission Smith

Second: Commissioner Hockaday

Vote: Unanimous, 4-0

7. **New Business:**

- A. **Christopher Abbott, CPA:** Christopher Abbott, CPA, presented his audit finding from the previous fiscal year. *(Due to its length, a copy of the Audit Report will be filed in the Clerk's office for review.)* Mr. Abbott gave an overall summary and stated that the General Fund showed a good balance with a decrease in debt. He said that nothing had changed and only one clerical error was found and corrected.

Mr. Abbott praised Interim Finance Director, Vanessa Young on an excellent job in reporting. Mr. Abbott said that she had been presented the Certificate of Achievement for Excellent in Financial Reporting by the Government Finance Officers Association every year since 2011. Mr. Abbott concluded by asking if there were any questions on the report he presented. He said if anyone had questions to please give him a call.

- B. **Tiffany Henry:** Tiffany Henry thanked the Board for allowing her to speak on implementing a new "My Little Free Library" drop box at the Jack Marley Park. She stated that the drop box would be an accessory structure that would be placed in the park. She provided handouts with 3 locations for the Board to consider. Ms. Henry said the structure would not impede traffic and would be placed in a well lit

area. There were questions on its impact to the Library. Librarian, Amanda Davis answered that the drop box would not have any impact on the Library. Also, there were questions regarding the possibility of the drop box being placed in neighborhoods or downtown areas.

Board Action: The Board unanimously voted to approve the "My Little Free Library" drop box.

Motion: Commissioner McKoy

Second: Commissioner Hockaday

Vote: Unanimous, 4-0

- C. **Betty Pearson, Oath of Office:** Betty Pearson was administrated the oath of office as acting Deputy Clerk by Mayor Weatherspoon until the position of Town Clerk was filled.
- D. **Special engagement proposal with Williams Mullen:** Mayor Weatherspoon turned over item 7D to Mayor Pro Tem/ Commissioner Smith to address and answer questions. Commissioner Smith made a motion to approve the special engagement proposal with Williams Mullen, second by Commissioner Honeycutt. Commissioner Smith then explained that the Board previously used a censure to stop practices that would adversely impact the interest of the Town employees and that were not consistent with the Council-Manager form of government. It appears the Mayor has acknowledged those practices, signed the censure and has taken steps to comply with the terms of the censure.

Upon advice of our attorneys, and based on what we know, there is insufficient evidence to conduct an Amotion or removal proceeding, so that is removed from consideration.

There remains the issue of the legal obligations which this Board owes to the employees of this Town. Two employees have left Town employment during this time period. We need independent legal assistance to insure that no legal issues remain to be dealt with and to insure that our employees enjoy a favorable work situation. Williams Mullen attorney Bobby Higdon will conduct that focused and limited investigation and report back to the board.

This Board did not initiate or condone those adverse actions taken with regard to Town employees. The Board will now work diligently to insure that the interests of Town employees are protected and our legal obligations to the employees and this Town are met.

If there is no discussion among Board members, I believe we are ready to vote, so I move the previous question.

The following members of the audience gave comments and concerns regarding the proposed special engagement with Williams Mullen.

Attorney Ryan Adams, 2401 Dick Street, Raleigh stated he did not understand what was being investigated. Commissioner Smith noted that this was a personnel issue. Mr. Adams expressed concerns about the cost. He said that he had sense enough to use Google and passed out a handout about Robert Higdon. He stated that he did not want to have to come back again.

Judy Wheeler, 1797 Chalybeate Springs Rd. stated had she not pulled up tonight's agenda she would have not seen the item on Williams Mullen. She said she loved Angier and we are a family here and should be careful not to open up a can of worms. Mrs. Wheeler said that the Town for the last 15 years should make sure that every T had been crossed if they pursue this investigation. She expressed that this was not what she wanted as the Mayor had admitted to making mistakes and she just wants to know what is going on. Mrs. Wheeler stated that she does not want Coley to leave and that as the Town Manager he has done a good job. However, she is really concerned about the cost to the Town.

Brian Hawley, 49 Kerry Lane, expressed concerns about the image the Town was presenting. He stated that he had opposed the Bike Fest and the perception of the Town means a lot. Mr. Hawley said that Mr. Hockaday should have been removed from voting on the Planning Board matter. However, he felt that we should move pass the issue and build a relationship together.

Sarah Bradley, 142 S. Poplar Street, stated she does not understand what is going on and would like clarification on the investigation and does not want to see any more employees leave.

Bill Summer, 37 Brax Carr Way, asked if employees resigned or got fired. Commissioner Smith stated that they had resigned. Mr. Summer wanted to know what the problem was.

Joe Langley, 298 Kurt Adams Road, was confused on how we had gotten to where we were today. He stated that if it continues we are hurting the Town. He said we need to do whatever is needed to bring a quick resolution and move forward.

Resiha Lasiter, 32 E. Depot St., (business address), wanted to know if this was an issue about the Mayor or a personnel issue. She said the rumors needed to be cleared up. Ms. Lassiter said that if there are issues why not clear it up and if someone is suing the Town for harassment she would like the Town to be transparent on the issue. Ms. Lasiter also expressed concerns of the cost to the Town.

Rick Tutor, 32 Amy Ct., said he appreciated the job the Board does and was not here to judge. He said he felt that the Board was taking steps in the right direction and acknowledged that if it was a personnel issue it could not be discussed. However being in the insurance business for 35 years, he would suggest contacting the Towns insurance provider before choosing any attorney.

Curtis Perry, 53-A Brookmere Drive, stated he was here because he had heard rumors that the Mayor was going to be voted out. Mr. Perry asked if you have to have special skills to investigate the situation and if not why can't the Town Attorney do the investigation. Town Attorney, Al Bain, answered that he is attorney for the Board and Mayor which would present a conflict. Mr. Perry said this is just petty.

Brian Smith asked if this is not about the Mayor, why you are you, Commissioner Smith presiding over this discussion.

Donald Gregory asked if there had been complaints filed. Commissioner Smith responded that several complaints had been filed in writing. Mr. Gregory said he didn't believe that all Town employees disliked the Mayor. He felt that they should speak to each employee. He questioned exactly why we were here tonight. Commissioner Smith stated that there were two parts, one public centure and then the second part was the investigation. Mr. Gregory then read from a prepared statement, which covered various issues from:

- If you don't like the Mayor get him out in the next election
- If the Mayor has lied, well I have been lied to by Town Officials
- Mr. Gregory stated that he had heard rumors that he and the Mayor were trying to fire the Town Manager and we all know that is not going to happen
- Stated that the SBI and the ACLU should come and investigate and clean up the whole place and get it over with
- If you don't like working here then go somewhere else
- I think Coley does a good job but there is a lot of things I disagree with and we all need to work together

Larue Hawley spoke from her seat and became very upset and walked out of the meeting.

Everett Blake, 252 Gardner Road, expressed concerns about the cost to the Town and wanted the Town to look at the Insurance Company.

Judy Wheeler questioned how much money had already been spent.

Reshia Lasiter suggested using an independent attorney not familiar with the Town of Angier.

Board Action: A motion was made by Commissioner Smith to approve the special engagement of Williams Mullen, second by Commissioner Honeycutt.

Motion: Commissioner Smith

Second: Commissioner Honeycutt

Vote: Unanimous, 4-0

8. Old Business: There was no old business to report on.

9. Manager's Report: Town Manager Price informed Town Board officials of numerous events that had taken place and forthcoming events including the following:

- There will be a Planning Board meeting Monday, March 13, 2017. Note that it has been moved to Monday night.
- The annual Chamber of Commerce Banquet will be held the following evening – Tuesday, March 14, 2017.
- There will be a Board of Adjustment meeting March 21, 2017 at 7 p.m.
- The Comprehensive Land Use Steering Committee will meet next Wednesday, March 15, 2017, at 6 p.m. for an Economic Development Focus Group with Ted Abernathy, followed by a brief presentation by Mike Sorensen, The Town of Fuquay-Varina Planning Director.
- The annual Town Hall Day in Raleigh will be Wednesday, March 29, 2017. Details are attached to this Report. Please let us know as soon as possible if you would like to attend as the registration deadline is looming.
- The Town Board is slated for one on one interviews with Ted Abernathy Wednesday, March 29, 2017
- Mark your calendars for the following evening – Thursday, March 30, 2017 at 6:30 p.m. for a Countywide Town Hall meeting with Rep. David Lewis inside the Angier Municipal Board Room.
- Save the date of Saturday, April 8, 2017 for a Countywide Operation Inasmuch. It will take place on the R. H. Ellington Grounds of Angier Depot Square.
- I will be facilitating the Wednesday, April 12, 2017 Senior Citizens' luncheon from 11:30 A.M. until 12:00 noon.
- Angier Town Hall offices will be closed Friday, April 14th in observance of the Good Friday holiday.
- An update on the following events taken place:
 - The Angier Comprehensive Land Use Steering committee met three times in February.
 - Our Budget Retreat Workshop February 20, 2017 was productive.
 - The Economic Development luncheon was to be held Monday, March 6th.

- Town Engineers' report attached
- Details regarding the 2017 Town Hall Day attached
- Water and Sewer Rate notifications attached.
- Tentative Meeting Schedule with Ted Abernathy Wednesday, March 29th.

Mayor Weatherspoon	4 PM
Commissioner Hockaday	4:30 PM
Commissioner McKoy	5 PM
Commissioner Honeycutt	5:30 PM
Commissioner Smith	6 PM

10. Mayor and Town Board Reports: There were no items to report.

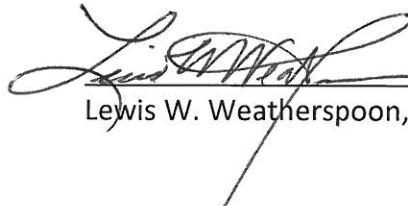
11. Staff Reports and Informational Items: Staff reports and informational items are attached.

12. Adjournment: The Town Board voted unanimously to adjourn the meeting at 8:35 p.m.

Motion: Commissioner Hockaday

Second: Commissioner McKoy

Vote: Unanimous, 4-0



Lewis W. Weatherspoon, Mayor

Attest:



Betty Pearson, Deputy Clerk