



**Stanley Town Council Meeting
Official Minutes
January 13, 2020**

The regular monthly meeting of the Stanley Town Council was held on Monday, January 13, 2020 at Stanley Middle School. The following elected officials and staff were present:

Steven Denton, Mayor
Cathy Kirkland, Mayor Pro-Tem
Bud Pate, Council Member
Kerry Hart, Council Member
Victoria Kiser, Council Member
Jimmy Ingold, Council Member

Jim Windham, Town Attorney
Heath Jenkins, Town Manager
Olivia Smith, Finance Director
Tug Deason, Recreation Director
Tammy Calhoun, Deputy Clerk
Derek Summey, Chief of Police
Craig Roseberry, Public Works Director
Don Ritter, Utilities Superintendent

Call to Order:

Mayor Denton called the meeting to order at 6:00 p.m.

Invocation:

Council Member Bud Pate gave the invocation.

Pledge of Allegiance:

All citizens present recited the Pledge of Allegiance.

Approval of Agenda:

Mayor Denton asked if there were any changes to the agenda. Mayor Denton asked if there was a motion to approve the agenda. Mayor Pro-Tem Kathy Kirkland made a motion to approve the agenda. Council Member Jimmy Ingold seconded the motion, the vote was unanimous to approve the agenda.

Approval of Minutes: Mayor Denton asked for a motion to accept the Regular Meeting Minutes from the November 2019 meeting. Council Member Kerry Hart made a motion to approve the minutes as presented. Mayor Pro-Tem seconded the motion. A vote was held and the motion passed unanimously.

Special Presentations: Chloe Billings was honored for her “Stars and Stripes” award for a community garden project at Common Ground in Stanley, NC. The project was featured in the Gazette and Belmont Banner. American Heritage Girls is a non-profit Christian-based scouting organization with more than 43,000 members with troops in fifty states and twelve other countries. Mayor Steve Denton read and presented Chloe a resolution honoring her work. Chloe’s mother, Judy Billings and father Robert were present for the presentation. Mayor Denton asked for a motion to approve the resolution. Council Member Kerry Hart made the motion, Council Member Victoria Kiser seconded the motion. A vote was held and the motion passed unanimously.

Mayor Denton read a resolution honoring the Morehouse College Glee Club. The Morehouse Glee Club will be singing in Stanley at a concert at the First Baptist Church. The Town will honor them with a presentation of the resolution and a key to the town. Dr. Claude Williams was able to arrange this event on January 25, 2020. Mayor Denton asked the manager if we had posted the event on our website. Manager Jenkins advised it had been posted on Facebook. Mayor Denton asked for a motion to approve the resolution. Council Member Kerry Hart made the Motion. Council Member Jimmy Ingold seconded the motion. A vote was held and the motion passed unanimously.

Presentation of the 2018-19 Fiscal Year Budget- Dan Gougherty, CPA & Senior Manager with Cherry Bekaert LLP, CPA & Advisors –

Dan thanked the Mayor and Council for the opportunity to make this presentation. Dan advised this audit was something we had been working on since May of last year through October 2019. The Town Council was given a copy of the audit report and a power point presentation. Dan advised that financial information is current and accurate and per national standards. There are two opinions on financial statements and internal controls. There were no single audits this year but would be next year. The opinions given for our audit was considered a “clean” audit which is the highest opinion that can be given for any report. Internal controls did have one problem with the budget violation of an overage in our water expenditures related to the water billing problem that has been identified. Dan presented an additional about internal controls related to segregation of duties, journal entries that are examined for fraudulent activity (finding none). Dan presented they take a look at our internal controls on our computer system, include firewalls, password protection, training for employees, etc. Dan presented they pull invoices and check for fraud as well. Dan presented the general fund revenues, tax revenues, and expenses reduction which assisted in an increase in fund balance. Expenses for general government went down.

Dan presented the part of the audit related to fund balance. The Town's fund balance is 20 percent, and the state requirement is 8%. Dan continued with the water and sewer budget and discussed the expenditures being up 500,000 because of the water purchases from Mount Holly. Dan continued and pointed out the net equity decreased \$467,000 due to the overages from Mount Holly Water purchased. Dan continued and thanked Olivia and Heath for their work on the budget and having the budget presented to the local government commission on time by October 31, 2020. Mayor Denton asked Dan if the Town is in good standing. Dan advised because of our fund balance he agreed the Town was in good financing standing. Mayor Denton thanked Dan for his report and asked for a motion to accept the 2018-19 Fiscal Year Budget. Mayor Pro-Tem Cathy Kirkland made the motion. Council Member Jimmy Ingold seconded the motion. A vote was held and the motion passed unanimously.

Citizen Recognition – Mayor Denton asked if there was anyone wishing to speak under citizen recognition on an agenda item only. There were no citizens wishing to speak.

Old Business - Discussion of policy concerning political activity, definition of volunteer – The policy change regarding volunteer and serving on the Town Council. Mayor Denton advised he felt there needed to be clarification, and in his opinion if someone wants to serve on any department and they are elected officials, they should be allowed to serve. Mayor Pro-Tem Kirkland asked if this was for someone who is a volunteer without pay. Mayor Denton stated yes, as long as there is no conflict of interest. Mayor Pro-Tem Cathy Kirkland asked Manager Jenkins what the process would be to change. Manager Jenkins advised they would have to bring back a draft and call for a public hearing and go through the same process as we did before. Mayor Denton asked Manager Jenkins if he needs a motion or just direction. Manager Jenkins responded he only needs direction from the Council.

New Business – Budget Amendment for Fire Department to purchase turn out gear

Mayor Denton asked Chief Withers to step to the podium. Mayor Denton stated he had called a meeting between him, Chief Withers, assistant Chief Hullett, Chief Price and Councilman Jimmy Ingold concerning their concerns and Mayor Denton stated he wanted to see \$30,000 to go back into the fire department budget. Mayor Denton asked Chief Withers to discuss the need for turn out gear. Chief Withers explained its fire resistant and a necessity and if we are going to ask our firemen to go into a burning home, they need protection. *The helmets are \$305.000, the hood is \$40.00 coat \$1260 pants \$828.00 gloves \$89.00 boots are 365.00 and the total is \$2879.00 excluding mask, flashlight, other tools.* Mayor Denton asked how much he was requested. Chief Withers stated there had been an increase in volunteers and paid staff. Chief Withers continued that they have some items in storage and when they bring in a volunteer, we need turn out gear for those volunteers. Chief Withers continued that Manager Jenkins had given them a purchase order for one set, they were asking for additional funds at \$6,000.00.

Mayor Denton asked Chief Withers to discuss volunteer. Chief Withers responded that at one time they put a cap on the number of volunteers, and further discussed volunteers need pages, turn-out gear, and had discussed a cap but not sure where that cap should be. They also have discussed running medical calls. Mayor Denton asked if any volunteer can administer medical care. Chief Withers advised no. The volunteers can only do certain minor things, and equated it to Boy Scout first aid. Mayor Denton asked how many of the volunteers can run medical calls to administer medical aid. Chief Withers responded about 2 or 3 out of 6 or 7. Council Member Jimmy Ingold asked how many of the 5 applicants were certified. Chief Withers responded one. Mayor Pro-Tem Cathy Kirkland asked how many of the new applicants can respond to fire calls. Chief Withers stated they have a total of seven volunteers, Mayor Pro-tem Cathy Kirkland asked how many can respond to a fire. Chief Withers stated they all could respond but are limited in what they can do. Chief Withers presented EMT certification and running medical calls. Council Member Jimmy Ingold asked how many part-time staff members are EMT's. Chief Withers responded all of them. Council Member Victoria Kiser asked if Chief Withers or the fire department were working with the Gaston County Schools, specifically East Gaston which had an EMT program where the 18-year old graduates would be level one EMT and the point of contact is Brett Buchanan. Chief Withers advised they had not, but would follow-up.

Council Member Jimmy Ingold asked Chief Withers if the three sets of gear would be enough or will they be short. Chief Withers advised they could need additional. Council Member Jimmy Ingold then asked how much of the gear is out of date. Chief Withers responded and explained there is a shelf life on turn out gear and after ten years it's a liability. Some of the equipment is about four years from being out of date. Chief Withers explained they have purchased gear as they needed. Council Member Victoria Kiser asked the Chief Withers if there was a way to purchase an extra set of gear. Chief Withers explained they purchased it to fit the firefighter. Chief Withers also advised turn out gear is going up anywhere from 2 ½ to 5 % a year. Council Member Bud Pate stated the turn out gear is based on the years, not the number of fires. Chief Withers explained that was correct, but they did inspect equipment just after each fire. Mayor Denton asked Chief Withers if Stanley could use the City of Charlotte's turn out gear. Chief Withers stated no, they could not. Mayor Pro-tem Cathy Kirkland asked they take their gear home. Chief Withers stated yes, so they can respond to the incident from home. Council Member Bud Pate asked what would happen to the turn out gear if it burns up or damaged somewhere else. Chief Withers their respective insurance coverage would take care of it. If they don't have insurance, we don't require them to pay for the damages, however they do on radios and pages.

Mayor Denton asked if \$7,000 was what he needed. Manager Jenkins stated he put the full \$7,000 in budget amendment. Council Member Bud Pate asked if there is an emergency and Charlotte calls, would you have to go. Chief Withers stated they can call, but he doesn't answer the phone there is nothing they can do. If I do answer Mayor Pro-Tem Cathy Kirkland said "so

you would stay here?” Chief Withers stated “yes he would”. If it was an A shift day I would be committed to Charlotte.

Mayor Pro-Tem asked who paid for firefighter training. Chief Withers stated the firefighter, unless it’s a specific training class. Mayor Pro-Tem asked if they could require them to sign a contract, Chief Withers stated he would have to investigate that. Council Member Jimmy Ingold stated if they pay for the training, that may be possible, but the training they receive for their certifications was paid for by them and we could not require them to sign a contract regarding those hours. Council Member Jimmy Ingold asked Chief Summey if the Town paid for officers BLEET. Chief Summey stated we have before but we don’t at this time.

Mayor Denton asked if there was a motion to approve the budget amendment in the amount of \$7,000. Council Member Victoria Kiser made the motion and Council Member Jimmy Ingold seconded the motion. A vote was taken and it was unanimous to approve the motion.

New Business Item B- Resolution to verify Stanley Fire Department is a department of the Town of Stanley –

Mayor Denton asked for a motion to approve the resolution. Council Member Kerry Hart made the motion. Council Member Jimmy Ingold seconded the motion. A vote was taken and it was unanimous.

New Business Item C- Appointment to the Stanley Total Living Center Board of Directors. requesting the Town Council to approve the appointment recommendation from the Community Pentecostal Center – Dennis Queen

Mayor Denton asked for a motion to approve the motion. Council Member Kerry Hart made the motion. Mayor Pro-Tem Cathy Kirkland made the motion. Council Member Kerry Hart seconded the motion. A vote was taken an it was unanimous to approve the motion.

Citizen Recognition – Mayor Denton asked if there were any citizens wishing to speak. Brain Kiser 104 Walking Horse Run. Mr. Kiser stated they each council member took an oath to uphold the United States Constitution, and the North Carolina Constitution. Mr. Kiser stated he had heard things from the council that did not ring true (to uphold the constitution) and read the wording of the 1st amendment of the US Constitution. Mr. Kiser then read Article 1- Section 14 then read the North Carolina Constitution and other portions of the NC Constitution as well as the Town Charter, regarding supporting good government. Mr. Kiser stated he had originally decided not to speak out about these inconsistencies but decided to do so. Mr. Kiser said that no elected officials should speak out against a child, regarding post on social media, and could choose not to read it, write your own post, write to the Gazette. Nobody in government has the right to speak out against someone who gives their opinion. Mr. Kiser requested all to reflect on their oath. Mayor Denton thanked Mr. Kiser for his comments.

There were no further citizens wishing to speak. Mayor Denton moved to the portion of the agenda regarding department reports.

Finance Report - Olivia Smith - No report beyond report presented in packet
Council Member asked questions regarding the finance report and wanted to know why the report reflected no additional expenditures. Olivia responded she would get with Ms. Kiser regarding this issue.

Public Works, Craig Roseberry – No report

Parks and Recreation – Tug Deason, - No Report

Fire Department – Eric Withers - stated that he and the manager had met to encourage the Chief to go to a 24-hour shift. Chief Withers advised they attempted to do that. However, he has some issues and had listed those out in a handout. Historically, a firefighter schedule is a 12-hour shift, not 8. If not a 12-hour it's a 24-hour shift. There is a total of 168 hours, but could not figure out where the other 6 hours were. I had promised you 30 hours and Hullett 20 hours. I can't look at you and tell you there will be coverage, there will be somewhere 6 hours that will not be covered. That could be CRR, a structure fire, or nothing. I did not want to look at this schedule and think it would be covered 100 percent. I poled the firefighters, not many can work 2nd or 3rd shift. This is due to them being at other locations and sleeping, these hours are not conducive because their child is in bed. It makes a smaller pool, to sign up for 2nd or 3rd shift. The times are difficult because they have other schedules, because they have full time jobs somewhere else, and it's not their only part-time job. They would rather to go somewhere that be here for eight hours. Most other department's work 10 hours, 12 hours or pay more than \$12.00 an hour. They can choose to work for \$96.00 a day, but go make more money somewhere else. The other issue is unassigned days 24 for whatever reason, or 25 percent of our calendar and that's unacceptable. Chief mentioned that he and Hullett had worked part of the 3rd shift, therefore 46% of the calendar was open when we went to this schedule. It affected moral. Chief Withers stated he has concerns about training and putting hose back on the truck. He is also concerned about not having a second person during that six to six-time frame. We run certain medial calls. The other concern, regardless we have mental health, drug calls, and if one fireman shows up by himself is no safe, from a safety standpoint. They may claim their money or medication was stolen. I am requesting the Council to consider this. Chief Withers stated he is asking for the \$30,000 for the grant that will not be used. Mayor Pro-Tem Cathy Kirkland asked the Chief if he can't get the fireman to work now, who will he get to cover it? Chief Withers stated that is a very good question, I will hire more people, pull in more people using the turn out gear that we will have when others leave. Council Member Jimmy Ingold asked, before you went to the 8-hour shift, how many people did you have not signed up, how many people did not sign up. Chief Withers stated 4 to 5 people. Council Member Jimmy Ingold stated "so you are wanting to go to 12-hour shifts, right?" We can go to 12's and go to two 12 hours, because its more beneficial to go to 12 hours. Mayor Pro-Tem Cathy

Kirkland stated she didn't understand, why if you can't get people to cover, how are you going to cover it. Chief Withers stated they only make \$96.00 a day. Council Member Kerry Hart asked questions regarding firemen have multiple pair of turn out get? Chief Withers stated no firemen is allowed to wear each other's turn out get.

Mayor Denton stated Manager Jenkins was acting on behalf of the Town Council to ask for the 24 hours. Chief Withers stated it was just not working. Mayor Denton stated he would support a new schedule that supported the 6am to 6 pm hours. Council Member Kerry Hart asked based upon his statements, how would he get people if they will be away from their kids. Chief Withers stated this shift would allow a better schedule for childcare. Mayor Denton asked, so is the Council in favor of a 12-hour shift. Mayor Denton asked the Manager if he had any comments. The Manager did not have any comments. Chief Withers advised he need the additional funds of \$30,000. Mayor Denton advised he would support adding the \$30,000 back to staffing minus the turn out gear. The seven thousand was for turn out gear. Council Member asked if we move the \$30,000, and we get to the budget are we going to be in the same situation. Mayor Denton advised they would have to address it again at budget time. Council Member Victoria Kiser asked if he wanted to fill the entire 8-hour shifts, you did not have enough people to cover the time period? Chief Withers advised yes, that is correct. Council Member Cathy Kirkland asked the Council if they could table this matter, because she was just finding out about it tonight? Council Member Kerry Hart stated she would support tabling, Council Member Bud Pate advised he would support tabling. Chief Withers advised if tabled they would not actually go into a new schedule until March and he would only need funds for March, April, and May. Council Member Victoria Kiser and Council Member Jimmy Ingold both agreed to table. The discussion continued with Mayor Denton discussing on voting on the funds next month. Mayor Denton again stated he supported putting the money back in. Mayor Denton asked if there were any other questions. There were none, Chief Withers advised as of December 31, 2019, I have 60,000 dollars in salary line item now. If we decided to move to the 12-hour tonight, I only need \$10,000 to allow to continue. Mayor Denton asked if they would approve that tonight or table. Each Council Member indicated they would be ok with going through tonight. Mayor Denton asked for a motion to approve the additional \$10,000 to fire department tonight. Council Member Kerry Hart made the motion, Council Member Jimmy Ingold seconded the motion. A vote was held and it was unanimous to fund an additional \$10,000 to fire department. Mayor Denton asked Manager Jenkins if he needed anything else, Manager Jenkins advised no.

Council Member Kerry Hart asked when Springfield School would have an SRO. Chief Summey advised that position had been filled recently and would be coming on board this year after his initial training.

Council Member Victoria Kiser asked Chief Summey to explain special checks. Chief Summey explained it was a physical presence when an officer was checking a residence or making other checks for various reasons.

Mayor Pro-Tem Cathy Kirkland asked Manager Jenkins about the status of crosswalks uptown. Manager Jenkins explained they had received a “planning grant” which would put the Town a step closer to obtaining a grant for the crosswalks and other pedestrian projects. Manager Jenkins explained they had tried for other grants.

Mayor Pro-Tem Cathy Kirkland also requested to know the status of the painting of downtown. Manager Jenkins explained that he had spoken to the property owner and gave him the paint codes and they were going to be moving forward.

Mayor Pro-Tem Cathy Kirkland also asked about the roads in Bennington Woods, that the contractors had damaged the roads. Craig Roseberry explained that we had taken pictures and video of the roads prior to the projects and would be meeting with the contractors to discuss.

Mayor Pro-Tem Cathy Kirkland also asked about the roads in the new subdivision. Manager Jenkins explained all projects now are inspected by the Town’s engineers and bonded. Manager Jenkins explained the process will be enforced as he had promised the Council after the road issues in Kelly’s Landing. Council discussed roads and the manger explained the roads in Stanley were of a concern to him and the Council needed to consider a plan for improvements.

Council Member Kerry Hart also asked about what builder was building the last couple homes in Bennington Woods. Craig advised it was a different contactor

Tug Deason advised the new lights are going in down town. If any questions were asked about the old lights not working, Duke Energy was working to get the new lights installed now. Tug advised if they did not like them, to call the Mayor.

Council Member Victoria Kiser asked about the Two-Rivers Utility line item being at a certain percentage, being only 26 percent. Manager Jenkins asked if this was from the latest report. Craig explained there is a variation. Council Member Kiser asked if this was typical. Manager Jenkins explained he would have to look at the numbers. Olivia explained we would have to do a budget amendment. Manger Jenkins also explained that it was a great question that many times line items may show 75 or 99 percent, depending on when the items in the line item are spent.

Council Member Victoria Kiser asked if she could get a copy of all the ordinances. She explained she had asked for all the ordinances. Manager Jenkins explained the ordinance book was very antiquated, but he zoning code had been updated and was ready to approve. The personnel are up to date. Manger Jenkins explained that we had worked to improve all but zoning and personnel were most recent and up to date.

Mayor Denton asked if anyone would be willing to serve on MPO Board, Council Member Jimmy Ingold advised he would consider it and asked the Mayor to get with him on more information. Manager Jenkins explained the importance of the Board.

Mayor Denton asked for a motion to go into closed session at 7:33 p.m. Council Member made a motion to go into closed session, Council Member seconded the motion. Mayor Pro-Tem Cathy Kirkland made the motion, Council Member Bud Pate seconded the motion. A vote was held and it was unanimous to go into closed session for personnel and legal matters.

At 7:37 p.m. Town Council came out of closed session and Mayor Denton asked for a motion to adjourn. Mayor Pro-Tem Cathy Kirkland made a motion to do so, Council Member Kerry Hart seconded the motion. A vote was held and it was unanimous to adjourn.