

The Board of Commissioners of the Town of Wade met in regular session March 13, 2012 at 7:00 P.M. at the Wade Town Hall.

**Board Present**

Mayor Huell Aekins  
Commissioner Noelle Kendrick  
Commissioner Joseph Dixon  
Commissioner John Nunnery  
Commissioner Raymond Edwards  
Commissioner Johnny Lanthorn

**Visitors**

Mr. John Jackson, Town Attorney  
Mr. Donovan McLaurin, JPB  
Mr. Howard Smith, Water Operator

Mayor Aekins called the meeting to order and Commissioner Edwards opened with prayer.

**Agenda Adoption**

Commissioner Dixon made a motion seconded by Commissioner Nunnery to adopt the agenda as presented. The motion passed unanimously.

**Minutes**

Commissioner Dixon made a motion seconded by Commissioner Nunnery to approve the Minutes of the February 14, 2012 regular session. The motion passed unanimously.

**Financial Reports**

Board Members reviewed and discussed the reports. Commissioner Dixon made a motion seconded by Commissioner Nunnery to approve the Reports as presented. The motion passed unanimously.

**Water Department**

Commissioner Nunnery made a motion seconded by Commissioner Lanthorn to approve the February Water Report as presented. The motion passed unanimously.

**Agenda Business Items**

**Speakers from the Floor**

Mayor Aekins informed the Board that no one had signed up to address the Board under the Speakers from the Floor agenda item.

**Committee Reports**

**Beautification** – Commissioner Lanthorn stated that it was once again time to plant the flowers around the Town Hall and Park entrance signs. Commissioner Kendrick questioned whether any consideration had been given to landscaping the grounds of the Maintenance Facility. Commissioner Lanthorn stated that he had not yet contacted Anthony Ramsey, the County Landscape Architect, regarding the matter.

**Park** – Commissioner Dixon stated that the cracks in the existing blacktop under and around the Town’s shelter needed to be filled in. Commissioner Lanthorn suggested also resealing the area. Commissioner Nunnery stated that there was an area in the back corner of the area that would need more than filling in because it was deteriorating. Commissioner Edwards stated that Mr. Christian had pushed up some trees and left an open hole which could prove to be very dangerous. He also said that in one area where he removed a tree there was also a large amount of debris that was not removed. Commissioner Edwards also remarked that there were still several dead trees that needed to be removed. Commissioner Nunnery informed the Board that there was a tree from the McLaurin residence that had blown over and caught in one of the trees at the park. He stated that there were dead limbs in the tree that may fall and hurt someone at the park or damage the Town’s fence. Attorney John Jackson requested that the Town Clerk take pictures of the tree so that he could send the owners a letter requesting that it be removed. Mr. Jackson stated that legally if the tree blew over by an act of God the person with the damage is responsible, however if the owner of the tree let it get diseased or was negligent in taking care of the tree then he could be held responsible. Mr. Jackson stated that the best way to resolve the matter would be to send a letter which would place the owner on notice and if nothing was done then the Town may end up paying for the removal of the tree with the issue of going on someone’s property being negotiated.

**Streets** – Commissioner Dixon reported that the streets were sustaining themselves and that it would soon be time to start spraying the streets. Commissioner Lanthorn stated that the mild winter benefited the streets. Commissioner Edwards questioned if the Town needed to spend money on the streets to avoid losing any of its Powell Funds. Town Clerk Cindy Burchett reported that the Town was not in any danger or even near to losing any of its street funding.

### **Spring Litter Sweep**

Commissioner Dixon made a motion seconded by Commissioner Nunnery to participate in the NC DOT Spring 2012 Litter Sweep from April 14 – 28, 2012. The motion passed unanimously.

### **Founder’s Day**

Commissioner Dixon explained that the committee had met on March 12<sup>th</sup> to discuss Founder’s Day ideas and issues. He stated that he had been in contact with KOSS Motorsports and provided a list of car clubs in the area. Commissioner Dixon presented Board Members with an example of a flyer advertising the car show and explained that KOSS was promoting the event on several websites. He informed the Board that he was working on getting a sponsor for the corn hole tournament and that additional sponsors were needed. Commissioner Kendrick confirmed that the 82<sup>nd</sup> Band was considered to be a definite show for the event and that she would get a more definitive answer on the attendance of the 82<sup>nd</sup> Chorus closer to the June 2<sup>nd</sup> date. Commissioner Dixon encouraged everyone to spread the word about the event. A general discussion was held regarding contacts for the beauty pageant queens and exactly what queens should be invited to participate in the parade. Discussion was held regarding promoting the event in the monthly Farm Bureau and South River Electric magazine as well as the Our State publication. Commissioner Dixon announced that the next meeting would be April 2, 2012 at 7:00 P.M.

## **Announcements**

Mr. Donovan McLaurin reported that there was no Planning Board activity within the Town of Wade.

Commissioner Edwards expressed a concern with the appearance of many of the vacant houses around Town. A general discussion was held regarding how best to address this issue.

Mr. Howard Smith expressed a concern over the impact that the Eastover Sanitary District water project would have on the Town's water system. Attorney John Jackson explained that there had been a preconstruction conference meeting and that the City of Dunn was contracting for the placement of the line. Mr. Jackson stated that he would notify the District that Howard would like to discuss the project. Mr. Smith explained that he was concerned over who would be responsible for repairs if there was a problem and that it would be beneficial if he could see a copy of the plans for the project. Mr. Jackson agreed to coordinate the transfer of information between the Town, the Eastover Sanitary District and the City of Dunn. Discussion was held regarding the fact that Mr. Smith may need to be present during the construction to watch over the interests of the Town.

Commissioner Dixon questioned if progress had been made in getting the Ethics Training brought to Cumberland County. Mayor Aekins explained that he would call Susan Hutchinson from the School of Government concerning the matter.

Board Members were presented with information regarding the Forsyth Prayer Case and the issue of meeting invocations and their wordings. Attorney John Jackson explained that this was an unpleasant topic and that he had been contacted by the ACLU regarding the matter. He explained that the Forsyth Case was upheld stating that Towns cannot use a prayer or invocation that has any religious aspects or is disparaging to any other religion. He stated that there was a chance that the Town could be sued over the issue which would be costly and so a policy regarding the invocation was needed or there should be no invocation with just a mere moment of silence. Mr. Jackson requested that Board Members review the information realizing that the Town's invocation put Wade in violation of the Forsyth Prayer Case. He informed the Board that some towns were now using the moment of silence and that he recommended the Board consider a policy that would be least offensive on how to address the issue of prayer and that fit the parameters of the mentioned case. Mr. Jackson stated that such a policy would allow the Town to continue to have an invocation.

Mayor Aekins asked Board Members to consider if they would like to extend the fence in front of the Town Hall to the area where the crape myrtles had been removed. Mayor Aekins informed the Board that he had taken it upon himself to ask Mr. Craig Christian to attend the Board's monthly meetings. A general discussion was held regarding this issue. Mr. Jackson stated that if the Board were to discuss the performance of Mr. Christian then he would recommend a closed session. Mr. Jackson also stated that there needed to be a defined chain of command so that Mr. Christian did not have 5 or 6 people to answer to. Board Members agreed to continue to have Town Clerk Cindy Burchett to act as Mr. Christian's direct supervisor.

**Adjournment**

Commissioner Dixon made a motion seconded by Commissioner Nunnery to adjourn. The motion passed unanimously.

There being no further business the meeting adjourned.

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Huell Aekins, Mayor

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Cindy C. Burchett, Town Clerk