

**Town of Garner
Town Council Summary
February 16, 2010**

The Garner Town Council met in regular session at 7:00 P.M. on Tuesday, February 16, 2010 in the Town Council Meeting Room

COUNCIL MEMBERS PRESENT: Mayor Williams, Mayor Pro Tem Behringer, Council Members Kennedy, Johns, Marshburn and Singleton

STAFF MEMBERS PRESENT: Hardin Watkins, Town Manager; Rodney Dickerson, Assistant Town Manager; Bill Anderson, Town Attorney; Tony Chalk, Assistant Town Engineer; Lin Jones, Finance Director; Tony Beasley, Economic Development Director, Brad Bass, Planning Director and Michelle Howell Public Information Officer

CALL MEETING TO ORDER

PLEDGE OF ALLEGIANCE - Mayor Pro Tem Behringer

INVOCATION - Mayor Pro Tem Behringer

PETITIONS AND COMMENTS - None

Boy Scout Troop 714 was present to work toward earning their Citizenship Badge.

ADOPTION OF AGENDA - As Presented

Motion: Marshburn
Second: Kennedy
Vote: Unanimous

CONSENT

Minutes from January 26 and February 1, 2010

Action: Minutes Approved

Resolution to Investigate Annexation Petition for Greenfield South Business Park, ANX-10-01

Red Rock Development has submitted an annexation petition for 14.2 acres of land located on Waterfield Drive in the Greenfield South Business Park. This Resolution authorizes investigation of the sufficiency of this petition.

Action: Adoption of Resolution No. (2010) 2043

Construction of Storm Water Ponds at the Town of Garner's Public Works Facility

Bids were opened on January 26, 2010 for construction of two storm water quality ponds at the Town's Public Works facility. Staff recommends the contract be awarded to the lowest bidder, James Massengill and Sons Construction for \$50,500.

Action: Bid Awarded to James Massengill and Sons Construction for \$50,500

Ordinance Amending 2009 - 2010 Operating Budget

This amendment transfers \$50,500 from the Regional Retention Capital Reserve funds to allow construction of two storm water quality ponds at the Town's Public Works facility. Authorization for the project is requested in the agenda item above.

Action: Adoption of Ordinance No. (2010) 3574

Motion: Johns

Second: Behringer

Vote: Unanimous

END OF CONSENT

Presentation of 2009 Audit Report

Presenter: Lin Jones

Eddie Burke, of Cherry Bekaert and Holland, will present the Audit Report for Year Ending June 30, 2009.

Mr. Burke said the Financial Statements include the Independent Auditors' Report, Management Discussion and Analysis, Government Wide and Fund Financial Statements, Fund Financial Statements, Notes to Basic Financial Statements, Required Supplementary Information, Individual Fund Statements and Schedules, Supplemental Financial Data and Statistical Data Management.

The process began in April 2009 with reporting objectives and gaining an understanding of the Town's various operating processes and evaluating those processes and the internal controls. He said they performed analytical reviews of the Town's financial data, identified the Federal and State grants that were administered by the Town during the year, determining which programs were required to be audited for compliance, and evaluating the administrative controls for those programs. The audit procedures included confirming balances, reviewing invoices and other supporting data, interviewing key employees, recalculating balances, and other procedures deemed necessary. This process was completed in December 2009. He reported the Town received the Government Finance Officers Association (GFOA) Certificate of Achievement for the 6/30/08 financial statements and has received a Certificate of Achievement for 18 consecutive years. Mr. Burke said all accounting records were in excellent condition and he received full cooperation from management. The communication was excellent between the audit team and management. Management was found to be fully qualified for their assigned duties. He reported General fund assets were \$14.1 million, general fund liabilities were \$1.5 million with general fund balance was \$12.6 million. The general fund undesignated balance of \$9.7 million is "well within recommended percentage by the Local Government Commission." The property tax levy for the year was \$14.6 million and the property tax collections for the year were \$14.3 million. The collection percentage for the year was 97.6% "a little above the state wide average." Other details can be found in the auditor report filed in the Town Clerk's office.

He thanked the entire Finance Department for their assistance and the Town Council for the opportunity to serve as auditors this year.

Action: Audit Report Accepted as Presented

Motion: Marshburn

Second: Johns

Vote: Unanimous

Committee Reports

Council Member Singleton said the Law and Finance Committee will make a final report regarding: 1) Hens in the Town Limits and 2) Bow Hunting Season for Deer inside the Town Limits at the Work Session on February 23.

Manager Reports

1. Star Tracker
2. Quarterly Financial Report
3. Personnel Report January 2010
4. Building Permit Activity Report
5. Invested Funds as of January, 2010

Attorney Reports

Requested Closed Session as presented on the Agenda

Council Reports

Council Member Kennedy

- He congratulated Mr. Jones on the good audit report, stating this speaks well of Mr. Jones and his staff.
- He and Mayor Pro Tem Behringer attended a Triangle Coalition Meeting where there was discussion between three Wake County Commissioners and three Wake County School Board members on the topic of school construction. The topic was regarding whether the County can build schools better than the Board of Education. After that meeting they were able to talk with Commissioner Ward and Commissioner Coble regarding the proposal by Wake County staff to close Southeast Regional Library due to budget constraints; he said they were encouraged by their comments.

Council Member Singleton

- He commended the Attorney on cleanup of the site near Rock Quarry Road; there has been a dramatic improvement.
- He announced the Community Meeting regarding the Southeast Regional Library on March 4, 2010; he also received positive comments about keeping the library open.

Council Member Johns

- He reported water standing on the north side of Garner Road near the cement mixing plant.

Mayor Pro Tem Behringer

- She said the letter to the Council from Commissioner Coble also had positive comments about the library.
- She announced that Dr. Del Burns, Wake County School Superintendent, submitted his resignation today.
- She asked the status of the dead/leaning trees on Poplar Drive, Center Street and Garner Road.
- She reported graffiti on a concrete container on the construction site at Timber Drive and NC 50.

Council Member Marshburn

- He said he is pleased to see the temporary patching of pot holes on New Rand Road.
- In reference to Wake County's staff recommendation to close the library, he said he feels the Town has strong allies on the Commission.
- He announced that John Wall of North Garner Middle School has been appointed regional principal of the year which places him in the competition of the North Carolina appointment.
- He announced that Congressman Etheridge will speak at Carolina Barbeque tomorrow at noon.

Mayor Williams

- He reported six people attended the Wake County Commissioners meeting on Monday to speak in opposition of closing the library.
- The Fire Department has asked the Town to appoint a Council Member in addition to the staff representative to attend their regular meetings; he appointed Mayor Pro Tem Behringer.
- He raised the issue of the recent initiative to "buy local". He suggested the Town and Chamber of Commerce get together to discuss. Mr. Watkins said there is already language and efforts in place. Council Member Marshburn said he feels the Chamber should take the lead on this initiative.
- He commended the exceptional local talent that performed in Gift 4 in the Historic Auditorium on Saturday night, including Garner's own Michelle Howell.

Closed Session: Pursuant to N.C.G.S. 143-318.11(a)(5) to discuss possible real estate acquisition and the Town's negotiating position regarding such real estate; N.C.G.S. 143-318.11(a)(3) to discuss pending litigation, specifically, Edge of Auburn et al v. Town of Garner, 07-CVS-020636.

Motion: Marshburn
Second: Singleton
Vote: Unanimous

The Council returned to Regular Session and Adjourned.

Motion: Kennedy
Vote: Unanimous

Respectfully Submitted,
Judy Bass