

January 25th, 2010

At 7:00 P.M., on Monday, January 25th, 2010, in the Board Room of the Landis Municipal Building, Mayor Dennis Brown called to order the Town of Landis Board of Aldermen special meeting. Those present along with the Mayor were Aldermen Tony Hilton, Roger Safrit, Craig Sloop and James Furr, Town Administrator Reed Linn, Public Works Director Steve Rowland, Police Chief Brian McCoy, and Town Attorney Rick Locklear.

A quorum was met.

Mayor Dennis Brown welcomed all those in attendance.

The pledge of allegiance was led by Mayor Dennis Brown.

Mayor Brown then opened the public hearing concerning an ordinance to change the Town Charter to a Manager-Council form of government.

Citizen Comments

Nadine Cherry: stated that she was opposed to the change. She felt the voters had voted in the Board, “not Reed Linn”. She wanted to know what the real reason was, and how this would benefit the Town. She wanted to know how many calls against the change they had received, and what where the comments. She also wanted to know why they were not putting the change to the people to vote on. She wanted to know why they wanted to give one person so much power. She cited a comment from the newspaper which had stated that it most likely only benefited someone who worked for the Town or the Town’s pocketbook. She asked to poll each Board member for their opinion.

Mayor Brown stated that this was not the appropriate time for that; they were here to hear comments from the public.

Ms. Cherry said others felt as she did but she hadn’t expected them to show up.

Glenn Walker: stated that he was also against the change, that he felt it wasn’t right in a small town to give that much power to one man. He felt that’s what the Board was elected for. He went on to say that the Administrator was not an elected position and that the Board should handle any hiring and firing. He felt they should do more for the citizens of Landis.

The Town’s Attorney Rick Locklear then asked to respond to some of the comments and “clear the air”.

He asked everyone to keep in mind that what the Board was thinking of doing—going to a Manager-Council form of government—was about changing how the Town conducts business. It would allow the Town to run more like a business because it would make it more efficient. He stated that in regards to hiring and firing, that no Manager made large decisions without having an “ear to the ground” when it came to the Board. The Town Manager, like the Town’s attorney, served at the pleasure of the Board. The Manager-Council form of government would make the chain of command clearer.

North Carolina was a forerunner in making sure that cities and towns are ran properly. He spoke briefly about the history of the LGC (Local Government Commission) and stated that the Manager-Council form of government would streamline chain of command and authority processes.

Mr. Locklear then spoke of the personnel ordinance, and stated that currently if an employee had a complaint, it was not necessarily clear who they were supposed to go to. Was it wrong to go to the Aldermen? Currently, it was not. However, with the Manager form of government, it would instate a clear chain of command and personnel issues would not be able to become political issues.

Mr. Locklear went on to state that holding a public vote could be very costly, nearly \$5,000.00 and he wondered how many people would actually show up to vote. He stated that the Board had been elected to decide how best to govern the Town—and this is their attempt to make the process more streamlined. It was his opinion that the Town had been operating like a Manager-Council form of government for the last 5-6 years, and this change would make it formal.

Mr. Locklear also pointed out that there were a lot of empty seats tonight, and that he hoped citizens had confidence in the Board.

Mr. Walker stated that people hadn't come because they feel that even if they show up the Board will do what it wants anyway, but if they put a manager in they would be able to say "it's the Manager's job, not our problem".

Mr. Locklear stated that they were not giving Administrator Linn (or any Manager) authority to run the Town, this was more involved with the day to day activities, like with a business, and it would streamline that process. Mr. Locklear commented that with a small town like Landis, he felt certain that the Board was hearing comments and concerns from citizens every day and he felt they would communicate those to Administrator Linn. The Manager would also check with the Board on any major decisions, but this would allow minor decisions to be handled by the Manager and staff, without it seeming like the Manager was overstepping his bounds.

Mr. Locklear stated that the LGC encourages the Manager-Council form of government. He also pointed out that at the end of every meeting, the Board encourages citizens to come forward and comment. He went on to state that the General Statutes are very clear about what a Town Manager can and cannot do and the Board had felt this was the proper direction for the Town to go in.

Mr. Walker asked why the General Statutes had not been put out for everyone to read. Mayor Brown commented that the statutes were public knowledge. Mr. Walker stated that he felt like it didn't matter now because it was a "done deal". Alderman Furr commented that for him it was not.

Mr. Locklear read over the General Statutes concerning a Town Manager, stating that the manager must follow all ordinances, rules and regulations already set up by the Board. All parts of the statutes pointed to the fact that the manager is subject to the control and general direction of the Board of Aldermen. Mr. Locklear felt that every statute also pointed to procedures that the Town was already basically following now.

Mr. Locklear stated that the perception statewide was that if you did not have a Town Manager you were "behind the times" and that things were still being operated under "good ole boy" policy. The Manager-Council form of government puts one person in charge of certain things so if there is a problem, there are not 3-4 hands "in the pot". He admitted it was a "little scary" for the manager, but it was in the end his

responsibility. Concerning some of the past issues the LGC had with how the Town conducted its business, it was determined that “that’s how it’s always been done” was not acceptable.

Mr. Locklear stated that the public meetings are for the citizens to ask questions and that he could also understand the public perception.

Mr. Walker stated that there was no information “out there” and that he was looking ten years down the road and he felt it was “too much power” for one man who had been appointed, not elected. Mr. Locklear stated that if abuse of power appeared, it was the Board’s job to get things back in line.

Alderman Hilton pointed out that the “lifespan” of a manager was 3-6 years before the Board asks them to “move on”. He also believed more people had been railroaded by Boards than they ever had been by the administrative office. He stated that the manager would have the authority to hire and fire, but that the manager would check with the Board. What this would do would prevent the Board from “railroading” people, which he felt had happened in the past.

Alderman Furr also clarified an earlier statement he had made—stating that when he had walked in that night, if he had received a huge outcry against the change, he would have listened with open ears. He appreciated the position of the citizens that had spoken.

Ms. Cherry stated that nothing she had heard tonight had changed her mind.

When there were no further comments from citizens, Mayor Brown closed the public hearing.

Alderman Furr motioned, seconded by Alderman Hilton, to adjourn the meeting.

The meeting adjourned at 7:26 P.M. on Monday, January 25th, 2010.

Heather Wood
Administrative Assistant