**MINUTES**

**Town of Atkinson**

**Regular Meeting**

**March 04, 2021 – 7:00 PM**

**Honorable Mayor Wendell Newkirk; Honorable Mayor Pro tempore Dee Turner; Commissioner Denise Lewis; Commissioner Bryan Stewart; Commissioner Gary Alsup**

**Town Clerk, Becky Lanier**

**Robert Kenan, Town Attorney**

**(Mayor Newkirk, all commissioners, Becky Lanier, Town Clerk and Robert Kenan, Town Attorney were in attendance)**

1. **Honorable Mayor Wendell Newkirk called the 02/04/2021 Regular Meeting to order.**
2. **Commissioner Gary Alsup led Prayer.**
3. **Commissioner Denise Lewis led the Pledge of Allegiance.**
4. **APPROVAL OF MINUTES:**

* **02/04/2021 Regular Meeting : Motion Commissioner Denise Lewis 2nd Commissioner Bryan Stewart Motion Carried 4-0**

1. **Approval of the Agenda:**

* **Before the Agenda could be approved Mayor Wendell Newkirk moved Line #13 New Business in reference to: Discussion of the Mayor’s criminal complaint to the Pender County Sheriff’s Department regarding the embezzlement of Town Funds, to be moved to the beginning of the meeting. Before that could be approved the Mayor argued that he didn’t use the word embezzlement. Attorney Robert Kenan stood to give the full PCSD report to each board member and Town Clerk. Mr. Kenan took the floor to make sure the report was accurate. The report was filed on 2/15/2021 and it states the offense is Embezzlement. The report reflected that the mayor contacted the sheriff’s office on 2/15/2021 to request an investigation of embezzlement of monies by the Town’s fire department from the Town of Atkinson. The sheriff’s office assigned Detective Theron Shephard who investigated the criminal complaint and closed the investigation on 2/25/2021 after finding no criminal embezzlement. The towns Attorney spoke with Detective Shephard on March 2, 2021 regarding his investigation of the embezzlement allegation made by Mayor Newkirk and learned from the Detective that the investigation had been closed due to mayor Newkirk allegation of embezzlement being unsubstantiated the case was closed February 25,2021. The Towns Attorney advised Mayor Newkirk that his requesting of and investigation was improper because he did not discuss the investigation with the towns governing body and for the towns governing body to make a request for such an investigation if it found that such money had been misappropriated by an official for department of the town.**

* **Motion Commissioner Denise Lewis 2nd Commissioner Bryan Stewart**

**Motion Carried 4-0 (Agenda was approved after Mayor Newkirk pled his case)**

1. **Public Comments:**

* **Dave Householder who just recently purchased 227 E Church St. asked if he could possibly put a camper on his property for his 88 year old mother in law at the previous February meeting and was wondering a verdict. Commissioner Bryan Stewart enlightened Mr. Householder that the Planning Committee decided that he needed to present them with a Plot Plan of his yard and it needed to include measurement to the adjoining lots. Commissioner Stewart asked Attorney Kenan if they (the board) could vote on a 6 months basis for the camper to be put on property Kenan said yes. Motion for Mr. Householder to move camper to his property for his mother in law to live in for the next 6 months was made by Commissioner Denise Lewis 2nd by Commissioner Gary Alsup motion carried 4-0.**
* **Austin Eubanks with S. Preston Douglas & Associates LLC. Came and presented our Audit for FY 2019/2020. Austin Eubanks gave some insight on some new software called Southern Software and reinterred that we need to move away from Quick Books. After Mr. Eubanks finished giving his reports Attorney R. Kenan asked Mr. Eubanks “Did he find anything in the Town of Atkinson’s Audit that would indicate any fraud and or embezzlement?” Mr. Eubanks answered “No.”**
* **Ann White added that she would we willing to help the Town of Atkinson with any reports and with our budget.**
* **Glen Jenkins asked the Town of Atkinson if the Beautification Committee could open a checking account in the Town’s name under its federal ID#. Per Attorney R. Kenan the Town of Atkinson will have to open the account and keep and record the register, also the Town will have to write any checks that needs to be written and dispersed. Penny Stith was nominated by the Beautification Committee to keep a record of this account as well. Attorney R. Kenan advised the Town Clerk Becky Lanier that she can make copies of any and all bank statements of this said account and give them to Penny Stith. Motion made by Commissioner Bryan Stewart 2nd Commissioner Gary Alsup motion carried 4-0**

1. **Fire Department Report: (Fire Chief Jason Turner)**

* **See attached Report**

1. **Financial/Clerk Report: (Becky Lanier, Town Clerk)**
2. **Library Report: (Commissioner Gary Alsup)**

* **48 Visitors, 0 Library Card, 26 books checked out**

1. **Maintenance Report: (Commissioner Bryan Stewart & Cary Rivenbark Maintenance Foreman)**

* **See attached Envirolink Report**
* **Cary Rivenbark gave report on the task that he had performed for the Town.**
* **Commissioner Stewart informed the Town that we have hired a new Maintenance Worker Aaron Floyd**
* **Water Tower is scheduled for wash out on March 9th.**

1. **Old Business:**

* **Water System Software Update: our hand held battery is on its last leg and can’t be replaced due to being obsolete. Commissioner Dee Turner spoke with a representative from Neptune and they can put us on the fast track to getting up graded by May to new cloud software. Motion made to purchase Water System Software (which is to be paid for out of General Fund and at the conclusion of the 2020/2021 budget year to take away budget surplus out of Water Fund to repay General Fund to the exact of such surplus)by Commissioner Stewart 2nd by Commissioner Gary Alsup motion carried 4-0.**
* **Reinstate The Beautification Committee**
* **Open Gym on Friday Nights**
* **Corn Hole on Monday Nights(Co-Sponsor w/Pender County)**
* **Culvert on Red Cross St: where do we stand on having them fixed: we are waiting on a quote**
* **Hoggard Park: where are we at on upgrades: applied for grant and was denied, monies that were budgeted for the park needs to be moved to pay legal fees.**
* **Town Ditches where do we stand with completion by NCDOT: we need to contact someone who knows what they are doing to fix the problem, People are tired of water standing in the ditches.**

1. **New Business**

* **Discussion of the Mayor’s criminal complaint to the Pender County Sheriff’s Department regarding the embezzlement of Town funds. (see notes on line #5)**
* **Paving (Gary Alsup) we are waiting on a quote**
* **Denis e Lewis ask if we could have a Line Dance Class sponsored by the Town of Atkinson the class will be held in the Gym on Wednesday nights at 6pm. Motion to accept the Line Dance Class was made by Commissioner Dee Turner 2nd by Commissioner Bryan Stewart Motion Carried 4-0**

**Motion to adjourn meeting Commissioner Denise Lewis 2nd Commissioner Bryan Stewart 4-0**

**Meeting Adjourned at 9:49pm**