

## **RECESSED SESSION**

The Town Council of the Town of La Grange, North Carolina met in a Recessed Session on January 12, 2009, at 7 p.m. from the Regular Session at the Town Hall on January 5, 2009. The Recessed Session was held at the La Grange/Frink Alumni and Friends Association located at 5766 Aldridge Store Road. The following members were present:

Mayor Woodard H. Gurley; Mayor Pro Tem Bobby Wooten; Council Members Larry Gladney, Elliott Sutton, George Koonce, Gregory Rouse and Clifton Harrison; Town Manager, John P. Craft; Town Attorney, George Jenkins, Jr.; Town Clerk, Nelda H. Johnson, CMC.

Special invited guest to participate in the Recessed Meeting were Lenoir County Sheriff Billy Smith, Major Chris Hill, Major Ricky Pearson, and Captain Archie Bruton.

Absent: None

Guest: 59

The purpose of the Recessed Session was to receive public comment concerning the potential merger between the Lenoir County Sheriff's Department and the La Grange Police Department.

### **ITEMS 1, 2, 3: CALL TO ORDER, INVOCATION, WELCOME**

Mayor Gurley called the meeting to order and welcomed everyone and invited their comments concerning the potential merger. Mayor Pro Tem Wooten gave the invocation.

### **ITEM 4: OPENING STATEMENT FROM MANAGER CRAFT**

Manager Craft stated to the audience that each person that had signed up with the Clerk would be given an opportunity to speak. Three minutes would be allowed for each speaker with a thirty second warning by the Town Clerk. Manager Craft stated that the Council, Sheriff Smith or himself would try to respond to all questions as they are asked.

### **ITEM 5: PROPOSED SHERIFF'S DEPARTMENT CONTRACT**

Manager Craft provided information to the audience on the proposed Sheriff's Department Contract.

1. Provide 2 deputies 24 hours a day, 365 days per year to "police" the Town plus a Lieutenant to supervise these deputies. This equates to 9 full-time patrol officers that would be dedicated to the Town.
2. The Town would pay the expenses for these officers. Since the Town would pay the County for these services, it would not result in added cost to the County tax payer for the additional officers provided specifically for the Town.
3. The officers would be headquartered at 120 East Railroad Street, which means that they would work out of the same building currently utilized by the Police Department.
4. The Sheriff's Department would continue routine patrols, provide daily business checks, and all other duties currently provided by the police department.
5. Provide traffic control for Town sponsored parades.
6. Provide security during the Garden Spot Festival.
7. Detectives from the Sheriff's Department would follow up on crimes that require Detectives. The Sheriff's Department currently has 14 people within the Investigation division. The Investigations division is divided into functional areas that include narcotics, investigations, and evidence control.

8. The Sheriff's Department also has the following resources that would be seamlessly available to the Town if needed:
  - a. 13 member Special Response Team (SRT)
  - b. 3 police dogs
  - c. A narcotics squad and narcotics lab
  - d. A fully equipped Mobile Command Center
  - e. 61 member department (70 including the 9 that would be assigned to the Town of La Grange)
9. Through county property taxes, tax payers that own property within the corporate limits of La Grange are paying for some of the Sheriff's Department resources currently, and pay again to duplicate many of the same services within the Town's Police Department. By contracting with the County, the redundancy would be reduced, while providing more coverage around the clock than we can currently provide.
10. The Sheriff has agreed and desires to employ officers currently employed by the Town that wish to work with the LCSD that meet the minimum qualification for the position.
11. The Sheriff has agreed to treat the 9 officers assigned to La Grange as a squad to ensure that we see the same officers on a daily basis. This will allow for community policing concept to be utilized and would foster a relationship between the deputies and the public.
12. Vehicles would continue to be maintained in La Grange.
13. Fuel for the vehicles would continue to be purchased in La Grange.
14. The proposal would reduce the number of required police vehicles by 25%. This would obviously reduce future expenses to purchase and maintain vehicles.
15. Reduce recurring expenses due to the elimination of duplicated positions. The positions eliminated would include the detective positions and chief.
16. Increased police coverage. Currently the Town operates more than 27% of the time with a single police officer on duty. Under the proposed plan, at least two officers would be on duty at all times (100%). More than 29% of the time there would be at least three deputies covering the Town.
17. The remainder of the time, the on-duty supervisors (a lieutenant and a sergeant) for the Sheriff's Department will be responsible for supervising the officers covering the town, reducing the need for additional resources to provide redundant investigative and administrative personnel.
18. By reducing expenses, the Town would save in excess of \$65,000 during the first year of the contract, and more than \$150,000 the following years.

**ITEM 6: STATEMENT FROM LENOIR COUNTY SHERIFF BILLY SMITH**

Sheriff Smith stated that he was contacted by Manager Craft with a proposal about three months ago. At present, La Grange can do as it is currently doing or dissolve the Police Department and the Sheriff's Department would have to provide coverage as required by common laws and a zoned deputy would be in and out of La Grange; or, contract with additional personnel as the proposed contract is now and receive the same type coverage. The Sheriff is responsible for the entire County, civilly; civil process, jails courts, and assist municipalities with criminal investigations upon request. Regardless of what is decided the Lenoir County Sheriff's Department will continue to work with the Town of La Grange as it has in the past. County resources have always been available and a feeling has been fostered of working together. The contract would provide more availability to these resources. Sheriff Smith further stated that he had met with the La Grange officers prior to Christmas and gave each officer an application for the Lenoir County Sheriff's Department. The Lenoir County Commissioners have several issues concerning personnel that still have to be addressed. The County Commissioners did decide to agree to expand the employment boundary. Prior, all deputies had to live in Lenoir County.

Sheriff Smith stated that the La Grange Police Department is very well trained and professional. For the past two or three months, Sheriff Smith stated that he and his staff had been interviewing people to find out what is going on in La Grange, what is the atmosphere, what is going on with the citizens, complaints as well as the financial status from the Council. Sheriff Smith stated that he understands that some citizens have

problems with certain officers; but with a community policing atmosphere, attitude, closer supervision, and more training they agreed these problems could be overcome. After applications are received from the officers, each one will be reviewed.

#### **ITEM 7: PUBLIC COMMENT**

Manager Craft stated that ten (10) guests had signed up with the Clerk to speak.

(1) Lee Alphin, 501 Firetower Road, declined comment.

(2) Eartha Mumford, 1147 Alice G. Wright Road, declined comment.

(3) Jan Lancaster, 124 East Railroad Street, spoke stating that his concern was the \$160,000 per year that the Town was going to save. What was the Town going to do with that money? Mr. Lancaster stated that La Grange had the highest utilities that he knew of anywhere and he was concerned about police coverage but that question had been answered.

Manager Craft responded to Mr. Lancaster's question concerning the money that the Town would save should the Town have a contract with Lenoir County.

Manager Craft stated that the savings that would be realized, obviously, those funds would be available in the coming budget year and how those funds would be utilized would be determined by the Council. The funds are General Fund dollars that are generated by tax revenues, sales tax and other user fees in the General Fund and are not directly related to the electric, water and sewer. Each part of these funds should be treated separately because if the Town used General Fund money to supplement utility fees it would be asking taxpayers to subsidize electric rates within the Town of La Grange and that would not be appropriate. The funds would remain in La Grange and utilized in whatever way the Town Council deemed appropriate.

(4) Wendy Gautier, 207 Miller Avenue, presented the Mayor with a petition and indicated there were approximately Seven Hundred (700) names opposing the contract between The Town of La Grange and the Lenoir County Sheriff's Department. Ms. Gautier stated that she felt the La Grange Police Department was doing a fantastic job and wish they could remain as they are now. The new park the Town is getting is nice, the new parking lot downtown is nice and if the Town is trying to save money, why are they spending so much?

Manager Craft responded concerning the downtown parking lot by stating that over the past three years the Council has expressed a desire to make the Town beautiful and clean up the Town and part of that is involving the downtown area. There was a couple of buildings that were substandard condition and in a state of disrepair and it was determined they were unsafe. The buildings were taken down and destroyed by order of the Council. The parking lot, under construction, is being added to try and foster or spur some growth downtown.

(5) Samuel Fraley, 101 #S North Forbes Street, stated that he did not like the fact that the La Grange Police Department is going away because these officers are very dedicated workers and dedicated to their job.

Manager Craft responded to Mr. Fraley by thanking him for his comments of the officers' dedication as the Town does have some very good police officers.

(6) Charles Joyner, 203 Hickory Street, stated that his concern had been answered by Manager Craft in Item No. 1 of the proposed contract which concerned supervision. Mr. Joyner asked where the Lieutenant would be stationed and once a proposal has been adopted and implemented, how long would the contract be for between the Town and the Sheriff's Department?

Manager Craft responded by stating that the Lieutenant's position would be stationed in La Grange at all times. The term of the contract has not been finalized and in

negotiations but the Sheriff has been asked to consider a five (5) year contract with renewable options.

(7) David Letchworth, 613 South Charles Street, stated that he had lived in La Grange for 45 years and had been involved with the Police Department and law enforcement through various functions. Based on information received and based on questions asked about the rule of law, Mr. Letchworth stated that he was in favor of the proposal. First of all, we will be able to maintain our municipal identity. Also, there will be a contractual obligation that provides the Town with continuous coverage with law enforcement and that law enforcement will likely be the same officers the Town has now provided they meet the standards set forth by the Sheriff of the County. A contract will also provide La Grange with more resources at our disposal in terms of equipment and manpower for functions that the Police Department doesn't staff for at the present time. A couple of additional points, Mr. Letchworth stated that he sees this as an opportunity for the Town to relieve itself of some of the liability that is better covered by a larger organization like the Sheriff's Department; and, it also results in a lower cost to the Town. Mr. Letchworth further stated that he trusted the Town to use the surplus funds that would be realized and saved wisely and in the best interest of the citizens of the Town. In closing, Mr. Letchworth stated that many people today may be in favor of something but they never speak and because the Council has to make a decision based on what is heard, he wanted to make sure he was heard and also represented the citizens he had talked with that was in favor of this proposal.

(8) John Sullivan, 515 Firetower Road, stated that his concerns had already been addressed.

(9) Jimmy Mc Phail, 104 East James Street, spoke stating that he wanted to relate his experiences with the Police Department. Mr. Mc Phail stated that he had been a resident in La Grange for 34 years and in the last 14 years there had been a lot of complaints filed with the former Town Manager, Mike Taylor, with the present Manager, John Craft and with Woody Gurley about the Police Department. The complaints had been about hate crimes against black citizens. Mr. Mc Phail stated that after these complaints had been filed local and national not one investigation had been done. For 14 and ½ years the blacks have the pleading and crying out for help. After filing these complaints they have fallen on blind eyes and deaf ears. Mr. Mc Phail stated that he had strongly supported the Police Department who tortured and terrorized the black citizens in this Town. It is the Mayor and the Councilmen, as well as Police Officers' responsibility, to serve and protect all citizens of this Town and that has not happened. In some cases, there have been civil rights violations. Mr. Mc Phail stated for the past 14 years these officers have charged bogus charges just to justify. Mr. Mc Phail stated that in 1997 he brought out these issues to the Council. (Note: Mr. Mc Phail was not able to complete his statement because his allowed time was up. All guests were told at the beginning of the meeting that they would be allowed three minutes to speak.)

(10) Janet Wiggins, 603 West Queen Street, spoke stating that her questions had already been covered with earlier information and statements. Her main concern was as the Town Council considers this proposal now; and, that fails, next year is the Town Council going to bring the citizens back if there is disagreement on what the money is being saved for and with the job loss all across the Country, we might consider leaving the officers that have jobs and picking the bad apples out. .

#### **ITEM 8: CLOSING STATEMENT BY MAYOR GURLEY**

Mayor Gurley stated that he appreciated everyone attending the meeting and expressing their concerns and the Town Council will consider all statements and the petition that was presented. Sheriff Smith hand delivered each La Grange officer an application for employment and should the Town contract with the Sheriff's Department, an officer cannot be considered until they fill out their application.

**ITEM 9: ADJOURNMENT**

There being no further comments, motion was made by Council Member Sutton, seconded by Mayor Pro Tem Wooten to adjourn. Motion carried 6-0 in favor of motion.

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Nelda H. Johnson, CMC, Town Clerk

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Woodard H. Gurley, Mayor