# Red Oak Town Council Meeting Minutes May 9th, 2022, 6:30pm

Attendance - Mayor, Levell Langley

Council Members: Tony Bennett, Scott Briley, Craig New, Sandra Russ

Clerk Shearin was present to record the minutes

Public Attendance: News Reporter, Kendra Jones and Planning Board member, Todd

Mallory

Call to order: Mayor Langley

Opening Prayer: Commissioner Briley Pledge of Allegiance:

Mayor Langley

Adoption of Minutes and Financial Statement(s) – Motion to approve April minutes made by Commissioner New; Commissioner Russ questioned the revisions to the budget based on the notes she took during the budget session. Clerk Shearin responded by advising that \$50,000.00 was not brought forward when transferring allocated and actual funds from the previous FY's budget resulting in the projected revenue and expenditures not balancing.; the correction was made to balance the proposed budget. Commissioner Briley seconded the motion at the close of the discussion and the motion passed.

Motion to file the April financials for audit made by Commissioner Russ seconded by Commissioner Bennett and the motion carried.

#### Old Business -

The digital sign is at the installers and should be scheduled for installation in the next 30 days. The outdoor stage for Ennis Park is scheduled to be shipped on May 17<sup>th</sup>. Commissioner Russ asked for an update in regard to the nuisance complaint received in April, Clerk Shearin advised that the letters were being held pending receipt of an additional complaint on the same property.

#### Item(s) 1: Budget Hearing FY 22-23 (Attachment 1)

The hearing opened at 6:40 by Mayor Langley

No Public Comment

Hearing Closed at 6:45

Motion to approve the budget as presented made by Commissioner Briley, seconded by Commissioner Bennett. The motion passed unanimously.

#### Item(s) 2 - Red Oak Community Grants Awarded (Attachment(s) II, III)

\$25,000 Red Oak Baptist Church accepted by Pastor, Chris Fowler \$12,000 Angelo's Pizza accepted by Angelo Carlone

#### Item 3 – Quote for bollard installation Ennis Park Walking Trail (Attachment IV)

Stoney Creek Construction Company - \$38,238.00 (Detailed Quote attached) Discussion resulted in a request for a revised quote using fewer bollards and for additional quotes to be requested from other fence companies. No vote was taken on this proposal.

#### Item 4 – ATV Quote (Attachment V)

Quote presented for the purchase of a utility ATV from Quality Equipment in the amount of

# Red Oak Town Council Meeting Minutes May 9th, 2022, 6:30pm

\$11,619.74. The ATV will be used by maintenance and town staff during town events. Motion to approve the purchase made by Commissioner Briley, seconded by Commissioner Russ and the motion carried.

# Item 5 – Ordinance 2022-04 Establishing Policies for Access to Town Owned/Operated Properties (Attachment VI)

The ordinance is in response to an increase in government offices being visited by First Amendment Auditors demanding access to areas closed to the public. In addition to the restrictions placed on employee-only areas, the ordinance was amended to include restrictions for access to designated children's play areas within Ennis Park. The "Designated Children's Play Areas" are in response to a recent incident involving an adult that was present in the park taking unauthorized pictures of children. Law Enforcement was notified and asked the individual to leave. A request from Law Enforcement to put rules in place that will allow for arrest to be made resulted in this designation being included in the ordinance.

#### New Business:

Red Oak Tree Sponsorships are being sold for \$300. The sponsorships will cover the cost of the tree, maintenance of the tree, and a memorial inscription on a sign in Ennis Park. Everyone was reminded of the Food Truck Rodeo fundraiser for the Historical Society.

Motion to adjourn by Commissioner Bennett seconded by Commissioner New; the motion carried; the meeting adjourned at 7:35 pm

Tracy Shearin, Clerk

# Town of Red Oak FY 22-23 Preliminary Budget

REVENUE SOURCE	Fund #	22-23
Sales Tax	4000	963,500
Utility Tax	4010	108,000
Beer & Wine Tax	4020	15,000
Clubhouse Fees	4060	3,000
Interest Earned	4070	26,000
Miscellaneous	4500	8,000
Sewer Refund	4090	22,000
ARPA Grants Appropriated Funds	7550 5000	437,062 0
TOTAL		1,582,262

## Town of Red Oak FY 22-23 Preliminary Budget

	Budgeted
6000 Professional Fees 6010 Professional Dues	30,000 8,000
6015 Supplies	10,000
6020 Insurance	22,500
6025 Travel/Education	5,000
6027 Election Cost	0
6030 Utilities	50,000
6035 Christmas Fund	40,000
6040 Maintenance & Repairs	15,000
6045 Equipment	23,000
6080 Advertising	5,000
6100 Miscellaneous	10,000
6105 Lawn Maintenance	4,000
6110 Salaries	130,000
6120 Payroll Taxes	27,000
6350 Postage	1,000
7000 Public Safety/Fire Dept	125,000
7500 Sponsorships	25,000
7520 Park	150,000
7530 Capital Outlay	200,000
6140 Council & Board	15,000
7900 Sewer	50,000
7901 NN Water Fund	100,000
6510 Beautification Grant	100,000
7550 ARPA Funds	437,062
Total Expenditures	1,582,262

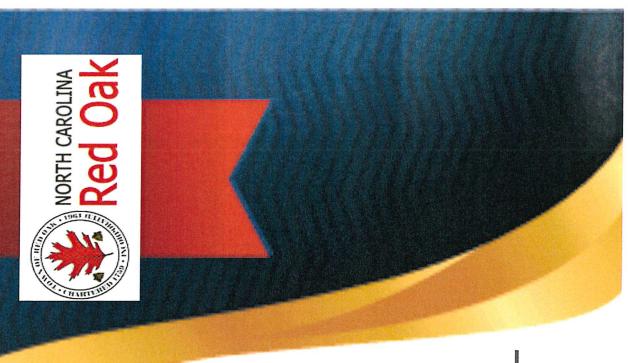
# COMMUNITY GRANT \$25,000.00

PROUDLY PRESENTED TO

Red Oak Baptist Church

May 9, 2022

SIGNATURE



# COMMUNITY GRANT

\$12,000.00

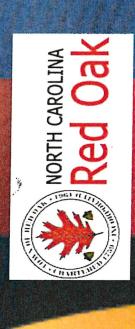
PROUDLY PRESENTED TO

Angelo's Pizza Red Oak Angelo Carlone

May 9, 2022

DATE

SIGNATURE



#### Proposal

### **Stoney Creek Construction Company**

PO Box 508 Red Oak, NC 27868 252-270-5100

DIDH- 220420DA

	B1D#: 220420RO											
Proposal Submitted To:	Phone	Date										
Town of Red Oak, NC	252-443-1239	4/20/2022										
Street :	Job Name											
P.O. Box A	Wood Bollards at W.B. Enn	is Memorial Park										
City, State, and Zip Code	Fax Number / countr											
Red Oak, NC 27868	redoak@embargmail.con	n										
We hereby submit specifications and usumates for:												

Furnishing and installing 259 - 7 1/2" x 6' SYP .15 CA-C pressure treated round domed bollards spaced 6' on center over approximately 1,524 linear feet in the areas discussed on site. All posts to be packed in soil approximately 3' deep and approximately 5' off of the existing asphalt walking trail. Four additional bollards will be installed in the walking trail asphalt with fabricated bases and concrete footings to allow for removal when needed.

#### \$38,238.00

#### Notes:

- 1. We will call to have all public utilities located. Any private utilities must be located by others prior to our arrival.
- 2. Some equipment will be left on site overnight. No holes will be left open overnight.
- 3. Freight costs are extremely volatile. \$1,600.00 has been allocated for freight. The actual freight cost will be determined once shipping is scheduled and may fluctuate.
- 4. Lead times start when everything is approved and is currently 6 to 8 weeks. We will start the installation within a week of receiving the materials.
- Due to the quantity, the manufacturer requires a deposit and the order can not be canceled once placed.
- 6. Our price does not include sales tax on labor. We will need a signed Sales Tax Affidavit or be required to charge sales tax on labor.
- If you would like to revist the site and see about reducing the number of bollards, let me know and I will be happy to meet and review on site.

Price includes Sales Tax. In submitting this proposal, it is assumed that there is no underlying ROCK or concrete on the property which will necessitate drilling or blasting, or any other unusual conditions involving extra labor in the installation of these bollards. If any of the above conditions are encountered, or any additions or changes are made by the customer, additional charges will be made at current market prices. It shall be the responsibility of the owner to advise workers of the location of any underground cables, lines, etc. If such are not marked properly, the owner assumes responsibility for them. Should an account not be paid as agreed, any cost of collection including interest and attorney's fees, etc. shall be paid by the customer.

WE PROPOSE hereby to furnish material and labor- complete in accordance with above specifications for the sum of: Thirty-eight thousand two hundred thirty-eight and no/100s----- dollars(\$38,238.00) Payment to be made as follows: \$15,000.00 down and within 10 days following progress payment requests. All material is guaranteed to be specified. All work to be completed in a workmanlike Authorized manner according to standard practices. Any alteration or deviation from above specifications involving extra costs, and will become an extra charge over and above the Roy G. Garner Signature estimate. All agreements contingent upon strikes, accidents or delays beyond our control Owner to carry fire, tornado and other necessary insurance. Our workers are fully covered by Worker's Compensation Printed Name Roy G. Garner Acceptance of Proposal- The above prices, specifications and Note: This proposal may be withdrawn if not accepted conditions are satisfactory and are hereby accepted. You are authorized to do the work as specified. Payment will be made as Signature outlined above. Date of Acceptance: Signature





**Quote Summary** 

Prepared For:

Town Of Red Oak NC

Prepared By:

Dwight Mckeel Quality Equipment, LLC 2612 Eastern Avenue Rocky Mount, NC 27804 Phone: 252-937-3097 billmckeel@qualityequip.com

Quote Id: Created On:

26458726 12 April 2022

Last Modified On:

13 April 2022

		Expirat	tion Date:	26 April 2022		
Equipment Summary	Suggested List	Selling Price	Qty	Extended		
JOHN DEERE GATOR™ XUV560E (Model Year 2022)	\$ 11,919.77	\$ 10,275.00 X	1 =	\$ 10,275.00		
Windshield Kit - WINDSHIELD KIT, OPS POLY FULL DELUX	\$ 695.50	\$ 610.00 X	1 =	\$ 610.00		
Equipment Total				¢ 10 005 00		

Equipment Total		\$ 10,885.00
	Quote Summary	-
	Equipment Total	\$ 10,885.00
	SubTotal	\$ 10,885.00
	Sales Tax - (6.75%)	\$ 734.74
	Fet Sarvice Agreement Tax	\$ 0.00

Est. Service Agreement Tax \$ 0.00 Total \$11,619.74 Down Payment (0.00)Rental Applied (0.00)**Balance Due** \$11,619.74

Salesperson : X

Accepted By : X \_\_\_\_\_







Quote Id: 26458726

	JOHN DEERE GATOR™ XU\	/560E (M	odel Year 2022)	
Hours: Stock Number	;			Suggested List \$ 11,919.77
Code	Description	Qty		
578AM	GATOR™ XUV560E (Model Year 2022)	1		
	Standard Options	- Per Unit		
001A	US / CANADA	1		
0501	PR - Base Package	1		
1027	26" Maxxis Bighorn 2.0 extreme terrain radial tires on 14" Yellow Steel Wheels	1		
2006	Bench Seat - Yellow	1		
2500	Green & Yellow	1		
3100	Manual Lift	1		
4000	OPS with Nets	1		
4049	Less Roof	1		
4149	Less Protection	1		
	Dealer Attach	ments		
BUC10853	Occupant Protective Structure (OPS) Poly Roof - Black	1		
	Other Char	aes		
	Freight	1		
	Setup	1		

	Windshield Kit - WINDSHIE	LD KIT, OPS POLY F	ULL DELUX
Hours: Stock Nur	0 mber:		Suggested List \$ 695.50
Code BM233	4) See Commission of the American	<b>Qty</b> , 1	

#### ORDINANCE NO. O-2022-04

#### TOWN OF RED OAK NORTH CAROLINA

AN ORDINANCE ESTABLISHING POLICIES FOR ACCESS TO TOWN-OWNED, CONTROLLED, AND LEASED PROPERTY INCLUDING PHOTOGRAPHING, VIDEOING AND/OR SOUND RECORDING WITHIN NON-PUBLIC FORMS

WHEREAS, the Town of red Oak attempts to be as transparent as possible; and,

WHEREAS, the Town of Red Oak wants to be open and welcoming of its citizens; and,

WHEREAS, there are certain areas of the Town of Red Oak work place which for safety, confidentiality, and other reasons need to be secure; and,

WHEREAS, the Town of Red Oak needs a policy governing certain controlled access to Town Government areas.

NOW THEREFORE, BE IT HEREBY ORDAINED: by Council of the Town of Red Oak, NC that based upon the foregoing findings that it is in the best interest of PUBLIC SAFETY, HEALTH AND WELFARE of the Citizens of Red Oak that the Board desires to adopt an order regarding the control of access to Town-owned, controlled, and leased property that the Town utilizes for its purposes including photographing, videoing and/or sound recording within non-public forums:

#### Control of Access to Town property

- (a) Forums: Consistent with decisions of the U.S. Supreme Court, public access to areas within enclosed facilities owned, controlled, and leased by the Town of Red Oak, NC that the Town utilizes for its purposes may be restricted depending upon whether such areas are classified as "designated public forum", limited designated public forum", or "nonpublic forum." How areas within enclosed facilities owned, controlled, and leased by the Town of Red Oak, NC are classified is based upon their intended use. For example, there are certain areas which are intended primarily for the use of Town employees in the conduct of their business; there are certain areas which, while primarily intended for the use of Town employees in the conduct of their business, may from time to time be utilized for the convening of public meetings; there are certain limited areas which may be open to the public while engaging in legitimate business with Town officers or employees; and, there may be certain areas which are primarily intended for the convening of public meetings and/or gatherings.
- (b) Management of Forums: The Town Administrator/Clerk is hereby authorized to manage public access to enclosed Town-owned, controlled, and leased property that the Town utilizes for its purposes. In the performance of such responsibilities, the Administrator shall have the authority to identify which areas are to be considered designated public forum[s], limited designated public forum[s], or nonpublic forum[s].

- (c) Separation of Forum(s): Upon the classification of areas within enclosed Townowned, controlled, and leased property that the Town utilizes for its purposes, the Town Administrator is hereby authorized, subject to the availability of appropriated funds, to employ whatever means he/she deems necessary and appropriate to separate designated public forums from nonpublic forums, including but not limited to, the use of physical barriers and signage. The Town Administrator shall also have the authority to develop and implement procedures to regulate and control public access within Town-owned, controlled, and leased property to provide for the security and privacy of public visitors; to provide for the security and privacy of Town employees and officers, and to minimize potential disruptions to the work of Town government. Any person who engages in conduct that causes disruptions to the work of Town government shall be deemed to no longer be present within Town-owned, controlled, or leased property on legitimate public business.
- (d) Nonpublic Forum Areas: The following areas of Town-owned, controlled or leased buildings that the Town utilizes for its purposes are considered nonpublic forum areas. Citizens that wish to enter these areas must have an appointment with an employee that works in the area OR they must have business with a Town department that is located in the nonpublic forum area. If the citizen has business with the department but no appointment, the citizen must be escorted to the department they have business with by an employee of that department. It shall be a violation of this Policy to be in a nonpublic forum without authorization. Unauthorized persons found by the Town Administrator or his/her designee to be within a nonpublic forum and who refuses to leave the premises upon request to do so, shall be considered a trespasser. For such conduct, Law enforcement, at its option, at the request of the Town, may issue a trespass warning notice, followed by such criminal legal action as Law enforcement deems proper.

#### The following areas are considered nonpublic forum areas:

#### 1. Town Hall

The Council Chambers and conference room in Town Hall are hereby declared nonpublic forums unless or until a public meeting is convened in such areas pursuant to such notice. All Town employee work areas within Town Hall are designated as work areas and shall be considered as nonpublic forums. Members of the public are prohibited from entering Town employee work areas without being escorted by a Town employee.

#### 2. Public Services

All areas beyond the front desk/lobby area are considered work areas and are nonpublic forums. Members of the public are prohibited from entering these areas without being escorted by a Town employee.

#### 3. Parks and Recreation

All areas within W.B. Ennis Park that are utilized for parks and recreation staff are considered to be work areas and are non-public forums. Members of the public are prohibited from entering these areas without being escorted by a Town employee or designated Parks and Rec staff.

(e) Photographing and/or Video Recording in Nonpublic Forums or within designated children's play areas:

Except within the Town Council chambers, executive conference room, and other locations in which a public meeting is being conducted pursuant to a public notice, it shall be unlawful and a violation of this Policy to photograph and/or record and/or video and/or sound within Townowned, controlled, and leased property that the Town utilizes for its purposes, without the consent of all persons whose voice or image is being recorded. This prohibition shall not apply to any law enforcement activities by Law Enforcement personnel. In addition to being a violation of this Policy, if anyone is observed to be photographing, videoing and/or recording sound within Town-owned, controlled, or leased property, or within areas designated as "child play areas" without the consent of all persons whose voice or image is being recorded, and such person refuses to cease activity after being advised that such activity is prohibited under this Policy, such refusal shall be considered to be a disruption to the work of Town government. Therefore, such persons shall be deemed to no longer be present within the Town-owned, controlled, or leased property that the Town utilizes for its purposes on legitimate public business. The Town Administrator and designees are hereby authorized on behalf of the Town of Red Oak, NC to request any person who refuses to cease the unconsented to photographing, videoing and/or sound recording to immediately leave the premises. Any person who refuses to cease the unconsented to photographing, videoing and/or sound recording, and refuses to immediately leave the premises following the request of the Town Administrator or his designee to do so, shall be considered a trespasser. Law Enforcement, at its option, at the request of the Town may issue a trespass warning notice, followed by such criminal legal action as Law enforcement deems proper."

Adopted the 9th day of May, 2022.	
	Levell Langley, Mayor
Attest:	
Tracy Shearin, Town Clerk	

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Total Arrests: 2

Total Tickets Issues: 11

Total Traffic Stops: 17

Total Incident Reports: 2

Red Oak Apr 2022.xls

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Total Arrests: 2 Total Tickets Issues: 11 Total Traffic Stops: 17 Total Incident Reports: 2

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