



Broad & Gales Creek Community Association, Inc.

3010 Hwy 24, Newport, NC 28570

Phone: 252-222-3700

<http://broadandgalescreekca.org/>

Tony Bello, President
Steve Phifer, Vice President

Sallie Salter, Secretary
Jeff Batten, Treasurer

Minutes of the Regular Monthly Meeting April 13, 2023

Meeting was called to order at 7:01 pm

Board Members Present:

Tony Matthews, Steve Phifer, Dusty Desteunder, Sallie Salter, Jeff Batten, Tony Bello, Missy Rhodes, Ryan Garcia, Mark Rippeth

Community Members Present: Brandon Swain, Danny Moreno, David Burkett

Secretary's Report: Sallie Salter

1. Minutes of the previous regular meeting were issued for approval.
2. Motion to approve the minutes.
 - a. Motion to approve by Steve Phifer
 - b. Seconded by Sallie Salter
 - c. Motion passed.

Treasurer's Report: Jeff Batten not present, Tony Bello delivered report.

1. Review Treasurer's Report and financial statements.
 - a. Monthly financial report was issued.
 - b. Still under budget
 - c. Dusty Questioned a credit on LP Gas. Jeff Batten said it was a refund from Mallard's when they picked up the tank and credited it for gas in tank.
 - d. Two more checks from the county will be collected for rent (May & June) this fiscal year.
2. Motion to approve financial report by Steve Phifer
 3. Seconded by Dusty Desteunder.
 - a. Motion passed.

Fire Department Report: Chief Tony Matthews

1. There have been a few community events, Camp Albemarle was the last one.
2. Donation letters will be mailed out soon.
3. No members voted in the past month but there is an active invitation for David Burkett.
4. Tony Bello asked if there have been any new members since the background check mandate became active in December.
 - a. Chief Matthews said there have been a few voted in.
 - b. Chief Matthews stated that there have been no issues with the background check that takes a total of three minutes to complete. All new members have completed the background check. Mainly to see if anyone has been convicted of arson related crimes. Completed at the Sheriff's Department.
 - c. Steve Phifer inquired about a volunteer that was injured during a recent training session.

- i. Brandon Swain mentioned that he was complaining about chest pains and was checked out by MHS EMS and cleared. The air pack that he was wearing needs to be checked out.
- ii. Steve asked if there were any claims filed.
 - 1. Brandon stated that he was not aware of any claims that were filed.
- iii. Chief Matthews stated that the seal on the mask was not seated and blew out a lot of air. No injuries.

Standing Committee Reports

- 1. Executive Committee: Tony Bello
 - a. No report
- 2. Bylaws: Ryan Garcia
 - a. No report
- 3. Building and Grounds: Steve Phifer
 - a. Community Building awning and electrical work is complete.
- 4. Community Services (*Community Building*): Sallie Salter
 - a. Rentals are going well. Most of the upcoming weekends are booked.
 - b. Working on cleaning out old materials.
 - c. Chief Matthews sent volunteers to empty trash and the next day; someone filled it up with personal trash.
- 5. Ways and Means: Missy Rhodes
 - a. Missy has joined "Women of Carteret County" to advocate for the association.
 - i. Several connections with local business owners have been made.
 - ii. Spread the word on the community building rental.
 - iii. "Bras for the Cause" event will be held at the community building July 22.
 - b. Carlton offered to donate his time again for BBQ fundraiser.

Old Business:

- 1. Building and Grounds.
 - a. Gutter Quotes
 - i. No need for gutter quotes at the community building, a community member donated materials and labor to fix it.
 - b. Awning is Complete at the community building.
 - c. Door replacement on the door closest to the playground and the door by the office.
 - i. This can be completed under building and grounds maintenance and no vote needed.
- 2. Security Light on the basketball court.
 - a. Still need to provide paperwork for the immediate residents to approve.
 - b. If any neighbors complain about the light to Carteret Craven Electric, they will cut service, but we are still locked in for a year to pay.
 - c. Tony Bello will write a letter to issue to immediate residents for approval.
- 3. Policy and Procedures.
 - a. Tabled Item: Paid staff cannot volunteer for the fire department they work for.
 - i. Chief Matthews did reach out to Wilson Mills VFD. According to the chief:
 - 1. They basically do the same thing as B&G VFD with volunteers.
 - 2. They run crews from 6:00pm-6:00am Saturday and Sunday utilizing their members and refer pay as "stipend."
 - 3. They have no issues from their lawyer or CPA.
 - 4. South River, Otway, Down East, Marshallberg, and others in the county have volunteers work duty crews.

5. According to Chief, Just because a volunteer receives money, it doesn't necessarily mean they are considered an employee.
- ii. Steve Phifer asked how we are going to guarantee that they do not fall below minimum wage taking in account for hours worked vs. pay.
 1. The chief mentioned that stipends, bonus pay, or whatever the official term may be, are not guaranteed. Officers that do not perform their duties, officer pay may be upheld. It is all on a voluntary basis. Nothing mandates that they have to complete work. If they do, they will be compensated.
 2. Steve Phifer mentioned that in the business world, if a person is paid, they are considered an employee. The state has not really taken a stand on this for volunteer fire departments.
 - a. The chief mentioned that they did issue information on the "hybrid volunteer" that addresses that volunteers are allowed to receive compensation.
 - b. He also mentioned that the intent from Congress was not to include churches and fire departments. Any other volunteer work should be under this policy.
- iii. Tony Bello mentioned that officers on paid staff will need to have hours tracked to verify that they do not fall below minimum wage for each pay period. This will need to be the responsibility of the chief. Everything must be documented in case there is a complaint. Paid staff that hold offices need to be aware of this.
- iv. Steve Phifer mentioned that the county has not expressed concern over this. The way everything is in place, the chief has discretion regarding hours worked and pay based on performance and attendance.
- v. Tony Bello inquired about putting day staff that volunteer on salary to eliminate any confusion.
 1. The chief mentioned that the only way to do a salary, they would have to have a supervisory role as an employee.
 2. Jeff Batten confirmed, typically, salaried employees are Chiefs or Assistant Chiefs.
- vi. Mark Rippeth mentioned that the only way this could be an issue is if there were back-to-back structure fires that lasted more than 15 hours in a pay period. This is highly unlikely. Average calls are between 30 and 60 minutes.
- vii. Jeff Batten mentioned that Bethesda Fire Department in Durham County, he witnessed a volunteer fire department that had a whistle blower call out a volunteer fire department for volunteers falling under minimum wage. The state fined them over \$250,000 for triple damages.
 1. The chief mentioned that in 2017, the state changed the rules that govern this. The community cannot afford to fully staff the fire department.
- viii. Mark Rippeth moved to amend the policy and procedures to add to "Duties of the Chief" to include "It is the responsibility of the chief to track and ensure paid staff that also volunteer and/or perform officer duties will not fall below minimum wage for hours worked or volunteer during each pay period. "
 1. Seconded by Missy Rhodes.
 2. Motion Passed.

New Business:

1. Split Unit in the Community Building.

- a. Steve Phifer mentioned Jeremy Farish installed the unit upstairs. He has provided a quote for a wall-mounted Mitsubishi for \$4,800.00, parts and labor. The unit comes with a 10-year warranty.
 - b. Jeff Batten mentioned that there is \$8,900.00 in the community association account. There are two more checks coming from the county that will total \$4,200.00.
 - c. Dusty Desteunder moved to have the Mitsubishi split unit installed at the Community Building with a maximum cap of \$5,000.00.
 - 1. Second My Missy Rhodes
 - 2. Motion Passed
2. Carpet Cleaning in Meeting Room
- a. Steve Phifer received a quote for \$219.20 to have the meeting room professionally cleaned.
 - b. Dusty Desteunder moved to have the carpet in the meeting room professionally cleaned with a maximum cap of \$2500.00.
 - 1. Second by Steve Phifer
 - 2. Motion Passed
3. Compassion Ministries Lease of the old Fire Bay at the Community Building.
- a. Tony Matthews Moved to approve the lease agreement between Compassion Ministries and the Broad & Gales Community Association to occupy the old fire bay at the community building for \$50.00 per month. The lease will be automatically renewed year fiscal year unless written notice has been provided.
 - 1. Second by Missy Rhodes.
 - 2. Motion Passed. *Sallie Salter did not vote.*

Adjournment:

- 1. Steve Phifer moved to adjourn.
 - a. Seconded by Dusty Desteunder.
 - b. Motion passed, adjournment 8:00 pm.

Respectively presented by Secretary Sallie Salter.

Approved by: _____
 Initials Date