

**CITY OF LAURINBURG  
CITY COUNCIL MEETING  
NOVEMBER 22, 2011  
MUNICIPAL BUILDING  
303 WEST CHURCH ST.  
7:00 p.m.  
Agenda**

*Invocation: Councilmember Leak*

- 1) Approval of Agenda

**Consent Agenda (Item A)**

- 2)
  - a. Approve minutes from the regular meeting September 20, 2011 and the minutes from the agenda workshop meeting
  - b. Resolution No. R-2011-14 External Website Policy & R-2011-15 Internal Website Policies
  - c. Consider setting date for public hearing December 20, 2011 at 7:00 p.m. in the upstairs council room of the Municipal Building located at 303 West Church St., Laurinburg, NC to closeout the 2009 Community Development Block Grant Infrastructure Project 09-C-2015 (West Boulevard-Scottish Glen-Phase II)
  - d. Consider setting date for public hearing December 20, 2011 at 7:00 p.m. in the upstairs council room of the Municipal Building located at 303 West Church St., Laurinburg, NC to hear a request to rezone from Residential-15 to General Business Conditional Use District property located at 907 S. Main St. to operate a bakery
  - e. Consider Ordinance No. O-2011-20 which amends the Budget Appropriation Ordinance \$556,693.00 to Revenue Loan - (30-430505)- to Electrical Operations (832-707300)-Improvements; \$1,862,166.00 to Revenue Loan - (31-430505)- to Water Distribution(814-707300)-Improvements); \$90,000.00 from Contingency - (992-509900)- to Water Distribution \$45,000.00 (814-707400)-New Meters and \$45,000.00 (814-507500) Construction
  - f. Consider Resolution No. R-2011-16 authorizing the execution of an agreement between the City of Laurinburg and the NC Department of Transportation for the inspection of municipal bridges

**DELEGATION**

- 3) Carl Head, Gustaf C. Lundin & Company, LLP- Audit Report- 2010-2011 fiscal year
- 4) Request from Scotland County for in-kind service to the Soccer Concession Building located at the Morgan Complex
- 6) Hilda Howell - 346 E. Covington St. – Voting Districts
- 7) Reginald Drakeford – Request for food stand at 142 S. Main St.

**CITY MANAGER REPORTS**

- 8) Consider Resolution No. R-2011-17 authorizing the Sale of General Obligation Refunding Bonds in the Maximum Amount of \$1,700,000.00 and authorize the Mayor to execute any and all documents
- 9) Update on Tree & Stump Removals
- 10) Update on TDA presentation to Scotland County Commissioners regarding US Highway 74 Interchange lighting

11) Consider dates for City/County Joint Meeting (January 12, 2011 or January 26, 2011 at 7:00 p.m.)

**COMMENTS FROM MAYOR AND/OR COUNCILMEMBERS**

**PUBLIC COMMENT**

**CLOSED SESSION (IF NEEDED)**

**ADJOURNMENT**

**CITY OF LAURINBURG  
CITY COUNCIL  
MEETING OF  
NOVEMBER 22, 2011**

**COUNCIL ACTION REQUEST**

**AGENDA ITEM #   A**

**TO:** Mayor and City Councilmembers  
**FROM:** Edward F. Burchins, City Manager  
**DATE:** November 22, 2011  
**RE:** Consent Agenda

**COUNCIL ACTION REQUESTED:**

*Approve the consent agenda*

**SUMMARY OF INFORMATION:**

*Council may choose to pull an item from the consent agenda in order to discuss during the meeting.*

*DRAFT*

**CITY OF LAURINBURG  
COUNCIL MEETING  
SEPTEMBER 20, 2011  
MUNICIPAL BUILDING  
303 WEST CHURCH ST.  
LAURINBURG, NC  
7:00 P.M.**

**MINUTES**

The City Council of the City of Laurinburg held its regular monthly meeting September 20, 2011 at 7:00 p.m. in the council room of the Municipal Building with the Honorable Matthew Block, Mayor, presiding. The following Councilmembers were present: Curtis B. Leak, Thomas W. Parker, III, Herbert M. Rainer, Jr., Kenton T. Spencer, and Joy Ellison.

Also present were: Edward F. Burchins, City Manager, Dolores A. Hammond, City Clerk, and Charles L. Hicks, Jr., Assistant City Attorney.

Mayor Block called the meeting to order at 7:00 p.m. Councilmember Spencer gave the invocation.

**APPROVAL OF AGENDA**

Councilmember Leak moved to adopt the agenda. Councilmember Parker seconded the motion and it unanimously carried.

**CONSENT AGENDA**

The City Manager reviewed the consent agenda.

- a. Approve minutes from the June 16, 2011 budget workshop; the June 20, 2011 budget workshop; the June 21, 2011 regular meeting
- b. Consider setting public hearing to be held October 18, 2011 at 7:00 p.m. in the upstairs council room of the Municipal Building for an amendment to the City of Laurinburg Sign Ordinance
- c. Consider Resolution No. R-2011-09 which authorizes the adoption of updates to the Fair Housing Plan and other adopted plans
- d. Consider Resolution No. R-2011-10 Authorizing Planning Grant Application to the NC Rural Economic Development Center for the City of Laurinburg Bridge Creek Outfall & Basin Evaluation and Preliminary Engineering Report (Per) and authorizes the City Manager to execute documents
- e. Consider piggyback bid for front loading refuse truck to Carolina Environmental Systems, Inc.
- f. Consider piggyback bid for automated side loading refuse truck to Carolina Environmental Systems, Inc.

The City Manager stated that Item C (Fair Housing Plan) does not have to have any formal action at this meeting. He explained that Council reviews the material and that more information will be provided for approval at the October Council meeting.

Councilmember Spencer asked that the budget workshop minutes from the June 20, 2011 be pulled from the consent agenda for correction and placed under the City Manager reports.

Councilmember Ellison moved for the approval of the Consent Agenda as amended with Item C (Fair Housing Plan) being removed for discussion at the October meeting and that the minutes from the June 20, 2011 budget workshop be added under the City Manager reports.

Councilmember Parker seconded the motion, and it was approved by the following vote:

Ayes: Parker, Leak, Ellison, Rainer, Spencer

Nays: None

### **SCOTLAND COUNTY TOURISM DEVELOPMENT AUTHORITY (TDA) CORY HUGHES**

Mayor Block introduced Mr. Cory Hughes, Executive Director, for the Scotland County Tourism Development Authority. He stated that Mr. Cory Hughes would discuss lighting on several interchanges on Highway US 74.

Mr. Hughes stated that the purpose of his presentation is talk about the opportunity to place some exit lights on US Highway 74. He then stated that from a tourism standpoint why it makes sense to do so and why the North Carolina Department of Transportation feels that it makes sense as well.

Mr. Hughes gave an overview of the role of the TDA in Scotland County and emphasized that the role of the TDA is to attract and to engage travelers to visit Laurinburg and Scotland County to contribute to the economic growth and well-being. He explained that funding for the TDA is a hotel tax paid by visitors not citizens of Laurinburg/Scotland County.

He also gave an overview of the amount of tourism dollars spent in the County. He reported that according to the North Carolina Department of Commerce tourism in Scotland County generated just under 36 million dollars in expenditures. Mr. Hughes stated that is the highest level that Scotland County has ever experienced. He proceeded to explain other statistics regarding tourism such as jobs, local and state revenue, etc.

He explained that there are two exits along US Highway 74 critical to the economic well being of Scotland County. He stated that within a one-mile radius there are over 50 businesses and entrepreneurs that employ thousands of employees.

Mr. Hughes stated that earlier in the year, the three exits rule was considered and the cost estimated was \$475,000.00 at each of the three exits by the North Carolina Department of Transportation (DOT). He then explained that DOT reviewed and a new estimate of \$687,000; however, DOT decided to do away with the three exist rule and focus the opportunity on the two high commerce exits. The estimated the cost for those two exits dropped to \$455,000.00 to provide at both exits east and west and US Highway 74.

He then stated that the TDA has pledge \$100,000.00 for lighting costs and Mr. David Burns with the DOT has also pledged to match the TDA amount. He informed Council that DOT could not assure that the funds will be available beyond 2011. He stated the final cost is \$255,000.00 to light two exits along US Highway 74.

Mr. Hughes explained that this project is a good opportunity for everyone to work together to help and create jobs and to improve the economy of Laurinburg and Scotland County. He stated that these are shared beliefs of the TDA, the City Council, and the DOT.

Upon question by Mayor Block, Mr. Hughes stated that there are 33,000 cars that travel back and forth along US Highway 74 on a daily basis.

Upon Councilmember Rainer, Mr. Hughes stated that the cost to keep the lights on is approximately \$13,000.00 per year.

Upon question by Councilmember Parker, the City Manager stated that the price of steel increased the original cost estimates.

Upon question by Councilmember Leak, Mr. Hughes stated he had not given the presentation to the Scotland County Commissioners but would be glad to do so.

Councilmember Leak suggested that TDA consider multiple year funding for the remaining \$255,000.00 over a five-six year period.

Mr. Hughes stated that there is capital restrictions (based on by-laws) that limit the amount of money contributed to capital dollars. He explained that there are still dollars invested in the Morgan Complex for approximately four years.

Upon question by Councilmember Spencer, Mr. Hughes based on information he received from DOT there are 33,000 cars a day coming through Laurinburg/Scotland County. He explained that if that number of car increased by one percent and if the number of cars spends \$12.00-\$15.00 that would generate 1.5 million dollars in expenditures and the community would benefit from the sales tax. Mr. Hughes also stated that he is trying to get information from other communities that have exit lights to see how the lights have benefited from the lights.

A discussion ensued on the lights and that more information is needed.

Councilmember Ellison stated that she is impressed with the proposed project, but she would also like the City to look research more residential lighting for citizens as well.

There was a consensus that the City Manager and Mr. Hughes work together to resolve some of the issues expressed this evening, look at the City's overall finances, and research how the lighting of residential areas could also fit into the scenario. They also agreed that Mr. Hughes should obtain a vehicle count during the hours that the lights are lit.

Mr. Hughes stated that he would gather information from other communities regarding revenue and safety where exit lights have been erected.

There was also a consensus that Mr. Hughes return to the October meeting to provide more

information.

### **PRESENTATION TO BETTY COOPER, RETIRED EMPLOYEE**

Mayor Block recognized Mrs. Betty Cooper and presented her a plaque and a City pin for her dedicated service to the City of Laurinburg over the last five years.

### **JIM WILLIS, LAURINBURG DOWNTOWN REVITALIZATION CORPORATION (LDRC) REPORT**

Mayor Block introduced Mr. Jim Willis, President of the LDRC appeared before Council to give a report on the direction of LDRC.

Mr. Willis began by giving a brief history of LDRC. He explained that in 1987 times were good in Laurinburg and Scotland County. He stated that unemployment was about eight percent, industry was good and the American Dream was being fulfilled. He then stated that the statistics were reflected in the downtown area with multiple clothing stores, drug stores, jewelry stores, furniture stores, variety stores and specialty store. He shared that the downtown area was the retail and economic center of the community.

Mr. Willis stated that Belk Department Store was in the downtown area and it announced they were leaving the downtown area. He explained that this was the signal that change was coming.

He then proceeded to explained how that Mr. Peter Batchelor and his Urban Design Assistance Team was contacted which a four-day workshop was held to develop a plan for the downtown area. Mr. Willis stated that he feels that this plan is still a sound guide to follow.

He explained that other groups have identified the downtown area as a key element in community development. He stated that the 2006 Scotland County Economic Summit recommended, "increasing the viability of downtown Laurinburg". He also explained that the Scotland County 21<sup>st</sup> Century Communities Action plan set a goal to "Strengthen local business infrastructure, redevelop, and revitalize downtown Laurinburg. Mr. Willis then stated that the downtown area is the face of the community, the historic, governmental and economic center that is a reflection of the community's overall status.

Mr. Willis commented, "Where are we now". He explained that the situation is much different. The industrial base has changed, unemployment remains at record highs and the downtown area has empty building with many in need of repair.

He then proceeded to list initiatives which are underway for LDRC which are as follows:

- Removal of old signs (in process of getting permission from property owners to take down);
- Replacement of canvas awnings on naked frames;
- Parking lot lease (in process of acquiring property owners signatures); and
- Fountain in City parking lot (improve and beautify this structure);

Mr. Willis stated he would like the City to partner with LDRC on three of the items presented.

He informed Council that LDRC is potentially planning on partnering with Tim Brown to help guide the downtown revitalization efforts. He explained that Mr. Brown has worked with the Town of Maxton and the City of Bennettsville to improve their downtown. He stated that Mr. Brown in a licensed general contract in North and South Carolina.

Mr. Willis stated it is the desire of LDRC to use some of its current funds to begin some of the initiatives stated. He also explained that at this time there is not a director but is looking forward to the time when a director is needed once again.

Following further discussion, upon question by Mayor Block, Mr. Willis stated that there is a very diverse business group in the downtown area and that because of the language barrier, a one on one conversation may be needed with those business partners. He stated that he is willing to participate in a downtown meeting with whoever desires to meet.

Upon question by Councilmember Spencer, Mr. Willis stated that Mr. Brown would help with the costs associated with improving the downtown area.

A discussion ensued on the funds that are allotted to LDRC in contingency in the General Fund of the City of Laurinburg's budget.

Motion was made by Councilmember Spencer, seconded by Councilmember Parker, and unanimously carried to release the funds allocated in the contingency line item of the General Fund of the City of Laurinburg's 2011-2012 budget.

#### **YEA (Young Entrepreneurs Academy) - Mrs. Toni Blount**

Mrs. Toni Blount, Co-Program Manager for the Young Entrepreneurs Academy and the Scholarship Coordinator for the Scotland County School System appeared before Council to introduce the YEA program to City Council. She stated that Brenda Gilbert, representing the Laurinburg/Scotland County Area Chamber of Commerce is the Co-Program Manager. She stated that Mrs. Gilbert could not attend because of prior travel commitments.

Mrs. Blount stated that over the past few months, Mrs. Gilbert has marketed the academy to the private and home schooled students. She stated that her focus has been on recruitment of the Scotland County school students.

She explained that Mrs. Theresa Lamson, President of the Chamber, learned about the academy through colleagues and the US Chamber of Commerce. She also stated that others partners in this academy are St. Andrews University, the North Carolina Rural Center, and support from the Kaufman Foundation. This academy will be launched in November 2011.

Mrs. Blount informed Council how YEA began. She reported that Laurinburg/Scotland County is the only North Carolina academy.

Mrs. Blount then showed a short DVD on the YEA program. She explained the academy would take middle school and high school students through the process of starting their own real business or social movement over the course of an academic year. The students will brain storm, review and solidify their project into a real business plan. Mrs. Blount stated that then the co-program managers will bring in help from accountants, attorneys, insurance agents, graphic designers, web developers, and business mentors from the Community. She then explained that the students would then refine their plan and make their presentation to a real investor panel.

She then reported that the students would take six field trips to a variety of businesses to learn real world training into the entrepreneur world. She stated that there would be six key instructors. She then stated that the classes would be every Tuesday, 4:00 p.m.-7:00 p.m. at St.

Andrews University in the Early College classroom from November 2011 through June 2012. She stated that either she or Mrs. Gilbert would be at the classes or on the field trips.

She continued explaining the program to Council.

Upon question by Mayor Block, Mrs. Blount reiterated that this is the first academy in North Carolina and there are 30 programs in progress and in business for seven years.

Upon question by Councilmember Spencer, Mrs. Blount stated that at this time there are five or six committed scholarships out of twenty available slots.

Upon question by Councilmember Rainer, Mrs. Blount reported that the scholarship is \$295.00 for a student to attend the whole program.

A discussion ensued on the YEA Program and Councilmember Spencer motioned that the City set up a scholarship for the YEA program for five students that are qualified with funds being disbursed from the City of Laurinburg Youth Council budget line item. Councilmember Rainer seconded the motion and it unanimously carried.

### **SCOTT REDINGER, NORTH CAROLINA INDIAN HOUSING AUTHORITY PRESENTATION**

Mr. Scott Redinger introduced Ms. Margrit Bergholz with the North Carolina Financing Agency and Ms. Barbara Melvin the Executive Director of the North Carolina Indian Housing Authority.

He stated that they would like to explain a plan to develop and build 12 apartment units on a property on Homer Street for persons with disabilities. He explained that Manis Custom Homes Builders would be the building for this project. He also stated that Manis Custom Homes is located in Scotland County.

Ms. Margrit Bergholz stated that the North Carolina Financing Agency is a self-supporting state agency that finances a wide variety of affordable housing types across the State of North Carolina. She explained that she works with the supportive housing development program that gives loans to non-profits in units of local government to develop emergency transitional and permanent housing for people who need services to maintain themselves in housing.

She then explained the funds available to help develop capacity of non-profit organizations in rural areas to create and manage supportive housing. She stated that Scotland County was chosen as a pilot site for this project because of the high economic need and the availability of the Indian Housing Authority.

Ms. Barbara Melvin, Director of the North Carolina Indian Housing Authority (NCIHA), stated that these units are not just for Indians. She explained NCIHA has been in affordable housing since the early 90's. She explained that the NCIHA builds affordable housing for persons with disabilities. She then explained that these residents would have to be able to be independent. She stated that there would be a property manager approximately three days per week, maintenance would be provided, a screening process for applicants is in place, and the project would be monitored.

Ms. Melvin stated that the NCIHA has partnered with other municipalities, other non-profits, and State agencies over the last years to provide housing in different manners. She informed Council that a project is currently being built in Red Springs, North Carolina.

Upon question by Councilmember Parker, Ms. Melvin stated that normally payment in lieu of taxes is requested by the NCIHA.

Upon question by Councilmember Leak, Ms. Bergholz stated that the facilities would be modular homes built by Manis Custom Homes located in Scotland County.

Mr. Redinger stated that he is asking Council for support regarding this project. He explained that the proposed site, which is under option, is currently zoned for this type and number of apartments.

Mr. Redinger stated that Scotland County was chosen by the NCIHA because of the need for affordable housing for persons with disabilities. He also stated that Scotland County was selected because that there is currently a manufactured home builder in Scotland County. He reiterated that this is a program that the State Housing Agency hopes to implement statewide and use other non-profits in other areas of the State.

He stated that the assistance that the City is being asked to help with this project is in applying for a Community Development Block Grant through the North Carolina Division of Community Investment. He explained that his company could not apply directly to the North Carolina Division of Community Investment because the requirement is that the request comes from a unit of local government.

Upon further discussion, Council asked Mr. Redinger to conduct a neighborhood meeting in order to inform the citizens in the proposed area of his plans.

Mr. Redinger stated that he would do so.

Motion was made by Councilmember Leak, seconded by Councilmember Rainer, and unanimously carried that Mr. Redinger's staff and City staff work together to get a full understanding of the programs and what the City requirements would be in applying for the grant and bring back to Council to discuss at the agenda workshop in October.

### **BOB BELL-TREES/TREE LIMBS FALLING DURING STORMS**

Mr. Bob Bell, the City's Human Resource and Safety Officer, gave Council a report on the City's trees.

Mr. Bell explained that staff as well as the contractor who trims and cuts City trees work together to evaluate trees in the City. He stated that if a storm comes through and causes damages to a citizen's property, they could contact his office. He then stated that he would take the information about the incident, take pictures at the location, and then file a claim with the City's property and liability insurance carrier. He then explained that the insurance carrier processes the claim, reviews the information, the adjuster makes a site visit, and then makes a determination based on State law.

The Assistant City Attorney stated that the only liability that the City has is if the City knew or reasonably should have known a dangerous condition exists that is likely to cause damage to a citizen's property. He further stated that most incidents (such as storms, strong winds) are considered an act of God.

Councilmember Leak stated that the reason he wanted the issue addressed on the agenda is that the City's trees are aging and some of the limbs are falling onto citizens' property. He also stated that he had received calls from citizens that stated there was an orange circle on some trees and he informed them that the circle indicates that a tree will be addressed for takedown or trimming.

Mr. Bell commented that if Council or a citizen notices a tree that seems to be a concern, please call the City and someone would investigate.

Councilmember Ellison stated that she feels that if there is not a plan in place to address the aging trees, that staff should address the issue expedite and begin developing a plan.

The City Manager stated that a member from North Carolina State to help evaluate the trees and Mrs. Deese is in the process of addressing some of those problem trees.

Councilmember Rainer stated that he would like staff to research what the cost and what would take the City to have its own tree crew to take care of tree takedowns and trimmings. He suggested that employees could be cross-trained especially those that have seasonal duties.

The City Manager stated that staff would provide the information before the proposed budget workshops begin for 2012-2013. He also stated that Council could discuss the in-house tree unit at the next retreat.

Upon question by Mayor Block, Mr. Bell stated that this is the worst year for storms that have taken trees down.

Upon question by Mayor Block, Mrs. Brandi Deese stated that there is long list of trees that need to be addressed. She stated that staff is working hard to get the list of trees taken care of as well as developing a plan to address the older trees.

Upon question by Councilmember Ellison, Mrs. Deese stated that there a number of large trees that are aging and will be an increasing problem for staff.

Mayor Block stated that for clarification of trees, the City only addresses trees in the rights-of-way.

Mrs. Deese stated that citizens can call the Barrett Building and someone can go out and determine if a tree is in the right-of-way. She explained that staff could also give advice as to whether the tree is healthy or needs to be taken down. Mrs. Deese also stated that the trees are trimmed or taken down by a private contractor.

### **CONSIDER CHANGING AGENDA WORKSHOP DATE TO WEDNESDAY, OCTOBER 12, 2011**

The City Manager explained that the candidates' forum for Municipal Elections is scheduled Tuesday, October 11, 2011 at 6:00 p.m. at the Scotland County Courthouse. He informed Council that this is also the night of the agenda workshop and if Council so chooses, can change the date in order to participate in this event.

Motion was made by Councilmember Leak, seconded by Councilmember Spencer, and unanimously carried to change the Agenda Workshop date from October 11, 2011 to October 12, 2011 at 7:00 p.m. in the conference room of the W. Charles Barrett Building located at 305 West Church St., Laurinburg, NC.

Councilmember Spencer stated that the June 20, 2011 minutes, page 354, paragraph six states that “the proposed budget has been compiled, the City has received a \$3,000.00 grant”. Councilmember Spencer stated that the number should be changed to reflect a \$5,000.00 grant.

Councilmember Leak stated that he thought the \$3,000.00 was the correct amount.

Motion was made by Councilmember Spencer, seconded by Councilmember Ellison, and unanimously carried to change the \$3,000.00 figure to \$5,000.00.

## **APPOINTMENTS**

### **LAURINBURG DOWNTOWN REVITALIZATION CORPORATION (LDRC) APPOINTMENT**

Mayor Block stated that a recommendation has been made to appoint Mrs. Brandi Deese to fill the unexpired term of the City Manager to the LDRC Board. The term will expire July 2013.

Motion was made by Councilmember Parker, seconded by Councilmember Leak, and unanimously carried to appoint Mrs. Brandi Deese to fill the unexpired term of the City Manager to expire July 2013.

### **CRIME AND DRUG COMMITTEE**

The City Manager stated that the City has received six applications to be considered for appointment to the crime and drug committee. He informed Council that the following citizens have submitted applications:

Wanda Bethea	Brenda Gilbert
John Cary Easterling, III	Loretta Rena McNeil
Desiree Block	Neil Carter

He then stated that Scotland County has appointed four members. They are:

Pat Fields	Tony Harrington
Amanda Martin	Donna Store

The City Manager then gave the list of ex officio members which are:

Duke Williams, City of Laurinburg Police Department  
Earl Haywood, Scotland County Sheriff's Department

He explained that the Scotland County Court System, Scotland County School System, and the City of Laurinburg Youth Council has not yet recommended appointments'

He then explained that two applications were received on this date, September 20, 2011, one being Sybil Kelly and Rhonda Jane Patterson. Ms. Patterson is outside the City limits; therefore, her application will be forwarded to the Scotland County Commissioners for consideration. The City Manager stated that there would be an organizational meeting October 13, 2011 at 6:00 p.m. in the upstairs council room of the Municipal Building.

Motion was made by Councilmember Parker, seconded by Councilmember Leak, and unanimously carried to appoint Wanda Bethea, Brenda Gilbert, John Cary Easterling, III, Loretta Rena McNeil, Desiree Block, Neil Carter, and Sybil Kelly to the Crime and Drug Committee.

**APPOINT VOTING DELEGATE AND ALTERNATE VOTING DELEGATE FOR THE NORTH CAROLINA LEAGUE OF MUNICIPALITIES (NCLM) BUSINESS MEETING AT THE CONFERENCE TO BE HELD IN OCTOBER**

Mayor Block stated that a voting delegate and an alternate voting delegate needs to be appointed in order to vote at the upcoming business meeting of the NCLM business meeting.

Councilmember Rainer motioned to appoint the City Manager as the voting delegate and Councilmember Leak as the alternate voting delegate. Councilmember Spencer seconded the motion and it unanimously carried.

**COMMENTS FROM MAYOR AND/OR COUNCILMEMBERS**

Councilmember Spencer informed everyone that Belk is having a charity sale November 5, 2011, 6:00 a.m. – 10:00 a.m. He explained that part of the proceeds would go to restoring the Hope Center. He stated that this is a good example of a non-profits working together.

Mayor Block reminded citizens that the Kuumba Festival is being held this weekend, September 23-24, 201 at Market Park.

**PUBLIC COMMENT**

Mr. Walter Rogers appeared before Council to discuss senior trees in the community. He stated that he has noticed that the City trees are aging. He explained that in less than 90 days, he has observed five different instances where trees are falling on his property or close to it.

He informed Council that of the trees that fell wiped out the service to one of his rental properties and will cost him over \$700.00 to be re-connected. He explained that Scotland County would require new services once the service has been disconnected from the location.

Mr. Rogers suggested that the City look at its trees and inventory trees that are diseased, decayed, or dying before a storm might hit.

Mr. Rogers stated that he understood Mr. Bell's report on trees and the "act of God" when it comes to storms, but trees are falling without a storm approaching or happening.

He then explained that it costs citizens to have to replace their service because of a City tree or tree limb falling on their property.

Upon question by Councilmember Rainer, Mr. Rogers stated that the Scotland County Electrical Department has additional requirements when the service has been disconnected.

The City Manager stated that once the service has been disconnected, that the requirement is that the reconnection be brought up to Electrical code.

A discussion ensued regarding trees, tree limbs falling, and Mr. Rogers's requirement to bring his service up to code by Scotland County.

### **CLOSED SESSION**

At 9:24 p.m., motion was made by Councilmember Parker to go into closed session pursuant to North Carolina General Statute 143-318.11(a)(3), to consult with the attorney employed or retained by the City of Laurinburg in order to preserve the attorney-client privilege between the attorney and the City Council relating to Carolina Transformer litigation.

At 9:38 p.m., Councilmember Parker, seconded by Councilmember Rainer, motioned to resume the open meeting.

Motion was made by Councilmember Parker, seconded by Councilmember Spencer, and unanimously carried to authorize the City Manager and City Clerk to approve and execute any and all documents necessary to settle claims against parties in accord with the recommendations of the attorneys representing the City as part of the Carolina Transformer Contribution Claim Group.

### **ADJOURNMENT**

Motion was made by Councilmember Parker, seconded by Councilmember Rainer, and unanimously carried to adjourn the meeting.

The meeting adjourned at 9:40 p.m.

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Matthew Block, Mayor

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Dolores A. Hammond, City Clerk

*DRAFT*

**CITY OF LAURINBURG  
AGENDA WORKSHOP  
OCTOBER 12, 2011  
W. CHARLES BARRETT ADMINISTRATION BUILDING  
305 WEST CHURCH ST.  
7:00 P.M.**

**Minutes**

The City Council of the City of Laurinburg held an agenda meeting October 12, 2011 at 7:00 p.m. in the council room of the Municipal Building with the Honorable Matthew Block, presiding. The following Councilmembers were present: Curtis B. Leak, Thomas W. Parker, Kenton Spencer, and Joy Ellison. Herbert M. Rainer, Jr. was the only member absent.

Also present were Edward F. Burchins, City Manager, Dolores A. Hammond, City Clerk and Charles L. Hicks, Jr., Assistant City Attorney.

Mayor Block called the meeting to order at 7:01 p.m. Councilmember Ellison gave the invocation.

Mayor Block reviewed the upcoming agenda for the October 18, 2011 regular meeting of City Council.

- 1) Approval of Agenda
- 2) Consent Agenda
  - a. Approve minutes from the June 22, 2011 budget workshop; the June 23, 2011 budget workshop; July 12, 2011 special meeting; July 9, regular meeting; August 16, regular meeting; and agenda workshop, September 13, 2011  
*Councilmember Leak stated that there was an error in the correction of the June 20, 2011 budget workshop meeting that Council motioned to change at the September 20, 2011 meeting. Councilmember Spencer stated that the minutes could go back on the consent agenda to be reapproved. The City Clerk advised that the minutes should be pulled from the consent agenda in order to re-correct the minutes. Upon question by Councilmember Leak, the Assistant City Attorney stated the minutes are to be included in the consent agenda and approved as submitted.*
  - b. Consider Resolution No. R-2011-09 which authorizes the adoption of updates to the Fair Housing Plan and other adopted plans  
*Mrs. Brandi Deese, Planning/Zoning Officer, explained that Council received an update on the Fair Housing Plans last month and this proposed Resolution should be considered in order to update the Fair Housing Plan and other adopted plans as required by the State*
  - c. Consider Ordinance No. O-2011-18 which amends the Budget Appropriation Ordinance(O-2011-11) to transfer \$23,500.00 from Contingency- (990-509900)- to Non-Department- (660-509000)-Downtown Improvements  
*No discussion*
  - d. Authorize the City Manager to execute agreement between the City of Laurinburg and Wetherill Engineering, Inc. for services in the replacement of Bridge #81 on Commonwealth Avenue over Leith Creek  
*Upon question by Councilmember Leak, Stacey McQuage stated that the cost should be approximately \$20,000.00*

*Upon question by Councilmember Parker, Mr. McQuage stated that this is budgeted in the street department budget*

- 3) Consider Ordinance No. O-2011-19 which amends Article XVII, Section 276, Total Sign Surface Area, and Section 284, Shopping Center/Major Retail Development Signs of the Unified Development Ordinance  
*Mrs. Deese stated that this request comes from TriCor International Corporation to change the square footage of signage from 1 square foot per lineal foot of lot frontage to 1.5 square feet and this is only for Shopping Center/Major Retail Development zoning areas*  
*Councilmember Leak questioned whether any other areas in the region had this type sign requirement.*  
*Mrs. Deese informed Council that this change is consistent with other areas.*  
*Upon question by Councilmember Leak, the City Manager stated that no one had been to look at other signs that are consistent with the request.*  
*Upon question by Councilmember Parker, Mrs. Deese stated that the first proposal submitted by TriCor was not fair to other businesses, but that Planning Staff is comfortable with the current proposed request.*  
*Upon question by Mayor Block, Mrs. Deese stated that this request is very similar to surrounding towns with some areas allowing much more signage.*
- 4) Laurinburg/Scotland County Business Incubator Project - Greg Icard, Scotland County Economic Development Director  
*No discussion*
- 5) West Point Stevens Water and Wastewater Study - Jim Perry, Lumber River Council of Governments and Angie Mettlen, W. K. Dickson Engineers  
*A discussion ensued on the water and wastewater study. Councilmember Leak stated he was interested in finding out the entity that would lead the project.*  
*A discussion then ensued on the timing of the project and that all parties should be at the table at the same time.*
- 6) Pole Attachment Agreement – Ronald Pierce  
*Mr. Ronald Pierce, Electrical Utilities Director, explained that there is not an agreement with Time Warner for pole attachments (Time Warner utilities attached to City utility poles) and a 1939 attachment agreement with AT&T, previously known as BellSouth. He informed Council that the attempt is to determine the number of utility poles that belong to the City and what poles belong to the other utility companies. He stated that the proposed attachment fee is \$10.00 per pole per year that will bring additional revenue into the City. He then stated that the City would also pay \$10.00 per pole per year to the companies where the City needs to make a pole attachment. He explained that AT&T is reviewing the proposed agreement and once they are completed it will be sent to the attorney for review. He informed Council that Time Warner currently has 3,010 attachments to the City's utility poles, AT&T has 2,099 attachments, and the City has 606 attachments on AT&T's poles. He also informed Council that in 2014, another pole line treatment would need to be applied and the costs would be distributed among the users. The City Manager stated that there are some pilot projects being considered for the street lighting improvements and a report will be given at the regular Council meeting.*
- 7) Discussion of costs of having tree work done in-house – Ronald Pierce  
*The City Manager informed Council that this report would be given at the regular council meeting.*

## **CITY MANAGER REPORTS**

- 8) Update on the request by the Scotland County Tourism Authority (TDA) for lighting at certain interchanges in the City of Laurinburg  
*The City Manager stated that he had met with Cory Hughes, TDA Executive Director, about the US Highway 74 lighting project. He explained that if Council is interested in proceeding with the project, he has developed three options for funding the project. He then stated that an option suggests lighting all three interchanges; the other options address two interchanges. He then*

*explained that all of the options involve a more evenly cost shared arrangement. He further explained that he is looking at the cost and benefit of financing the lighting versus paying cash.*

*The City Manager informed Council that there would be information in Council's packet regarding a similar project in Anderson, South Carolina, but no information on return of investment.*

*Upon question by Councilmember Leak, the City Manager stated that the amount of money that the TDA is requesting from the City would depend on whether the City wants three interchanges lit or just two. He stated that if the City and the TDA shared the cost, the cost to the City would be \$177,000.00 each.*

*Upon question by Councilmember Leak, the City Manager stated that Scotland County is not contributing to the project.*

*Upon question by Councilmember Spencer, the City Manager explained that if there was a project connected to the lighting request, it could qualify for Community Development Block Grant funding. The City Manager stated he would find out if the lighting project could be associated with lighting the medical corridor for funding.*

*Councilmember Parker stated that he would be in favor of discussing funding for two interchange lighting projects.*

*Upon question by Councilmember Ellison, the City Manager stated that the pay back for solar lighting would be extremely long.*

*Upon question by Councilmember Leak, the City Manager stated that it would cost \$140,000.00 to increase the lighting in the City of Laurinburg. He stated that Councilmember Ellison asked for the estimate for increased lighting for city residents. He shared that Councilmember Ellison did not want the interchange lighting to override the residential lighting. The City Manager stated that in Council's agenda packet there would be a report on the cost of residential lighting.*

9) Update on the North Carolina Indian Housing Authority

*Mrs. Brandi Deese explained that Mr. Scott Redinger has asked the City to partner with his company in the application for a Community Development Block Grant (CDBG). She stated that this would also be in conjunction with the North Carolina Indian Housing Authority and the North Carolina Financing Agency. She then explained that the actual funds would be used in the construction of the units. She then stated that traditionally CDBG funds have been used to fund public infrastructure. Mrs. Deese stated that the Planning Department has reservations about the use of the funds. She explained that some improvements should be made to the City's infrastructure.*

*A discussion ensued regarding Mr. Redinger and the other entities asking the City's help in lobbying for them in order to convince the CDBG to spend discretionary funds on the project.*

*Councilmember Spencer commented that what he understands is that this project could be built without the City's involvement.*

*Following further discussion, Council will continue with the discussion at its regular meeting.*

10) Consider awarding contract to low bidder, Dougherty Equipment Company, in the amount of \$104,708.15, for the purchase of a new tool carrier wheel loader for the Water and Sewer Department

*Mr. Harold Haywood informed Council that bids were received September 29, 2011 for the purchase of a new tool carrier wheel loader. He stated that three bids were received. The loader was budgeted and the bid came in below budget and met all required specifications.*

11) Consider Resolution R-2011-11 Establishing Goal for Minority Businesses in Construction Contracts

*Mrs. Brandi Deese explained that this is a requirement by the North Carolina Rural Center for the planning grant Council approved for Bridge Creek, Leith Creek, the outfall evaluations. She stated that the Rural Center would like the resolution approved by Council*

12) Consider requesting approval from the Local Government Commission to issue up to \$1,700,000.00 of refunding bonds for the purpose of refunding the City's outstanding 1995 Sanitary Sewer Bonds

*The City Manager stated that during the financing calculations for Datamatic LLC, he noticed*

*that there are five years remaining on the \$1.7 million bond. He explained that the refunding rate is lower than the current rate. He then explained he feels it is worthwhile to refund the bonds. He informed Council that BB&T can refund these bonds and the savings would be approximately \$20,000.00 per year or a total savings of \$80,000.00. He then stated that there is not an increase in the expiration date of financing.*

13) Datamatic Financing Closing

*The Assistant City Attorney stated that Council would need to authorize the appropriate parties to execute documents.*

14) Website Policy

*The City Manager stated that proposed website policies (internal and external) would be included in Council's agenda packet for review.*

15) Report of Laurinburg/Maxton Airport Activities – Councilmember Spencer

*Councilmember Spencer stated that he would give the report at the regular meeting on September 20, 2011.*

## **HUMAN RESOURCES STRATEGIC PLAN**

Mr. Bell, Human Resources & Safety Officer, provided an update on the Human Resources Strategic Plan. He informed Council that it is his understanding that Council wants the strategic plan to focus on the four areas of the employee survey that were below 70%. He listed those four areas as pay and benefits; employer relations; management; and performance appraisal. He stated that the classification and compensation impacts the pay and benefits part of the survey. He explained that he received an e-mail from Springsted, the company performing the pay and classification study, informing staff that they are almost complete with the study. They have a few items they want to revisit. He then informed Council that he asked Springsted to focus on a couple of different strategies on their presentation to Council. He then stated that over the next year he would like to review the personnel policy, make some changes, and then present to Council for consideration and adopting. He continued by stating that performance evaluations have been re-implemented and will continue on a yearly basis. He also stated that he would like to review the evaluation system and upgrade it to an electronic system. He has reviewed an example by NEOGOV that focuses only on governmental entities.

Upon question by Councilmember Ellison, Mr. Bell explained that the initial input is \$16,000.00 annually and the maintenance cost is \$8,000.00.

Upon question by Councilmember Spencer, Mr. Bell stated that employee time sheets are not handled electronically.

The City Manager stated that the cost of NEOGOV (employee evaluation management system) includes electronic timesheets and other items as well. He explained that the software from NEOGOV is more comprehensive than just an evaluation system.

Councilmember Spencer stated that the City has infrastructure issues and before any new program is put in place that Council should review the City's most immediate needs.

Mr. Bell explained that part of the information is a strategic plan wish list.

Mr. Bell then explained that the next piece of the strategic plan is training and development. He stated that this section also focuses on performance evaluation and succession planning. There is also a development process section.

Mr. Bell informed Council that the City's electric department along with Red Springs, Lumberton, and other communities in the area to conduct training through ElectriCities. The training is scheduled once a month in a centrally located area.

He explained that the Police Department continues with its training of its officers. Mr. Bell explained that the last portion of the strategic plan in employee health wellness and safety. He stated that the health fairs would continue that are coordinated with the health insurance provider. He informed Council that health management classes will be offered to employees with health issues through our insurance provider.

The City Manager stated that one of the things to make this plan successful when values are considered at some point it would be good if the Mayor, Council, and Management Team would meet and really talk about what the values are of the City.

Following further discussion, the City Manager stated his understanding is that once the pay plan is completed and staff has had an opportunity to evaluate the plan, Council will get a more specific answer as when goals and timelines can be set.

Mr. Bell stated that he expects to hear from Springsted any day now.

The City Manager stated that the information received could be presented to Council at its retreat in January or February.

Upon question by Councilmember Ellison, the City Manager stated that the pay and classification plan is still on track according to the timeline set by Council.

## **CLOSED SESSION**

At 8:33 p.m. motion was made by Councilmember Leak to go into closed session pursuant to North Carolina General Statute 143-318.11(a)(6), to discuss the qualifications, competency performance, character, fitness, condition of appointment or conditions of initial appointment of an individual public officer or employee. Councilmember Spencer seconded the motion and it unanimously carried to adjourn to closed session.

At 9:04 p.m., motion was made by Councilmember Leak, seconded by Councilmember Parker, and unanimously carried to adjourn the closed session and resume the open meeting.

## **ADJOURNMENT**

Motion was made by Councilmember Parker, seconded by Councilmember Leak, and unanimously carried to adjourn the meeting.

The meeting adjourned at 9:05 p.m.

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Matthew Block, Mayor

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Dolores A. Hammond, City Clerk

## RESOLUTION NO. R-2011-14

### CITY OF LAURINBURG WEBSITE POLICY

**Purpose:** The City of Laurinburg website is a service of the City of Laurinburg to provide accurate, non-editorial content that will inform, educate and enlighten citizens and visitors about the functions, services, activities, issues, operations and projects of Laurinburg municipal government. Where appropriate, the website is also used to facilitate the delivery of direct services provided by the City of Laurinburg to its citizens and visitors.

**Content:** City of Laurinburg municipal government offices, departments and governing bodies are eligible to post appropriate content to the City of Laurinburg website. Only those eligible parties may request that their content be hosted by the City of Laurinburg.

General information provided via the City of Laurinburg website is considered public and may be downloaded, printed, or distributed freely by and amongst the general public.

The City of Laurinburg intends to maintain current and accurate information on the website; however, there may be occasions where information becomes temporarily outdated pending the receipt and posting of available updates. As a result, the City of Laurinburg cannot expressly warrant the accuracy of web content at any time. The City of Laurinburg will provide adequate contact information on web pages throughout the site so that visitors may request verification of the validity of specific web content from any point within the website.

**Linking Policy:** The information posted on the City of Laurinburg website may include hypertext links or pointers to information created and maintained by other public and/or private entities. The City of Laurinburg provides these links and pointers solely for our users' information and convenience. The inclusion of links on this website should not be construed as an endorsement by the City of Laurinburg of those links or their content. When users select a link to an outside website, they are leaving the City of Laurinburg website and are subject to the privacy and security policies of the owner/sponsor of the outside website.

**Privacy Policy:** The City of Laurinburg uses automated tools to log information about each visit. We process this information to determine site performance issues and efficiency (example: website hits). This information does not identify you personally. We do not track or record information about individual users.

**Security Policy:** We attempt to ensure that the City of Laurinburg's website remains available to all users by employing software programs to monitor network traffic to identify unauthorized attempts to upload or change information or otherwise cause damage.

**Accessibility:** The City of Laurinburg is committed to making information housed on its website accessible to users with disabilities. Users who encounter difficulties accessing information should report the specific problem to the webmaster.

**Contact Us:** Please report inaccuracies, outdated material, or technical problems with this website to the webmaster.

Adopted this the 22<sup>nd</sup> day of November, 2011.

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Thomas W. Parker III, Mayor

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Dolores A. Hammond, City Clerk

## RESOLUTION NO. R-2011-15

### CITY OF LAURINBURG INTERNAL WEBSITE POLICY

#### **Purpose:**

- To ensure consistency and uniformity between elements of the organization with regard to content on the website; and
- To ensure that the website is useful and reliable and that it works effectively for users.

#### **Scope/Coverage:**

This Website Policy shall be applicable to staff, departments, boards, committees and commissions of the City of Laurinburg and shall remain in effect until such time that it is altered, modified, or rescinded.

#### **Definitions:**

- **Content:** All ideas communicated within and information contained on the website as represented in words, colors, layout, graphics, logos, video, photographs, and other elements.
- **Significant Changes:** Paragraphs, pages, or whole sections added, deleted, or modified that deviate substantively from the existing content or that address high-profile issues - particularly those that are publicized. Significant topics include, but are not limited, to existing or potential threats to public safety/welfare/property or those that may affect the City's image and/or citizen confidence in their government.
- **Routine Changes:** Additions, deletions, or modifications of content that do not differ substantively from the existing content. Routine changes include updating graphs, charts, maps, calendars or moving sections out of "What's New".
- **Technical Aspects:** All programs, formats, effects, features, and other elements associated with how the website functions.

#### **Administrative Rules:**

- The website shall serve as the primary information vehicle for the City.
- There shall be only one official website for the City of Laurinburg government.
- Reasonable efforts shall be made to ensure that the website and its contents shall be accurate, intuitive, robust, attractive, timely, relevant, and contemporary.
- The City Manager or his designee shall oversee all technical aspects of the website.
- The City Manager or his designee shall oversee all content of the website.
- Advertising and solicitation shall be prohibited on the website.
- Political advertising and hyperlinks to political websites shall be prohibited on the website.
- Promotional announcements for City-sponsored events, programs, and activities shall be permitted; however, promotional announcements for events, charities or outside organizations in which the City has no official interest or sponsorship shall not be permitted on the website.

#### **Procedures:**

1. The City Manager or his designee shall approve all significant content changes to the website including, but not limited to, text, graphics, layout, and colors. For this reason, it is suggested that staff meet with the City Manager or his designee in advance of devoting a significant amount of time developing new website sections.

2. The City Manager or his designee shall approve all technical changes to the website. For this reason, it is suggested that staff meet with the City Manager or his designee in advance of devoting a significant amount of time developing new web sections.
3. Staff shall develop no other websites - privately or as part of their regular work - to carry information about City government. This prohibition includes, but is not limited to, web pages or sections developed on home computers for the internal professional use of City staff in their everyday line of work.
4. Staff shall not contract with vendors/consultants to work on web elements for the City without first securing approval from the City Manager or his designee.
5. Information to be published on the City's website shall be written in a clear and concise manner and presented in a graphically appealing format. The use of helpful links that make it easier for an individual to access information and to make strategic use of forms, databases and interactive segments can enhance the overall presentation and usefulness of material and contribute to the success of a webpage.
6. The staff member responsible for a webpage shall regularly maintain site information, including routine review and updating, by following the procedures presented and established for utilizing the website content management system.
7. The staff member from each department responsible for a webpage or pages shall prepare and provide to the webmaster through the website content management system sections about all significant projects, issues, activities, and events as soon as possible in the development of the issue. As with any public information product, the City Manager should be briefed before the materials are publicly distributed on the web.
8. All webpages should be developed using only City of Laurinburg approved software as well as the current technical practices established by the City Manager or his designee.
9. Hyperlinks may be provided from the City's website to any other local, state or federal government website as well as to any website managed by a not-for-profit entity providing services to Laurinburg citizens and having a direct, official relationship with or receiving financial support from the City of Laurinburg. Examples of such not for profit entities include, but are not limited to, the following: Laurinburg/Scotland County Area Chamber of Commerce and the Laurinburg Downtown Redevelopment Corporation.
10. Hyperlinks from the City's website to any for-profit entity may be provided only in special circumstances where the for-profit entity is co-sponsoring a City activity or event. The link may only be active during the event and during a specifically-defined, limited promotional period preceding the activity or event.
11. The City Manager or his designee shall coordinate all server updating/uploading of the website.
12. All references in this policy to the City Manager shall include any person to whom the City manager delegates the authority given to him by this policy, and that person shall be considered the City Manager's designee with respect to all of the rights, powers and duties herein given to the City Manager.

**ADOPTED** this is 22<sup>nd</sup> day of November 2011.

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Thomas W. Parker III, Mayor

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Dolores A. Hammond, City Clerk



## CITY OF LAURINBURG AGENDA REPORT

To: *Honorable Mayor and City Council*  
Prepared by: *Brandi Deese, City Planner/Zoning Officer*  
Date: *November 8<sup>th</sup>, 2011*  
Subject: *Closeout Public Hearing for West Boulevard CDBG*

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### **SUMMARY STATEMENT**

*This is a request for City Council to call for a public hearing to be held on December 20<sup>th</sup>, 2011 in order to discuss the closeout of the 2009 Community Development Block Grant (CDBG) Infrastructure Project 09-C-2015.*

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### **REVIEW**

*In accordance with the regulations of the North Carolina Department of Commerce, a closeout public hearing is required before final closeout of the West Boulevard Grant. This infrastructure project included storm drainage, sanitary sewer, sidewalks and street improvements. The City received \$250,000.00 in 2009 CDBG funds, which represents 96% of the total project costs.*

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### **FINANCIAL IMPACT**

*N/A*

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### **RECOMMENDATION**

*Staff recommends that council call for a public hearing to be held on December 20<sup>th</sup>, 2011 in order to discuss the closeout of CDBG 09-C-2015.*



## **CITY OF LAURINBURG**

### **AGENDA REPORT**

To: *Honorable Mayor and City Council*  
Prepared by: *Brandi Deese, City Planner/Zoning Officer*  
Date: *November 15<sup>th</sup>, 2011*  
Subject: *Rezoning Request for 907 S. Main St.*

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#### **SUMMARY STATEMENT**

*Council will receive the recommendation of Planning Board for the rezoning request for 907 South Main Street from Residential-15 to General Business Conditional Use District (CD) and schedule a public hearing to be held on December 20<sup>th</sup>, 2011.*

---

#### **REVIEW**

Mr. Lester Forde has requested the property at 907 S. Main Street be rezoned from Residential-15 to General Business Conditional Use District for the purpose of operating a bakery. This request will be in harmony with the surrounding area and the conditional use district provides for the intended use without opening it up to the entire range of uses permitted in the General Business zone.

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#### **FINANCIAL IMPACT**

N/A

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#### **RECOMMENDATION**

*Staff recommends approval of this request. Planning Board heard this request at its November 15<sup>th</sup>, 2011 meeting and recommended approval by a vote of 5-1.*

# CITY OF LAURINBURG

*Community Development*

305 WEST CHURCH STREET

P.O. Box 249

LAURINBURG, NORTH CAROLINA 28353

FAX  
(910) 276-0354

TELEPHONE  
(910) 276-8257

November 16, 2011

Honorable Mayor and City Council  
City of Laurinburg  
P.O. Box 249  
Laurinburg, NC 28353

Honorable Mayor and City Council Members:

The Laurinburg Planning Board met on Tuesday, November 15, 2011 to consider a request from Mr. Lester Forde to rezone from Residential-15 to General Business Conditional Use District the property located at 907 South Main Street to permit the operation of a bakery.

Those members present included Chairperson Hal Jernigan, Mr. James Thomas, Mr. Charles Parker, Mr. James Graham, Mrs. Kathy Williamson, and Mr. Ken Jackson. Absent was Mrs. Sallie Jones. Also present were Mrs. Brandi Deese, City Planner/Zoning Officer, and Mrs. Jenny Tippett, Administrative Assistant.

Ms. Christy Leviner of McMillan Rentals explained that McMillan Rentals manages 907 South Main Street for Mr. Lester Forde. She explained that Mr. Forde was requesting to rezone the property at 907 South Main Street from Residential-15 to General Business Conditional Use District to allow a tenant to live in the upstairs and operate a bakery downstairs in the property. She explained that Mr. Forde did not want the property to be used for commercial purposes but since his family has a history in the bakery business, he was in favor of this request but wanted the Conditional Use District zoning so that no other type of commercial operations could occur at the property. She added that the exterior of the home would not be changed and the only interior changes would be the addition of a floating island and freestanding oven in the kitchen as well as a floating display case for the baked goods.

A discussion ensued concerning parking. Ms. Leviner explained that the bakery would sell products and take orders for products, and there would be no reason for customers to stay for any length of time at the bakery. She further explained that if the shed in the backyard of the property were removed, there would be enough room for a double drive-way.

Mrs. Deese explained that prior to obtaining a zoning permit, a site plan detailing parking would have to be submitted, and the site plan would need to comply with the regulations of the Unified Zoning Ordinance. She further explained that there is a curb cut on the adjoining property occupied by First Bank that is available for use by this property.

Honorable Mayor and City Council  
November 16, 2011  
Page Two

Upon question by Mr. Graham, Mrs. Deese explained that the proposed use of the property could not comply with the definition of a home occupation.

Mr. Parker expressed concern the previous year Planning Board recommended approval of a request to rezone two (2) properties down the street from the subject property from Residential-6 to General Business, with one of the properties to be used for a catering business, and Council denied the request.

Mrs. Deese explained that Council in the request Mr. Parker referred to, Council was not in favor of the request because it had to consider all of the uses permitted in the General Business District.

A discussion ensued concerning the Conditional Use District zoning. Mrs. Deese explained that Mr. Forde did not want the property rezoned to General Business because that would allow any uses permitted in the General Business zoning district to occur at this property. She added that Mr. Forde wanted to maintain the residential nature of the property yet allow the specific use of the property as a bakery. She further added that should the bakery close, the use of the property would revert back to residential.

Mr. Graham stated that the majority of the property around 907 South Main Street is zoned Office/Institutional, and that there is no property zoned General Business until the Johns Road intersection.

Upon question by Mr. Parker, Mrs. Deese explained that if the bakery were to expand, the General Business Conditional Use zoning would allow for such expansion; however, additional improvements may be necessary.

There was no one present to speak in opposition to the request.

Mr. Parker made a motion to recommend approval of the request to rezone from Residential-15 to General Business Conditional Use District the property located at 907 South Main Street. The motion was seconded by Mr. Jackson. The motion carried by a vote of 5-1 with Mr. Graham casting the dissenting vote.

Respectfully submitted,



Brandi C. Deese  
City Planner/Zoning Officer

03NOV11

Dear Mayor Block and the Distinguished Members of City Council,

As the current owner, I would like to make a request for the rezoning of our family home at 907 South Main Street in Laurinburg. I would appreciate having it rezoned from R15 Residential to General Business, with the condition that it may only be used as a bakery.

Some of you may recall Norma, Mary-Palmer, and Philip from The Coffee Shop, or possibly from the fact that they continued to sell baked goods from the home until Norma was finally unable. You may not know that their father, my great-grandfather, was also a baker and had Forde's Bakery downtown.

I had not previously considered turning the residence into a business because it is my home. I am the fourth generation owner and intend for it to stay in our family. However, I believe a bakery would be smiled upon by those that have gone before me, and entrusted me with our home. The intended tenants have promised not to make any permanent changes, as it is my intention to return it to residential unless the business outlives me.

Thank you for the consideration, and be well.

Henry L. Forde III (Les)



**ORDINANCE NO. O-2011-20**

**AN ORDINANCE AMENDING THE 2011-2012 BUDGET  
APPROPRIATION ORDINANCE**

**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LAURINBURG:**

**Section 1:** The 2011-2012 City of Laurinburg's Annual Budget Appropriation Ordinance (Ordinance No. O-2011-11) is hereby amended by allocating the following amounts in the Electric Fund:

\$556,693.00 to Revenue Loan - (30-430505)- to Electrical Operations  
(832-707300)-Improvements)

**Section 2:** The 2011-2012 City of Laurinburg's Annual Budget Appropriation Ordinance (Ordinance No. O-2011-11) is hereby amended by allocating the following amounts in the Water/Sewer Fund:

\$1,862,166.00 to Revenue Loan - (31-430505)- to Water Distribution  
(814-707300)-Improvements)

**Section 3:** The 2011-2012 City of Laurinburg's Annual Budget Appropriation Ordinance (Ordinance No. O-2011-11) is hereby amended by allocating the following amounts in the Water/Sewer Fund:

\$90,000.00 from Contingency - (992-509900)- to Water Distribution  
\$45,000.00 (814-707400)-New Meters and \$45,000.00 (814-507500)  
Construction

**Section 4:** This ordinance shall be in full force and effect on and after the date of its adoption.

**ADOPTED** this the 22<sup>nd</sup> day of November 2011.

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Thomas W. Parker III, Mayor

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Dolores A. Hammond, City Clerk



# CITY OF LAURINBURG

## AGENDA REPORT

To: Ed Burchins  
Prepared by: Cindy Carpenter  
Date: 10/27/2011  
Subject: Budget Amendment Request

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### **SUMMARY STATEMENT**

*The Finance Department request an amendments to the 2011-2012 Annual Budget.*

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### **REVIEW**

Request to receive money in the Electric and Water/Sewer Fund for the loan from BB&T to cover the AMR expenditures. Request to transfer money that was previously not budgeted for Construction and Meters in the Water Distribution Department from the Water Fund Contingency.

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### **FINANCIAL IMPACT**

*The financial impact will increase Revenues and Expenditures for the financed loan that was approved by the LGC and Council to complete the AMR Project.*

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### **RECOMMENDATION**

*The recommendations need to be made in order for the city to remain in compliance with the Local Government.*



## CITY OF LAURINBURG AGENDA REPORT

To: Honorable Mayor Block and City Council Members  
Prepared by: Stacey McQuage, Public Utilities Director  
Date: October 26, 2011  
Subject: Consider resolution authorizing the execution of an agreement with the Department of Transportation for the inspection of municipal bridges.

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### SUMMARY STATEMENT

Consider resolution authorizing the execution of an agreement with the Department of Transportation for the inspection of municipal bridges.

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### REVIEW

The Federal Surface Transportation Act requires that the Department of Transportation assure that municipal bridges are inspected and analyzed every two years.

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### FINANCIAL IMPACT

The Federal Highway Administration shall reimburse the Department of Transportation for eighty (80) percent of the cost of the work. That leaves the City to pay twenty (20) percent of the cost. This cost is usually \$520 per bridge, we have two. The funds for the inspection will come from the Street Department.

---

### RECOMMENDATION

Staff recommends authorizing the execution of an agreement with the Department of Transportation for the inspection of municipal bridges.

Attachments:

**RESOLUTION NO. R-2011-16**

**RESOLUTION AUTHORIZING THE EXECUTION OF AN  
AGREEMENT WITH THE NORTH CAROLINA DEPARTMENT OF  
TRANSPORTATION FOR THE INSPECTION OF MUNICIPAL BRIDGES**

**WHEREAS**, the City of Laurinburg has requested the Department of Transportation to perform certain work under the Federal-Aid Highway Bridge Replacement and Rehabilitation Program, said work to consist of the inspection and analysis of all public bridges on the Municipal Street System in the City of Laurinburg; and

**WHEREAS**, the City of Laurinburg proposes to enter into an agreement with the North Carolina Department of Transportation for said work wherein the Department of Transportation or a consulting engineering firm retained by the Department of Transportation will inspect and prepare the necessary reports for all public bridges on the Municipal Street System in accordance with the National Bridge Inspection Standards; and

**WHEREAS**, under the proposed agreement the Federal Highway Administration shall reimburse the Department of Transportation for eighty (80) percent of the cost of the work subject to compliance with all applicable federal policy and procedural rules and regulations; and

**WHEREAS**, under the proposed agreement the City of Laurinburg shall reimburse the Department of Transportation for all costs of the work incurred by the Department of Transportation not paid by the Federal Highway Administration.

**NOW, THEREFORE, BE IT RESOLVED** that the agreement for the hereinabove referenced bridge inspection work is hereby formally approved by the City of Laurinburg and the Mayor and City Clerk of this Municipality are hereby empowered to sign and execute the required agreement between the City of Laurinburg and the Department of Transportation.

**ADOPTED** the 22<sup>nd</sup> day of November 2011.

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Thomas W. Parker III, Mayor

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Dolores A. Hammond, City Clerk

North Carolina  
Scotland County

North Carolina Department of Transportation and the City/Town of Laurinburg  
Municipal Agreement  
Inspection of Bridges on the Municipal Street System  
F.A. Project BRZ-NBIS (17)

THIS AGREEMENT is made and entered into on the last date executed below, by and between the Department of Transportation, an agency of the State of North Carolina, hereinafter referred to as the Department, and the City/Town of Laurinburg, a municipal corporation hereinafter referred to as the Municipality;

Witnesseth:

WHEREAS, 23 U.S.C. 144, Sections 1101, 1114 and 1805 of the Safe, Accountable, Flexible, Efficient Transportation Equity Act – A legacy for Users (SAFETEA – LU), which require that federal funds be available for certain specified Federal-Aid Highway Bridge Replacement and Rehabilitation program; and

WHEREAS, the Highway Bridge Replacement and Rehabilitation portion of the law requires that all structures defined as bridges located on public roads must be inspected on a cycle, not to exceed two years in accordance with National Bridge Inspection Standards (NBIS); and

WHEREAS, the Municipality has requested the Department or a Consultant retained by the Department to inspect and analyze all public bridges located on its Municipal Street System in compliance with the National Bridge Inspection Standards; and

WHEREAS, the Department and the Municipality are authorized to enter into an agreement for such work under the provisions of G.S. 136-18(12), G.S. 136-41.3, and G.S. 136-66.1; and,

WHEREAS, the Appropriate Official of the Municipality has approved the herein above referenced inspections and analysis and has agreed to participate in certain costs thereof in the manner and to the extent as hereinafter set out.

NOW, THEREFORE, the Department and the Municipality agree as follows:

1. The Department or a Consulting Engineering firm retained by the Department shall inspect, load rate, and prepare the necessary inspection reports for all bridges on the Municipal Street System in accordance with the National Bridge Inspection Standards.
2. All work shall be done in compliance with the following documents.
  - a. National Bridge Inspection Standards (23 CFR, Chapter 1 Part 650)
  - b. AASHTO Manual for Bridge Evaluation-2008 including all Interim Revisions.
  - c. Recording and Coding Guide for the Structure Inventory and Appraisal of the Nation's Bridges – December, 1988.
3. The Municipality shall furnish all data in the possession of the Municipality that can be released that will help the Department or its Consultant in the accomplishment of the work including but not limited to appropriate municipal maps showing the location of the bridges, plans for the bridges when available, and any prior inspection reports.
4. During the inspection process, some repairs may be discovered that require immediate attention or repair, or a regulatory sign may be missing, damaged, or incorrect. A Critical Finding Notice, Priority Maintenance Notice or Regulatory Sign Notice will be issued in these cases. It is required that the Municipality resolve or notify the

Department of their plans to resolve Priority Maintenance Notices and Regulatory Sign Notices within thirty (30) days of issuance. Critical Findings require a response within seven (7) days of notice.

5. The Municipality shall designate a responsible Municipal official with whom the Department or its Consultant will coordinate the work.
6. It is understood by the parties hereto that the Federal Highway Administration, through the Department, is to participate in the costs of the work to the extent of eighty (80) percent of actual costs, subject to compliance with all applicable federal policy and procedural rules and regulations. All costs not participated in by the Federal Highway Administration shall be borne by the Municipality.
7. Upon completion of the bridge inspection, and load rating work, the Department shall invoice the Municipality for accumulated project costs not participated in by the Federal Highway Administration. Upon FHWA final audit, the Department shall invoice/refund the Municipality any differences in the amount previously invoiced and the actual costs not participated in by the Federal Highway Administration. Reimbursement shall be made by the Municipality within sixty (60) days of the invoice date. After the due date, a late payment penalty and interest shall be charged on any unpaid balance due in accordance with G.S. 147-86.23 and G.S. 105-241.21 (I). It is anticipated that the cost to the municipality will be approximately \$520 per structure. The actual cost is based on the work being performed therefore, the final invoice amount will not be known until the work is complete.
8. In the event the Municipality fails for any reason to pay the Department in accordance with the provisions for payment hereinabove provided, the Municipality hereby authorizes the Department to withhold so much of the Municipality's share of funds allocated to said Municipality by the General Statutes of North Carolina, Section 136-41.1, until such a time as the Department has received payment in full.
9. It is the policy of the Department not to enter into any Agreement with another party that has been debarred by any government agency (Federal or State). The Municipality certifies, by signature of this Agreement, that neither it nor its agents or contractors are presently debarred, suspended, proposed for debarment, declared ineligible or voluntarily excluded from participation in this transaction by a Federal or State Department or Agency.
10. This Agreement shall have an effective term of ten (10) years beginning when executed by the State Highway Administrator and ending on the same date ten (10) years later, subject to the following termination conditions:
  - (A) At any time either party may cancel the Agreement with a thirty (30) day written notice to the opposite party. On behalf of the Municipality, this Agreement may be canceled by the City Manager and/or his designee.
  - (B) Upon the effective date of the cancellation, neither party shall owe any obligations under this Agreement, except that all obligations performed under this Agreement, including but not limited to invoicing, record retention, and payment for work performed prior to the effective date of cancellation, shall remain in effect.
11. By Executive Order 24, issued by Governor Perdue, and N.C. G.S. § 133-32, it is unlawful for any vendor or contractor ( i.e. architect, bidder, contractor, construction manager, design professional, engineer, landlord, offeror, seller, subcontractor, supplier, or vendor), to make gifts or to give favors to any State employee of the Governor's Cabinet Agencies (i.e., Administration, Commerce, Correction, Crime Control and Public Safety, Cultural Resources, Environment and Natural Resources, Health and Human Services, Juvenile Justice and Delinquency Prevention, Revenue, Transportation, and the Office of the Governor).





STATE OF NORTH CAROLINA  
DEPARTMENT OF TRANSPORTATION

BEVERLY EAVES PERDUE  
GOVERNOR

EUGENE A. CONTI, JR.  
SECRETARY

June 23, 2011

Dear Municipal Contact Person:

The Federal Surface Transportation Act requires that the Department of Transportation assure that municipal bridges are inspected and load rated every two years. The process for obtaining inspections in the 17<sup>th</sup> Cycle is being initiated with this letter.

This letter is our first step toward setting up this cycle's municipal bridge inspections. We are sending it to all municipalities so that all who have bridges that qualify this cycle have a chance to respond even though they may not have had any qualifying bridges last cycle.

Two items of information are required from each municipality at this time. These are:

- (1) The number of bridges in your municipality that will require inspection and their location within the municipality. The number of bridges should not include any bridges on NC, US, or SR routes. Bridges on these routes are state bridges maintained by the State.
- (2) The option your municipality desires to use in having the required bridge inspections completed.

These two items are discussed below:

In reference to item (1), we are requesting an answer from every municipality on this item to bring our records up to date. We need to know the number of bridges (even if the number is zero) that need to be inspected for every municipality. In order to help you determine if a structure qualifies as a bridge, the following definition is furnished:

A "bridge" is defined as a structure including supports erected over a depression or an obstruction, such as water, highway or railway, and having a passageway for carrying highway traffic and having an opening measured along the center line of the roadway more than twenty feet between under copings of abutments (clear opening, face to face of caps or abutments) or spring lines of arches or extreme ends of openings

**MAILING ADDRESS:**  
Bridge Management Unit  
1565 Mail Service Center  
Raleigh, NC 27699-1565

**Telephone:** 919-733-4362  
**FAX:** 919-733-2348  
**WEBSITE:** <http://www.ncdot.org/>

**LOCATION**  
4809 Beryl Road  
Raleigh, NC

for multiple boxes. It may also include multiple pipes, where the clear distance between openings is less than half of the smaller of contiguous (adjacent) openings. See the attached drawing.

In reference to item (2), the following options are available for municipal governments:

- OPTION A: Municipal governments may inspect their own bridges with their own staff of qualified bridge inspectors, determine the structural condition and perform all engineering load ratings of the existing bridges and prepare the necessary Structure Inventory and Appraisal Forms for submission to the Federal Highway Administration.
- OPTION B: Municipal governments may employ a qualified private engineering firm to perform the inspections and load ratings
- OPTION C: Municipal governments may request the North Carolina Department of Transportation employ a qualified private engineering firm to perform the inspections and load ratings.

If you select Option A, the North Carolina Department of Transportation will make provisions for 80 percent of the cost of the inspection and load rating to be paid for by Federal-aid Highway funds. This payment will be made upon completion of the inspections and load ratings, and the submission of an acceptable invoice. The remaining 20 percent of the cost must be borne by your municipal government. There are no State funds available for the inspection and load rating of municipally owned bridges.

If you select Option B a formal agreement between the North Carolina Department of Transportation and your governing body will be required before any work can be authorized. The North Carolina Department of Transportation will make provisions for 80 percent of the cost of the inspections and load ratings to be paid for by Federal-aid Highway funds. This payment will be made upon completion of the inspections and load ratings, and the submission of an acceptable invoice. The remaining 20 percent of the cost must be borne by your municipal government. There are no State funds available for the inspection and load rating of municipally owned bridges.

If you select Option C, a formal agreement between the North Carolina Department of Transportation and your governing body will be required before any work can be authorized. The North Carolina Department of Transportation will employ and pay a private engineering firm to inspect and load rate the municipality's bridges and will invoice the municipality for 20 percent of the cost upon completion of the work. The municipality will be expected to reimburse the Department immediately upon receipt of the invoice. The remaining 80 percent will be paid for from Federal-aid Highway funds.

To expedite contract execution, we are attaching option B and C contracts to this questionnaire. Based on your elected option, please print out and execute two copies the

appropriate agreement and return both original copies to the address below. The option C Agreements will have an effective term of ten years. At any time either party may cancel the Agreement with a thirty (30) day written notice to the opposite party. If you entered zero for the number of bridges needing inspections, this contract execution does not apply to you.

To estimate the cost of the inspections and load ratings to the municipality, we suggest you use 20% of \$2600 or \$520 per municipal bridge. The ultimate cost of the inspection will depend on fees negotiated with the private engineering firm or the cost of a qualified municipal staff to do the work.

I am requesting you to let me know as soon as possible the number of bridges you need to have inspected (even if the number is zero) and the option your municipality desires to use. Please furnish this information on the enclosed preprinted form and send it back to me.

Please forward your answers to:

Mr. Henry A. Black, Jr., P.E.  
Assistant State Bridge Management Engineer  
NCDOT - Bridge Management Unit  
1565 Mail Service Center  
Raleigh, North Carolina 27699-1565

Email: [hblack@ncdot.gov](mailto:hblack@ncdot.gov)

If you or your staff have any questions on this matter, please feel free to send an email to [hblack@ncdot.gov](mailto:hblack@ncdot.gov) or call me at (919) 733-4362.

Sincerely,

Henry A. Black, Jr., P.E.  
Assistant State Bridge Management  
Engineer/Inspections  
Bridge Management Unit

Enclosure

cc: Mr. Eugene A. Conti, Jr. P.E.  
Mr. Terry R. Gibson, P.E.  
Ms. Leslie B. Johnson  
Mr. Earl Dubin, P.E., FHWA

**MUNICIPAL BRIDGE INSPECTION QUESTIONNAIRE**

Each municipality is requested to answer the following questions:

1. Name of Municipality Laurinbrug
  
2. Number of Bridges Requiring Inspection (2) two
  
3. Option municipality desires to use in obtaining the required bridge inspections:  
  
Option A     ( )  
  
Option B     ( )  
  
Option C     (x )
  
4. Name, Title, Phone Number, and email of Municipality Contact Person:  
  
Name        Stacey McQuage  
Title        Public Utilities Director  
Address     503 Hall Street Laurinburg, NC 28352  
  
Telephone   (910) 276-2364  
Email        smcquage@laurinburg.org
  
5. Name and Title Phone Number, and email of person completing this questionnaire:  
  
Name        Stacey McQuage  
Title        Public Utilities Director  
Address     503 Hall Street Laurinburg, NC 28352  
  
Telephone   (910) 276-2364  
Email        smcquage@laurinburg.org

Please attach 2 maps showing the location of the bridges within your municipality.  
Please send this questionnaire to:

Mr. Henry A. Black, Jr., P.E.  
Assistant State Bridge Management Engineer/ Inspections  
NCDOT - Bridge Management Unit  
1565 Mail Service Center  
Raleigh, North Carolina 27699-1565

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## MEMORANDUM

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**To:** Mayor and City Councilmembers  
**From:** Ed Burchins, City Manager  
**Subject:** Ulysses Thomas, Commander, American Legion Post 181  
**Date:** November 18, 2011

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At our November 15, 2011 Council work session, I was asked to meet with Mr. Thomas to discuss lot cutting assessments on a lot owned by American Legion Post 181 located on Lincoln Street. I spoke with Mr. Thomas on November 17, 2011 and he agreed to pay \$300.00 to settle this matter.

**CITY OF LAURINBURG  
CITY COUNCIL  
MEETING OF  
NOVEMBER 22, 2011**

**COUNCIL ACTION REQUEST**

**AGENDA ITEM #   B**

**TO: Mayor and City Councilmembers**  
**FROM: Edward F. Burchins, City Manager**  
**DATE: November 22, 2011**  
**RE: City of Laurinburg Audit for fiscal year 2010-2011**

**COUNCIL ACTION REQUESTED:**

*Accept audit*

**SUMMARY OF INFORMATION:**

**Mr. Carl Head will be present to present the City of Laurinburg 2010-2011 Audit**

**CITY OF LAURINBURG  
CITY COUNCIL  
MEETING OF  
NOVEMBER 22, 2011**

**COUNCIL ACTION REQUEST**

**AGENDA ITEM #   C**

**TO: Mayor and City Councilmembers**  
**FROM: Edward F. Burchins, City Manager**  
**DATE: November 22, 2011**  
**RE: Scotland County Soccer Concession Building**

**COUNCIL ACTION REQUESTED:**

*Consider request and direct staff how to proceed*

**SUMMARY OF INFORMATION:**

**The Scotland County Recreation Foundation is requesting the City provide in-kind service to the Scotland County Soccer Concession Building.**

**A member of the Scotland County Recreation Foundation will be present to address the proposed request.**

## Ed Burchins

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**From:** Shannon Newton [snewton@scotlandcounty.org]  
**Sent:** Monday, October 17, 2011 1:09 PM  
**To:** Ed Burchins  
**Cc:** Stacey McQuague; rpierce@laurinburg.org; Jim Blackwell  
**Subject:** FW: Soccer Concession Bldg

Ed;

Thanks for agreeing to help with the lines both water/sewer and electric for the soccer building. Info from Jim Blackwell is below. Please let me know what I can do to help. Please contact me on my cell as I will be at a conference on Tuesday-Thursday. Also, You may be able to contact Jim as he drew the plans. Kevin advised that the Recreation Foundation will pay for the cost of materials. Please forward any of these costs to me.

I really enjoyed the pie contest this weekend! Thanks for your continued support.

### Shannon Newton

Scotland County Parks and Recreation  
PO Box 1668  
Laurinburg, NC 28353  
office: 910-277-2585  
fax 910-610-1586  
cell: 910-318-8956  
www.scotlandcounty.org

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Any views expressed in this message are those of the individual sender, not Scotland County Government.

Shannon

AS the project is progressing there are a few things that the city of Laurinburg could contribute to the project as they have in the past.

- 700 ft of 2 inch water line from the water line supplying the splash pad to the new concession building (I wondered if it could come from Turnpike Road rather than Splash Pad?)
- Connection of the 4 inch sewer line to the manhole approx 50 ft
- Electrical service to the building
- Relocation of irrigation control boxes to inside the building and removal of the existing meter serving

10/26/2011

**CITY OF LAURINBURG  
CITY COUNCIL  
MEETING OF  
NOVEMBER 22, 2011**

**COUNCIL ACTION REQUEST**

**AGENDA ITEM #   D**

**TO:** Mayor and City Councilmembers  
**FROM:** Edward F. Burchins, City Manager  
**DATE:** November 22, 2011  
**RE:** Voting Districts

**COUNCIL ACTION REQUESTED:**

*None required*

**SUMMARY OF INFORMATION:**

**Mrs. Hilda Howell, 346 E. Covington St., Laurinburg, NC will address Council regarding the current voting districts for the City of Laurinburg.**

**CITY OF LAURINBURG  
CITY COUNCIL  
MEETING OF  
NOVEMBER 22, 2011**

**COUNCIL ACTION REQUEST**

**AGENDA ITEM #   E**

**TO:** Mayor and City Councilmembers  
**FROM:** Edward F. Burchins, City Manager  
**DATE:** November 22, 2011  
**RE:** Hot Dog Cart – 142 S. Main St.

**COUNCIL ACTION REQUESTED:**

*Consider request and issue permit to operate a food stand at 142 S. Main St.*

**SUMMARY OF INFORMATION:**

**Mr. Reginald Drakeford (Mr. T's T-Shirt and Gift Shop) is requesting a permit to operate a Hot Dog Cart in front of his business.**



# CITY OF LAURINBURG

## AGENDA REPORT

To: Ed Burchins  
Prepared by: Bill Peele  
Date: November 18, 2011  
Subject: Request for Permit to Operate a Hotdog Cart

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### **SUMMARY STATEMENT**

Mr. Reginald Drakeford is requesting that the City Council issue a permit which would allow him to operate a hotdog cart in front of his 142 South Main Street business (Mr. T's Tee Shirts & Gift Shop).

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### **REVIEW**

Section 32-41 of the Laurinburg City Code requires any prospective food vendor to first obtain a permit from City Council at a regular Council meeting.

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### **FINANCIAL IMPACT**

N/A

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### **RECOMMENDATION**

The primary concerns of the City of Laurinburg in issuing Mr. Drakeford a permit to operate a hotdog cart in the Central Business District is that adequate space be provided to meet Americans with Disabilities Act (ADA) regulations and that pedestrian use of the sidewalk not be disrupted. I met with Mr. Drakeford at the site where he satisfactorily demonstrated that he could operate in a manner which was in agreement with the City's concerns. Staff does not believe Mr. Drakeford's enterprise would adversely affect pedestrian traffic downtown and recommends the permit be issued.

# SIDEWALK DISPLAY & VENDOR APPLICATION



Name of Business: \_\_\_\_\_

Business Address: \_\_\_\_\_

\_\_\_\_\_

Phone: \_\_\_\_\_ Fax: \_\_\_\_\_

Description Of Items To Be Displayed & Sold: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Applicant's Name: \_\_\_\_\_

I certify that all of the information provided in this application is correct and that a pedestrian passageway of no less than five (5) feet will be observed between the items displayed and sold and the closest point of permanent obstruction on the sidewalk.

\_\_\_\_\_

Date

\_\_\_\_\_

Applicant's Signature

# CITY OF LAURINBURG SIDEWALK DISPLAY & VENDOR PERMIT



Date: \_\_\_\_\_

Permit Number: \_\_\_\_\_

\_\_\_\_\_ having made application, is hereby granted a  
(Applicant)

Sidewalk Display and Vendor Permit for \_\_\_\_\_  
(Description of Activity)

located at \_\_\_\_\_. Issuance of this  
(Business Address)

permit certifies the applicant agrees to comply with all City regulations governing the display or sale of merchandise on a public sidewalk. Failure to adhere to these standards may result in revocation of this permit.

\_\_\_\_\_  
City Manager

- c. Specify that the cost of materials used for the project be assessed to the owners of property abutting the project at an equal rate per foot of frontage.

(Code 1987, § 22-14)

**Secs. 32-14—32-40. Reserved.**

## ARTICLE II. OBSTRUCTIONS

### **Sec. 32-41. Food and drink stands.**

It shall be unlawful for any person to place upon any sidewalk any table, stand or cart for the purpose of selling fruit, vegetables, lemonade, ice cream, soda water, popcorn, cooked food or other like articles, except pursuant to a permit issued by the city council at a regular meeting of the city council.

(Code 1987, § 22-31)

### **Sec. 32-42. Display of foodstuffs.**

It shall be unlawful for any person to display any fruit, vegetables, breadstuff, sugar, meat, cereal or any other edible foodstuff on a sidewalk.

(Code 1987, § 22-32)

### **Sec. 32-43. Display of goods.**

It shall be unlawful for any person to display, for the purpose of sale or advertising, any goods, wares or merchandise on the streets or sidewalks of the city, except pursuant to a permit issued by the city manager.

(Code 1987, § 22-33)

### **Sec. 32-44. Storage of lumber, building materials and other merchandise.**

It shall be unlawful for any person to store lumber, building materials, merchandise or any other product or article on the streets or sidewalks between the hours of sunset and sunrise without a permit from the city manager.

(Code 1987, § 22-35)

Cross reference—Buildings and building regulations, ch. 6.

### **Sec. 32-45. Dumping wood, coal and other materials.**

It shall be unlawful for any person to dump or unload upon any street or sidewalk any coal, wood or any other like material having a tendency to impede or prevent the free and unobstructed use of such street or sidewalk.

(Code 1987, § 22-36)

### **Sec. 32-46. Porches, steps, fences and other encroachments.**

It shall be unlawful for any person to build, erect, construct or place any porch, steps, fence, wall, gate or any other encroachment on or over any of the streets or sidewalks of the city or to make any repairs to or on any such encroachment without having procured a permit from the city.

(Code 1987, § 22-37)

### **Sec. 32-47. Gates.**

It shall be unlawful for any person to hang, or cause to be hung, any gate which, when open, may swing over the sidewalk.

(Code 1987, § 22-38)

### **Sec. 32-48. Cellar doors.**

It shall be unlawful for any person to permit any cellar door on the street to stand open, either by day or by night, unless a competent person is in attendance.

(Code 1987, § 22-39)

### **Sec. 32-49. Overhanging tree limbs.**

It shall be unlawful for the owner of any property to permit the limbs from any tree growing on his property to obstruct or interfere with the free passage of persons along the sidewalks or streets, provided that any such limb shall be removed upon one day's notice from the chief of police to the owner of such property. If such owner, having received such notice, shall continue to permit, or fails, neglects or refuses to remove, such limb, such limb shall be removed under the direction of the chief of police at the cost of the owner.

(Code 1987, § 22-40)

**CITY OF LAURINBURG  
CITY COUNCIL  
MEETING OF  
NOVEMBER 22, 2011**

**COUNCIL ACTION REQUEST**

**AGENDA ITEM #   F**

**TO: Mayor and City Councilmembers**  
**FROM: Edward F. Burchins, City Manager**  
**DATE: November 22, 2011**  
**RE: Sale of General Obligation Refunding Bonds**

**COUNCIL ACTION REQUESTED:**

*Consider Resolution No. R-2011-17 authorizing the Sale of General Obligation Refunding Bonds in the Maximum Amount of \$1,700,000.00*

**SUMMARY OF INFORMATION:**

**Mr. Bob Jessup, Sanford Holshouser LLP will be present to answer any questions concerning the refunding bonds issue. The proposed resolution outlines the remaining steps in the sale of the general obligation bonds for the refinancing of the City's 1994 general obligation sanitary sewer bonds.**

**RESOLUTION NO. R-2011-17**

**RESOLUTION FOR THE SALE OF GENERAL OBLIGATION  
REFUNDING BONDS IN THE MAXIMUM AMOUNT OF \$1,700,000**

**WHEREAS**, the City of Laurinburg has previously approved the issuance of general obligation refunding bonds (the “Bonds”) to refinance the outstanding balance of the City’s 1994 general obligation sanitary sewer bonds (the “Prior Bonds”).

Branch Banking and Trust Company (the “Bank”) has submitted a proposal for the purchase of the Bonds, and the City has determined to accept the proposal.

**BE IT RESOLVED** by the City Council of the City of Laurinburg, North Carolina, as follows:

**1. Determination To Sell Bonds** - The City will issue and sell the Bonds and use the proceeds to pay all or a portion of the outstanding balance of the City’s 1994 general obligation sanitary sewer bonds, along with financing costs and other necessary or incidental related costs. The Bonds will be designated “General Obligation Refunding Bonds, Series 2011.”

**2. Acceptance of Proposal** - The City accepts the Bank’s proposal, dated October 17, 2011, for the purchase of the Bonds. The City asks the North Carolina Local Government Commission (the “LGC”) to sell the Bonds to the Bank at a private sale, substantially in accordance with the terms of the proposal and this resolution.

**3. Payment and Prepayment Provisions** – The City’s Finance Officer is authorized and directed to determine the final aggregate principal amount of Bonds to be issued, the principal and interest payment schedule for the Bonds and the prepayment terms of the Bonds. The Finance Officer will execute a certificate prior to the initial delivery of the Bonds determining such matters, and this certificate will be conclusive evidence of the Finance Officer’s approval and determination of such matters.

The Bonds in final form, however, must provide (a) for the principal amount of the Bonds to be not more than \$1,700,000, (b) for the first principal payment on the Bonds to be due not later than June 1, 2012, (c) for the Bonds to bear interest at an annual interest rate not to exceed 1.97%, and (d) for the final maturity of the Bonds not to extend beyond June 1, 2015.

**4. Form of Bonds** -- The Bonds will be issued initially in the form of a single fully-registered bond in substantially the form set out in Exhibit A, with such changes as may be in keeping with the Bank’s proposal and this resolution, and as the officers signing the Bond may approve. The Bond will be dated the date of its initial delivery to the Bank (the “Closing Date”) and will be numbered R-1. The Bond will be

fully registered as to payment of principal and interest, and will be registered initially in the name of the Bank or its designee.

The Bonds must be signed by the manual or facsimile signature of the Mayor or the City Manager, must be countersigned by the manual or facsimile signature of the City Clerk or any Assistant Clerk, and the City's seal must be affixed thereto or a facsimile thereof printed thereon. No Bond will be valid unless at least one of the signatures appearing on such Bond (which may be the signature of the LGC's representative required by law) is manually applied. Principal, prepayment premium (if any), and interest on the Bonds will be payable in lawful money of the United States of America.

**5. *Pledge of Faith, Credit and Taxing Power*** -- The City's full faith and credit are hereby irrevocably pledged for the payment of the principal of and interest on the Bonds. Unless other funds are lawfully available and appropriated for timely payment of the Bonds, the City will levy and collect an annual ad valorem tax, without restriction as to rate or amount, on all locally taxable property in the City sufficient to pay the principal of and interest on the Bonds as the same become due.

**6. *Disbursement of Bond Proceeds*** – The Finance Officer is directed to determine, in consultation with the LGC, the procedures for the disbursement of the proceeds of the Bonds for the payment of the Prior Bonds and other costs.

**7. *Finance Officer as Registrar; Payments to Registered Owners*** -- (a) The Finance Officer is appointed Registrar for the Bonds. As Registrar, the Finance Officer will maintain appropriate books and records of the ownership of the Bonds.

(b) Notwithstanding any other provision of the Bonds or this resolution, however, the Registrar must not register the transfer of any portion of the Bonds to any person or entity other than a bank, an insurance company or a similar financial institution unless the LGC has previously approved such transfer.

(c) The City will treat the registered owner of each Bond as the person exclusively entitled to payment of principal, premium, if any, and interest and the exercise of all rights and powers of the owner, except that interest payments will be made to the person shown as owner on the registration books at the close of business on the 15th day (whether or not a business day) of the month preceding each payment date.

**8. *Finance Officer To Complete Bond Closing*** - The Finance Officer and all other City officers and employees are authorized and directed to take all proper steps to have the Bonds prepared and executed in accordance with their terms and to deliver the Bonds to the Bank upon payment for the Bonds.

The Finance Officer is authorized and directed to hold the executed Bonds, and any other documents authorized or permitted by this resolution, in escrow on the City's behalf until the conditions for the delivery of the Bonds and other documents have been

completed to the City Manager's satisfaction, and thereupon to release the executed Bonds and other documents for delivery to the appropriate persons or organizations.

Without limiting the generality of the foregoing, this authorization and direction is specifically extended to authorize the Finance Officer (a) to enter into such agreements or take such other actions as such officer may deem appropriate to provide for the refunding contemplated by this resolution (such as giving notice of redemption to the existing bondholders), and (b) to approve changes to any documents or closing certifications previously signed by City officers or employees, subject to the provisions of this resolution and provided that any such changes must not substantially alter the intent of such certificates from that expressed in the forms of such certificates as executed by such officers or employees. The Finance Officer's authorization of the release of any such document for delivery will constitute conclusive evidence of such officer's approval of any such changes.

In addition, the Finance Officer is authorized and directed to take all appropriate steps for the efficient and convenient carrying out of the City's on-going responsibilities with respect to the Bonds. This authorization includes, without limitation, contracting with third parties for reports and calculations that may be required under the Bonds, this resolution or otherwise with respect to the Bonds.

**9. *Covenants As To Tax Matters*** - The City will not take or omit to take any action the taking or omission of which will cause the Bonds to be "arbitrage bonds," within the meaning of Section 148 of the "Code" (as defined below), or "private activity bonds" within the meaning of Code Section 141, or otherwise cause interest on the Bonds to be includable in gross income for federal income tax purposes. Without limiting the generality of the foregoing, the City will comply with any Code provision that may require the City at any time to pay to the United States any part of the earnings derived from the investment of the proceeds of the Bonds, and the City will pay any such required rebate from its general funds. For the purposes of this resolution, "Code" means the United States Internal Revenue Code of 1986, as amended, including applicable Treasury regulations.

**10. *Bonds Are "Bank-Qualified" Obligations*** -- The City designates the Bonds as "qualified tax-exempt obligations" for the purpose of Code Section 265(b)(3), which provides certain tax advantages for financial institutions investing in obligations similar to the Bonds.

**11. *Call of Prior Bonds for Redemption*** - The Board authorizes and directs the City Manager and the Finance Officer (or either of them), on the City's behalf, (a) to provide notice to the holders of the Prior Bonds of the pending prepayment of those Bonds, and (b) to make a final irrevocable call for redemption of such of the Prior Bonds as the Finance Officer (after consultation with the LGC) deems beneficial to the City. An appropriate officer will make this call for redemption by the execution and delivery of an appropriate certificate in connection with the original delivery of the Bonds.

**12. *Miscellaneous Provisions*** -- All City officers and employees are authorized and directed to take all such further action as they may consider necessary or desirable in connection with the furtherance of the purposes of this resolution. All such prior actions of City representatives are ratified, approved and confirmed. Upon the absence, unavailability or refusal to act of the Mayor, the City Manager or the Finance Officer, any of such officers may assume any responsibility or carry out any function assigned to another officer. In addition, the Mayor Pro Tem or any Deputy or Assistant Clerk may assume any responsibility or carry out any function assigned to the Mayor or the City Clerk, respectively, in this resolution. All other resolutions, or parts thereof, in conflict with this resolution are repealed, to the extent of the conflict. This resolution takes effect immediately.

\_\_\_\_\_  
Thomas W. Parker III, Mayor

\_\_\_\_\_  
Dolores A. Hammond, City Clerk

\* \* \* \* \*

I certify as follows: that the foregoing resolution (which includes the attached Exhibit A) was properly adopted at a meeting of the City Council of the City of Laurinburg, North Carolina; that such meeting was properly called and held on November 22, 2011; that a quorum was present and acting throughout such meeting; and that such resolution has not been modified or amended, and remains in full effect as of today.

Dated this \_\_\_\_ day of \_\_\_\_\_, 2011.

[SEAL]

\_\_\_\_\_  
City Clerk  
City of Laurinburg, North Carolina

**Exhibit A**

**(Form of Refunding Bond)**

**REGISTERED BOND NUMBER R-1**

\_\_\_\_\_, 2011

\$1,700,000

**UNITED STATES OF AMERICA**

**STATE OF NORTH CAROLINA**

**CITY OF LAURINBURG**

**General Obligation Refunding Bond, Series 2011**

**THE CITY OF LAURINBURG, NORTH CAROLINA** (the "City"), a municipal corporation of the State of North Carolina, for value received, promises to pay to

**BRANCH BANKING AND TRUST COMPANY**

or registered assigns (the "Bondholder"), the principal sum of

**ONE MILLION SEVEN HUNDRED THOUSAND DOLLARS (\$1,700,000)**

together with interest on the unpaid principal from the date of this Bond until payment of the entire principal sum at the annual rate of 1.97%, subject to prepayment as provided below, in installments of principal and interest on dates and in amounts as shown on Schedule I.

Interest will be calculated on the basis of a 360-day year consisting of twelve 30-day months. Principal and interest are payable in lawful money of the United States of America by wire transfer sent by the City to the Bondholder on the payment date.

The City may prepay the principal of this Bond, in whole but not in part, on any regular payment date with 15 days' prior notice to the Bondholder, upon payment of the principal amount to be prepaid plus interest accrued to the payment date and a prepayment premium of 1% of the principal amount prepaid.

In all events, and notwithstanding any other provisions of this Bond, (1) all payments on this Bond will be applied first to interest accrued and unpaid to the payment date and then to principal, and (2) if not sooner paid, the entire principal of and interest on this Bond will be due and payable on June 1, 2015.

This Bond is issued pursuant to a Bond Order of October 18, 2011, and a Bond Resolution of November 22, 2011, each adopted by the City's governing City Council, and the Constitution and laws of the State of North Carolina, including the Local Government Bond Act. This Bond constitutes the entire issue of refunding bonds authorized by such Bond Order.

The City's full faith and credit are pledged for the payment of principal of and interest on this Bond.

This Bond is fully registered as to both principal and interest. Transfer of this Bond may be registered upon books maintained for that purpose by the City's Finance Officer, who has been appointed Registrar, at 305 West Church Street, Laurinburg, North Carolina, 28353, or such successor office as the Registrar may designate in writing to the Bondholder. Prior to due presentment for registration of transfer, the Registrar shall treat the registered owner of this Bond as the person exclusively entitled to payment of principal of, premium, if any, and interest on this Bond and the exercise of all other rights and powers of the owner hereof, except that interest will be payable to the person shown as the registered owner at the close of business on the 15<sup>th</sup> day (whether or not a business day) of the month preceding the interest payment date.

Notwithstanding any other provision of the Bonds, however, the Registrar will not register the transfer of any portion of the Bonds to any person or entity other than a bank, an insurance company or a similar financial institution unless the North Carolina Local Government Commission has previously approved such transfer.

The City has designated this Bond as a "qualified tax-exempt obligation" for the purposes of Section 265(b)(3) of the Internal Revenue Code of 1986, as amended.

The City intends that North Carolina law will govern the interpretation of this Bond.

All acts, conditions and things required by the Constitution and laws of the State of North Carolina to happen, exist or be performed precedent to and in the issuance of this Bond have happened, exist and have been performed, and the issue of Bonds of which this Bond is one, together with all other indebtedness of the City, is within every debt and other limit prescribed by the Constitution and laws of the State of North Carolina.

**IN WITNESS WHEREOF**, the City has caused this Bond to be signed by its City Manager, its seal to be affixed hereto and attested by the City Clerk, and this Bond to be dated \_\_\_\_\_, 2011.

(SEAL)

**ATTEST:**

**CITY OF LAURINBURG,  
NORTH CAROLINA**

*[sample only - do not sign]*  
Dolores A. Hammond  
City Clerk

By: *[sample only - do not sign]*  
Edward F. Burchins  
City Manager

**[\$1,700,000 General Obligation Refunding Bond, Series 2011]**

**CERTIFICATE OF LOCAL GOVERNMENT COMMISSION**

The Bonds have been approved by  
the North Carolina Local Government  
Commission in accordance with the  
Local Government Bond Act.

*[Sample only - do not sign]*

T. Vance Holloman  
Secretary, Local Government Commission

**TRANSFER OF BOND**

Transfer of this Bond may be registered by the registered owner or his duly  
authorized attorney upon presentation hereof to the Registrar, who will note such transfer  
in books kept by the Registrar for that purpose and in the registration blank below.

**Date of Re-  
Registration**

**Name of New  
Registered Owner**

**Signature  
of Registrar**

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**[\$1,700,000 General Obligation Refunding Bond, Series 2011,  
of the City of Laurinburg, North Carolina]**

**Schedule I – Principal and Interest Payment Schedule**

Principal is payable annually on each June 1 as shown below. Interest is payable on each June 1 and December 1, beginning June 1, 2012, at the annual rate of 1.97% until paid. The schedule below shows the expected interest payment amounts.

[Complete schedule to be determined]

<b>Payment</b>	<b>Principal Amount (\$)</b>	<b>Interest Amount (\$)</b>	<b>Total (\$)</b>
6/1/2012			
12/1/2012	--- 0 ---		
6/1/2013			
12/1/2013	--- 0 ---		
6/1/2014			
12/1/2014	--- 0 ---		
6/1/2015			

**[\$1,700,000 General Obligation Refunding Bond, Series 2011,  
of the City of Laurinburg, North Carolina]**

**CITY OF LAURINBURG  
CITY COUNCIL  
MEETING OF  
NOVEMBER 22, 2011**

**COUNCIL ACTION REQUEST**

**AGENDA ITEM #   G**

**TO:** Mayor and City Councilmembers  
**FROM:** Edward F. Burchins, City Manager  
**DATE:** November 22, 2011  
**RE:** Tree & Stump Update and application to the NC Forestry Service for \$15,000.00 Grant

**COUNCIL ACTION REQUESTED:**

*Authorize the Mayor to execute the application of a grant from the NC Forestry Service for \$15,000.00*

**SUMMARY OF INFORMATION:**

**Staff recommends that the City apply for a \$15,000.00 NC Forestry Service Grant to perform a street tree inventory. This is the first step in developing an Urban Forestry Master Plan. The Grant application will be submitted in January 2012 and awarded July 2012. There is a dollar for dollar (\$15,000.00) local match for this Grant or the City can provide in-kind assistance that would satisfy the local match.**



## CITY OF LAURINBURG AGENDA REPORT

To: Honorable Mayor and City Council  
Prepared by: Brandi Deese, City Planner/Zoning Officer  
Date: November 2, 2011  
Subject: Tree Removals, Tree Inventory & Management Plan

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### **SUMMARY STATEMENT**

*As requested by Council, this is information on the number of tree removals during the last year (October 2010 through October 2011) as well as information on moving forward with a Tree Inventory & Management Plan.*

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### **REVIEW**

*Please review the attached chart that lists the work completed by the contractor over the last year for the Grounds Maintenance Department. A total of 53 trees have been removed from October 2010 to October 2011. For the number of weeks the contractor worked, this shows an average of 4 trees per week with the addition of the stump and limb work completed as well. The NC Forestry Service provides grants to fund projects that would help communities deal with the problem of aging trees that we are facing. The grant proposals will begin to be accepted in January, awards are made in July and the project could begin anytime after September 1, 2012. The maximum grant amount is \$15,000 and the match amount is dollar for dollar with the match being able to be met with in-kind expenses.*

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### **FINANCIAL IMPACT**

*The City could very likely receive a \$15,000 grant from the NC Forestry Service to perform a tree inventory if we wait to do so during the funding period.*

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### **RECOMMENDATION**

*Staff recommends that the City apply for a \$15,000.00 NC Forestry Service Grant to perform a street tree inventory. This is the first step in developing an Urban Forestry Master Plan. The Grant application will be submitted in January 2012 and awarded July 2012. There is a dollar for dollar (\$15,000.00) local match for this Grant or the City can provide in-kind assistance that would satisfy the local match.*

**CITY OF LAURINBURG  
CITY COUNCIL  
MEETING OF  
NOVEMBER 22, 2011**

**COUNCIL ACTION REQUEST**

**AGENDA ITEM #   H**

**TO: Mayor and City Councilmembers**  
**FROM: Edward F. Burchins, City Manager**  
**DATE: November 22, 2011**  
**RE: Joint Meeting with Scotland County Commissioners**

**COUNCIL ACTION REQUESTED:**

*Set date and time for joint meeting with Scotland County Commissioners*

**SUMMARY OF INFORMATION:**

**The proposed dates and time to meet with the Scotland County Commissioners is January 12, 2012 or January 26, 2012 at 7:00 p.m. A meeting place will need to be chosen prior to the meeting.**