

**CITY OF LAURINBURG  
COUNCIL MEETING  
AUGUST 26, 2008  
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 August 26, 2008 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: Rembert DeBerry, Amanda B. Faulk, Curtis B. Leak, Thomas W. Parker, III and Herbert M. Rainer, Jr.

Also present were Craig F. Honeycutt, 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 DeBerry gave the invocation.

**APPROVAL OF MINUTES**

Motion was made by Councilmember Leak, seconded by Councilmember Faulk, and unanimously carried to approve the minutes of the agenda workshop held July 15, 2008 and the regular meeting held July 22, 2008.

**DELEGATIONS**

***LAURINBURG/SCOTLAND COUNTY AREA CHAMBER OF COMMERCE***

Mayor Block welcomed Theresa Lamson, the new President of the Laurinburg/Scotland County Area Chamber of Commerce, and Brenda Gilbert, former Interim President of the Laurinburg/Scotland County Area Chamber of Commerce.

Mrs. Gilbert introduced Mrs. Lamson as the new President of the Chamber. She explained that Mrs. Lamson has come to Laurinburg from New Hampshire. Mrs. Gilbert explained that she has worked with Mrs. Lamson for three (3) weeks and is excited about Mrs. Lamson's enthusiasm and leadership. She concluded her comments by stating that she believes that Mrs. Lamson will take the community into the future in a big way.

Mrs. Lamson stated that she was thrilled to be working for the local Chamber and that she is thrilled to be in Laurinburg. She further explained that she came from a Chamber that had a close working relationship with the City, City Council and County. She concluded by stating that she wanted the Chamber, City and County to work closely together toward the same vision and future.

Mayor Block then presented Mrs. Lamson with a City Pin.

### ***KRISTI ROGERS-CITY OF LAURINBURG MOSQUITO PROGRAM***

Mayor Block explained that Mrs. Kristi Rogers was present to discuss the importance of the City's Mosquito Spraying Program.

Mrs. Rogers appeared before Council and expressed her gratitude to Council for funding the Mosquito Spraying Program. She explained that five (5) years ago her eight-year old daughter Lindsay contracted Eastern Equine Encephalitis (EEE) disease from the bite of an infected mosquito. She discussed the disease's life-long effects on her daughter. She further explained that she realized that the spraying program did not kill all the mosquitoes, but that if it killed one disease-infected mosquito, it might prevent someone else from suffering like her daughter. She thanked Council again for providing the funding for the Mosquito Spraying Program.

Councilmember Parker commended Mrs. Rogers for expressing her concerns. He also commended Lindsay for coming to the Council meeting.

### **APPROVAL OF THE 2007 TAX SETTLEMENT**

Mayor Block explained that Council needs to approve the 2007 Tax Settlement as presented by the Tax Collector.

Ms. Janice Morrison, the City Tax Collector, explained that North Carolina General Statute 105-373 requires that the Tax Collector make a sworn report to the governing body of the settlement of taxes. She stated that this statement shall list the persons owning real property or personal property whose taxes for the preceding fiscal year remain unpaid and the principal amount owed by each person. The settlement statement has been sworn by the Tax Collector.

Upon question by Councilmember Leak, the City Manager stated that the tax collection rate for 2007 was around 96%. He added that the delinquent taxes include taxes owed for several years, not just 2007 taxes. He further added that staff is aggressively trying to collect delinquent taxes as well as delinquent utility accounts.

Further discussion ensued concerning tax collection rates.

Motion was made by Councilmember Parker, seconded by Councilmember Rainer, and unanimously carried to approve the 2007 Tax Settlement as presented by the Tax Collector.

### **ORDER OF COLLECTION - 2008 TAXES**

Mayor Block explained that annually the City Council authorizes the Tax Collector to collect taxes that are set forth in the tax records of the City Tax Collector. Such taxes are declared to be first lien upon all real property and the order directs the Tax Collector to use any means, in accordance with the Laws of North Carolina, to collect such taxes.

Upon motion by Councilmember Parker, seconded by Councilmember DeBerry, and unanimously carried, the following order to collect the 2008 taxes was issued to the City Tax Collector:

STATE OF NORTH CAROLINA  
CITY OF LAURINBURG

To the Tax Collector of the City of Laurinburg:

You are hereby authorized, empowered, and commanded to collect the taxes set forth in the tax records filed in the office of the City Tax Collector and in the tax receipts herewith delivered to you, in the amounts and from the taxpayers likewise therein set forth. Such taxes are hereby declared to be a first lien upon all real property of the respective taxpayers in the City of Laurinburg, and this order shall be a full and sufficient authority to direct, require, and enable you to levy on and sell any real or personal property of such taxpayers, for and on account hereof, in accordance with law.

Witness my hand and official seal, this twenty-sixth day of August, 2008.

\_\_\_\_\_  
(Mayor)

Attest:

\_\_\_\_\_  
(City Clerk)

**REQUEST TO AMEND THE UNIFIED DEVELOPMENT ORDINANCE (UDO) TO ALLOW RESTAURANTS BY A CONDITIONAL USE PERMIT IN THE OFFICE-INSTITUTIONAL DISTRICT**

The City Manager explained that Dr. Habiba Tunau and Kenton Spencer have requested an amendment to the UDO which would allow restaurants in the Office-Institutional (O/I) Zoning District by conditional use permit. This request was heard by the City's Planning Board on August 12, 2008 and the change was approved unanimously to be recommended to City Council.

Motion was made by Councilmember Faulk, seconded by Councilmember Parker, and unanimously carried to set a public hearing to be held Tuesday, September 16, 2008 at 7:00 p.m. in the upstairs council room of the Municipal Building located at 303 West Church Street, Laurinburg, NC.

**REQUEST TO REZONE FROM RESIDENTIAL-20 TO GENERAL BUSINESS PROPERTY LOCATED AT 15980 SCOTLAND HIGH SCHOOL DRIVE**

The City Manager explained that Mr. J.D. Willis has requested the rezoning of property located at 15980 Scotland High School Drive from Residential 20 (R-20) to General Business. This request was heard by the City's Planning Board on August 12, 2008 and the request was approved 6-1 by the Board to be recommended to City Council.

Motion was made by Councilmember Parker, seconded by Councilmember Rainer, and unanimously carried to set a public hearing to be held Tuesday, September 16, 2008 at 7:00 p.m. in the upstairs council room of the Municipal Building located at 303 West Church Street, Laurinburg, North Carolina.

## **UPTOWN SERVICES, LLC**

The City Manager explained that last month representatives from Uptown Services, LLC came and presented to the City Council a proposal to look at our current fiber system and to see the feasibility of possibly expanding the City's fiber system. The City budgeted funding of \$50,000 in the current 2008/09 FY budget to fund such a study. Uptown Services recently completed studies within the State for the Cities of Wilson and Salisbury to see if it was viable and cost feasible to expand their current fiber services (such as fiber to the home). The City Council tabled this item last month.

Upon question by Councilmember Leak, the City Manager stated that he, Harold Smith, Ronald Pierce and Marcus Smith had visited Wilson to look at its Fiber to the Home project. He added that if Council wanted to visit Wilson, he would set up a trip.

Councilmember Rainer expressed concern about the amount of capital needed for such a project.

Upon question by Councilmember Leak, the City Manager explained that the Fiber to the Schools Project is almost complete. The City is waiting on an easement from CSX to get to Pate Gardner School.

Following further discussion there was no action on this item.

Councilmember Parker stated that it would be appropriate to discuss fiber optics with other municipalities at the Annual League meeting in October.

The City Manager stated that since the City was one of the pioneers in fiber optics, he will be participating in a panel discussion on the topic at the League meeting.

## **HIRING FREEZE**

The City Manager explained that two current budgeted positions that are vacant and frozen are requested to be unfrozen and filled. He stated that one is a full-time patrol officer position within the Police Department. The other is an Equipment Mechanic I position that has been vacant since May.

Following discussion, motion was made by Councilmember Leak, seconded by Councilmember Rainer, and unanimously carried to unfreeze two (2) positions - one (1) officer position within the Police Department and one (1) position for Equipment Mechanic I in the Public Works Department.

## **REVISING THE CITY OF LAURINBURG 2008-2009 SCHEDULE OF FEES**

The City Manager explained that as part of our Rural Center Grant for \$500,000.00 (McKay Street Inflow & Infiltration Improvements), the City had to meet the definition of "high unit cost" for water and sewer rates to receive the grant. He stated that as part of the requirement, the City had to show the State that, once the infrastructure has been upgraded, the local unit of government has the funds within its enterprise fund to maintain and keep up the maintenance on the lines.

He also explained that the last two (2) years the City has worked on a 3-year plan to get its rates to the appropriate level to meet the definition of "high unit cost" so that the City could qualify for the Rural Center funding. He then stated that over the past two years (2007/08 FY and 2008/09 FY), the City has raised rates by 6.5% annually. The City was looking at also at raising rates by 6.5% in 09/10f. However, if the proposed increase of 0.9% to water costs (no sewer increase) is put into effect, hopefully the City will not have to look at water and sewer increases during the next fiscal year.

Motion was made by Councilmember DeBerry, seconded by Councilmember Leak, and unanimously carried to amend the City of Laurinburg 2008-2009 Schedule of Fees to reflect an increase in the City's water rates by 0.9%.

**RESOLUTION WHICH STATES THAT THE WATER/SEWER USER RATE EXCEEDS \$36.33 WHICH HAS BEEN ESTABLISHED AS 1.5% OF THE MEDIAN HOUSEHOLD INCOME FOR THE CITY OF LAURINBURG**

The City Manager explained that as part of the approval process for the North Carolina Rural Center grant funding, in order to qualify for the Rural Center funding of \$500,000.00, a Resolution needs to be approved by the Governing Body stating that our water and sewer rates exceed 1.5% of the median household income.

Councilmember Parker moved for the adoption of Resolution No. R-2008-13 which states that the water/sewer user rate exceeds \$36.33 which has been established as 1.5% of the median household income for the City of Laurinburg. Councilmember DeBerry seconded the motion, and it was approved by the following vote:

Ayes: Parker, Rainer, Faulk, Leak, DeBerry

Nays: None

(Resolution No. R-2008-13 is on file in Clerk's Office)

**ORDINANCE WHICH ACCEPTS GRANT FUNDING PROCEDURES FOR THE MCKAY STREET INFLOW & INFILTRATION IMPROVEMENTS PROJECT**

The City Manager explained that in order for the City to accept the grant funding for the McKay Street Inflow & Infiltration Improvements Project Council needs to approve a Capital Project Budget. This budget will be separate from the 2008/09 City FY budget. The total budget is \$675,000.00.00 (\$500,000.00 from the NC Rural Center/\$175,000.00 local match by City).

Councilmember Parker moved for the adoption of Ordinance No. O-2008-16 which accepts grant funding procedures for the McKay Street Inflow & Infiltration Improvements Project. The motion was seconded by Councilmember DeBerry, and it was approved by the following vote:

Ayes: Parker, DeBerry, Leak, Faulk, Rainer

Nays: None

(Ordinance No. O-2008-16 is on file in Clerk's Office).

## **LETTER OF SUPPORT FOR APPOINTMENT TO THE LUMBER RIVER COUNCIL OF GOVERNMENT'S (COG) TRANSPORTATION ADVISORY COMMITTEE**

The City Manager explained that as part of the Lumber River Rural Planning Organization (RPO) the Board is set up as a TCC (Technical Coordinating Committee) made up of regional staff members and a TAC (Transportation Advisory Committee) which is made up of local officials (one county and municipal representative from each county). He stated that historically, the City of Laurinburg has appointed the municipal representative to the TAC from Scotland County; however, with Councilmember Parker serving as the Chairman of the Lumber River COG and the City Manager serving as the Chairman of the TCC committee, the recommendation is to have representatives from the other municipalities in Scotland County to serve in the TAC position. He suggested that Jackie Laviner from Wagram be recommended to serve as the principal and Ronnie Hudson from Gibson be recommended to serve as the alternate member.

Motion was made by Councilmember Rainer, seconded by Councilmember Parker, and unanimously carried to send a letter of support of Jackie Laviner as the principal member of the Transportation Advisory Committee and Ronnie Hudson as the alternate member.

## **INTERCHANGE MOWING CONTRACT AND ADDITIONAL OPTIONS**

The City Manager explained that currently the City of Laurinburg cuts the interchanges along US 401 Bypass at US 501, Wallace Trucking Company, West Church Street and I-74 and the interchange of I-74 and South Main Street. Discussion took place during the budget process to about the possibility of also mowing the medians and rights-of-way along US 401 Bypass. He further explained that there was originally a bid of \$19,000.00 to do the current interchanges together with the additional cutting. However, the bidder thereafter withdrew the second option (including the additional area), and no other bidder was close to that figure.

The City Manager explained that currently the City contracts for \$12,000.00 annually the cutting of the interchanges but has a total budget of \$19,000.00 for cutting (currently \$7000.00 surplus in line item). He stated that the City Council needs to discuss options and provide direction to Staff about this issue.

Upon question by Councilmember Parker, the City Manager explained that staff does not have an estimate on how much it would cost the City itself to mow the additional areas. He added that before the areas are cut, litter would have to be picked up.

The City Manager stated that Pete Morris, Beautification Director, has met with representatives from the Department of Transportation (DOT) regarding the landscaping project on US 401.

Mr. Morris stated that the project was to be bid in October and completed by the end of the year.

Following further discussion, motion was made by Councilmember Parker, seconded by Councilmember Leak, and unanimously carried for City crews to mow the medians and rights-of-way along US 401 Bypass but not to exceed \$7,000.00 in costs therefor.

## **CURFEW FOR JUVENILES**

The City Manager explained that during the agenda meeting in June, City Council asked staff to look at possible curfew options for juveniles.

A proposed resolution establishing a curfew was presented to Council together with a letter from District Attorney Kristy Newton and she was opposed to the adoption of the same. Given the District Attorney's position, Councilmember Rainer made a motion to table the matter at this time.

Following discussion, Councilmember Rainer withdrew his motion.

Following further discussion, there was no action taken on the matter.

## **NOISE ORDINANCE**

The City Manager explained that, as requested by the City Council, proposed changes have been drafted to our noise ordinance to change violation of the law from "officer discretion" to include violation based upon measurement of sound by decibels.

Police Chief Evans appeared before Council and explained that based on the research he had conducted, the primary problems with utilizing noise meters are the cost factor, of the necessary equipment, the necessary training of officers and the fact that it is difficult for the devices to be used to measure noise emanating from loud mufflers, boom boxes in vehicles, and motorcycles.

Councilmember Parker explained that he receives calls from the public requesting that the City do something to reduce the noise and to put some decorum in the community.

Following further discussion, no action was taken on the matter.

## **AGENDA WORKSHOPS**

The City Manager explained that due to the Base Realignment and Closure (BRAC) Relocation Fair at Fort McPherson on September 9 and the North Carolina League of Municipalities (NCLM) Annual meeting in Charlotte on October 12-14, the September and October agenda meetings will need to be rescheduled or cancelled.

Following discussion, it was consensus of Council to cancel the September agenda meeting and make a decision on the remaining agenda meetings after the September Council meeting.

Councilmember Parker suggested that Council schedule a retreat.

The City Manager explained that at the September Council meeting he would suggest some dates in October for a retreat.

## **LAURINBURG/MAXTON AIRPORT (LMA)**

The City Manager explained that as part of the discussion from the joint City of Laurinburg, Town of Maxton, and Laurinburg/Maxton Airport Commission meeting, there has been discussion on how to have better communication with LMA. He stated that a suggestion was to ask that the LMA Executive Director attend City Council regular monthly meetings on a quarterly basis to update the City Councilmembers on activities at the airport. He suggested that the Council consider a motion requesting the LMA Executive Director update the City Council at the following regular monthly meetings:

May (annual budget presentation to City Council); August; November; February

Following discussion, it was consensus of Council that the City Manager will continue to provide his report to the Council following LMA Commission meetings and that it was not necessary for the LMA Executive Director to regularly attend Council meetings.

## **PUBLIC COMMENT**

There was no one present to speak.

## **ADJOURNMENT**

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

The meeting adjourned at 8:10 p.m.

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Matthew Block, Mayor

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Dolores A. Hammond, City Clerk