

**CITY OF LAURINBURG  
COUNCIL MEETING  
DECEMBER 22, 2009  
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 December 22, 2009 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., and Kenton T. Spencer. Councilmember Amanda F. Doerffel 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 7:00 p.m. Councilmember Parker gave the invocation.

Mayor Block noted the change in the seating arrangements of the Councilmembers and explained that the change was because, traditionally, the Mayor Pro Tem is seated next to the Mayor.

**APPROVAL OF MINUTES**

Motion was made by Councilmember Leak, seconded by Councilmember Parker, and unanimously carried to approve the minutes from the meetings of June 19, 22, 24 and 30; September 15 and 22; and October 13, 2009.

The City Manager explained that the City Attorney has a few comments regarding the next two items on the agenda.

The City Attorney explained that he was contacted during the afternoon by Mr. Steve Futrell who is an attorney in Richmond County with the firm of Kitchen, Neal, Webb, Webb, and Futrell, and was advised that Mr. Futrell would be representing Donald Barringer in reference to the requests that are addressed in the agenda items pertaining to the Emily Drive project. He stated that the firm is working on additional information that they would like to present to City Council in connection with the requests. The City Attorney stated that Mr. Futrell is requesting that Council table these two requests until the January meeting. He explained that Mr. Futrell will have additional information at that time and would like to present it to Council before they set a public hearing. The two items requested are the following:

Consider Setting Public Hearing On A Request To Rezone From Residential 15/General Business To Residential 6 Property Along Emily Drive; and

Consider Setting Public Hearing On A Request For A Conditional Use Permit For The Development of Ten-Acres (10) For A Planned Residential Community Of Thirty (30) Dwelling Units

Motion was made by Councilmember Leak, seconded by Councilmember Rainer, and unanimously carried to table the two requests to set public hearings until January 19, 2010.

**RESOLUTION WHICH DECLARES EQUIPMENT AS SURPLUS WHICH IS NO LONGER NEEDED BY THE LAURINBURG POLICE DEPARTMENT**

The City Manager stated that the proposed Resolution is being requested by the Laurinburg Police Department which

surpluses handguns that the officers currently use. He explained that the weapons are old Glock .40 caliber handguns. He further explained that they would be sold to the officers at a cost of \$327.00 each. All of the money would go toward the purchase of new Glock .40 caliber handguns. He then explained that each officer would be required to obtain a North Carolina handgun permit from the Sheriff for the older weapons. There would be no financial impact to the City, and it is being recommended that Council adopt the resolution.

Councilmember Leak moved for the adoption of Resolution No. 2009-29 which declares equipment as surplus which is no longer needed by the Laurinburg Police Department. Councilmember Parker seconded the motion, and it was approved by the following vote:

Ayes: Leak, Parker, Spencer, Rainer

Nays: None

(Resolution No. R-2009-29 on file in the City Clerk's Office)

### **ORDINANCE AMENDING 2009-2010 BUDGET APPROPRIATIONS ORDINANCE (O-2009-07)**

The City Manager stated that the proposed ordinance will amend the 2009-2010 Budget Appropriations Ordinance in order to transfer \$85,000.00 from the seized assets account that is maintained by the Laurinburg Police Department. He explained that the \$85,000.00 will be used to purchase new video recording equipment for the police cars. He then explained that the police department is now using VHS tapes and that by purchasing new equipment, the department can update its technology to DVD equipment.

Chief Evans explained that this money comes from a seized asset fund through the Drug Enforcement Association (DEA) and the federal government. Any monies and any narcotics that are seized during undercover work are required to be turned over to DEA. He further explained that if the Laurinburg Police Department is involved with the arrest, apprehension, or investigation, the department ultimately receives a portion of the seized assets. He stated that, over the years, the department has accumulated approximately \$92,000.00. The Federal Government requires the department to keep the monies separate and apart from any City money; therefore, a separate account has been established which is handled by the City's Finance Department. He then stated that this money cannot be used for the purchase of anything unless a request is approved by the governing body of the police department's jurisdiction.

Chief Evans further explained that the department has 17 old VHS video recorders and that VHS tapes are obsolete. These new in-car systems are digital using wireless download directly into the Police Department. He concluded by stating that in the past three years the in-car cameras have saved the City hundreds of thousands dollars in defense of frivolous complaints and lawsuits.

Councilmember Parker moved for the adoption of Ordinance No. O-2009-18 which amends the 2009-2010 Budget Appropriations Ordinance (O-2009-07). Councilmember Leak seconded the motion, and it was approved by the following vote:

Ayes: Parker, Spencer, Rainer, Leak

Nays: None

(Ordinance No. O-2009-18 on file in the City Clerk's Office)

### **ORDINANCE AMENDING 2009-2010 BUDGET APPROPRIATIONS ORDINANCE (O-2009-07)**

The City Manager stated that during the budget process, Council appropriated funds in the General Fund Contingency for capital expenditures to be allocated at appropriate times and likewise did the same thing with funds in the Water/Sewer Fund. He explained that the proposed ordinance transfers monies from the General Fund and the Water/Sewer Fund Contingencies to the appropriate line items in order to allocate monies in different departments. He further explained that he is recommending the transfers as listed in the proposed ordinance.

Cindy Carpenter, Finance Officer, explained the items listed in the proposed ordinance which Council had discussed during the budget process. She also stated that there are a couple of items that are included that were not discussed

during the budget process and which were later discovered to need to be included.

Upon question by Councilmember Rainer, Ms. Carpenter explained that \$200.00 in the Community Department was for the deputy clerk notary fee and clerk association fees. She also explained that there was a mower stolen from Public Works and that the replacement mower was not included in the budget.

Following further discussion about the proposed transfers, Councilmember Parker moved for the adoption of Ordinance No. O-2009-19 which amends the 2009-2010 Budget Appropriations Ordinance (O-2009-07) to transfer monies from the General Fund Contingency and the Water/Sewer Fund Contingency to several different line items. Councilmember Leak seconded the motion, and it was approved by the following vote:

Ayes: Parker, Leak, Rainer, Spencer

Nays: None

(Ordinance No. O-2009-18 on file in the City Clerk's Office)

### **COMMENTS FROM MAYOR AND/OR COUNCILMEMBERS**

Councilmember Rainer stated that he would like to wish everyone a Merry Christmas and a Happy New Year and reminded everyone to always give to the less fortunate.

Mayor Block stated that the annual employee Christmas party is scheduled to be held Wednesday, December 23, 2009 at The Highlands. This event will begin at 2:00 p.m.

Mayor Block wished everyone a Merry Christmas and Happy Holidays.

### **PUBLIC COMMENT**

There was no one to speak.

### **ADJOURNMENT**

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

The meeting adjourned at 7:27 p.m.

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Matthew Block, Mayor

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Dolores A. Hammond, City Clerk