

**CITY OF LAURINBURG  
COUNCIL MEETING  
MAY 18, 2010  
MUNICIPAL BUILDING  
305 WEST CHURCH STREET  
LAURINBURG, NC  
7:00 P.M.**

**Minutes**

The City Council of the City of Laurinburg held its regular monthly meeting May 17, 2010 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: Amanda F. Doerffel, Curtis B. Leak, Thomas W. Parker, III, Herbert M. Rainer, Jr. and Kenton T. Spencer.

Also present were: Edward F. Burchins, City Manager, Jennifer M. Tippet, Deputy 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.

**CONSENT AGENDA**

The City Manager presented the Consent Agenda indicating all items were considered to be routine and could be enacted simultaneously with one motion and a roll call vote.

The items on the Consent Agenda were as follows:

- a. Minutes from the meetings of February 9, 2010 and February 16, 2010
- b. Set public hearing to be held on June 22, 2010 on a request to rezone a 0.845 acre tract of land along McGirts Bridge Road from Residential-6 to Office/Institutional
- c. Ordinance No. O-2010-08 which amends the 2009-2010 Budget Appropriation Ordinance - \$30,556.00 from Contingency (990-509900) to Streets and Highways-Equipment Replacement (562-703400)
- d. Resolution No. R-2010-10 which transfers from the City of Laurinburg to Richmond Community College the training facility at 600 McLean Street
- e. Set public hearing to be held on June 22, 2010 on the proposed 2010-2011 Fiscal Year Budget

**REQUEST TO REZONE THE PROPERTY LOCATED AT 10301 MCCOLL ROAD FROM INDUSTRIAL TO GENERAL BUSINESS**

Mayor Block informed Council that this is a public hearing to rezone the property located at 10301 McColl Road from Industrial to General Business.

Mayor Block then declared the public hearing open.

Mr. Bill Peele, City Planner/Zoning Officer, appeared before Council and explained that the property owner, Mr. John King, would like to return this property back to its original zoning of General Business. He further explained that in November 2008, Mr. King was successful in having the property rezoned to Industrial in order for a tenant to operate an automobile paint and body shop. He added that the automobile body shop did not remain in operation for very long, and Mr. King would like his property to be more consistent with existing zoning in the area as well as make it more marketable. He further added that Planning Board considered this matter at its April 13, 2010 meeting and unanimously recommended approval of this request. He concluded by stating that Mr. King resides in Castleberry, Florida and was unable to attend the meeting.

Mayor Block opened the public hearing.

Mr. Bill Peele appeared before Council and explained that Mr. King would like to have this property zoned back to its original General Business zoning to be more in keeping with zoning in the area.

There was no one present to speak against the request.

Mayor Block closed the public hearing.

Councilmember Parker moved for the adoption of Ordinance No. O-2010-09 which rezones the property located at 10301 McColl Road from Industrial to General Business as such rezoning is:

- Consistent with other development in the area;
- Advances the public health, safety or welfare; and
- Provides a positive impact to the public at large.

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

Ayes: Parker, Spencer, Leak, Doerffel, Rainer

Nays: None

(Ordinance No. O-2010-09 on file in the City Clerk's Office)

## **LAURINBURG/MAXTON AIRPORT COMMISSION**

Mrs. JoAnn Gentry, Interim Director of the Laurinburg/Maxton Airport Commission, appeared before Council to present the Fiscal Year 2010-2011 budget and discuss accomplishments of the Commission for the past year. She introduced Mrs. Ella Morris, Chairperson of the Commission. Ms. Gentry explained that the budget was approved by the Commission at its April 29, 2010 meeting and that it includes a five percent (5%) increase in Water/Sewer rates and a two percent (2%) employer contribution to 401K. She further explained that the Commission is diligently working to obtain grant money for the rebuilding and repair for the main runway.

Upon questions by Councilmember Leak, Mrs. Gentry explained that the Salaries line item decreased because the previous Interim Director had budgeted \$80,000.00 for the Director's position which remained unfilled. She added that the Commission was considering hiring a part-time secretary; therefore, a portion of the \$80,000.00 previously allocated for the Director's position had been reserved for this part-time position. She further added that former Director Larry Barnett had been hired by the Commission as a consultant for the runway project. She also explained that the contribution to the employees' 401K plan was an employee benefit that was eliminated in 2005, and the Commission Board wanted to reinstate that benefit for employees as a similar benefit was included in the City of Laurinburg and the Town of Maxton budgets.

Upon question by Councilmember Spencer, Mrs. Gentry explained that the budget was less for Inspections and Tests because the Airport had completed its 12 months of testing for toxicity; therefore testing would be done on a quarterly basis instead of monthly.

Following further discussion, motion was made by Councilmember Leak, seconded by Councilmember Doerffel, and unanimously carried to accept the 2010-2011 Laurinburg/Maxton Airport budget.

## **RESOLUTION TO LEASE A 4.93 ACRE TRACT OF LAND AT THE LAURINBURG/MAXTON AIRPORT**

Mayor Block explained that the House of Raeford would like to rebuild its facility which recently suffered a destructive fire. He added that the company plans to rebuild at the same location but would like to have additional land.

The Assistant City Attorney explained that he had reviewed the resolution and the proposed lease and has some non-substantial wording changes to discuss with the Airport's attorney, Mr. Garner. He recommended that if Council

chooses to approve the resolution and lease to do so subject to final approval of the lease language by the City Attorney.

Councilmember Leak moved for the adoption of Resolution No. R-2010-09 which authorizes the lease of a 4.93 acre tract of land at the Laurinburg/Maxton Airport to the House of Raeford and authorizes the Mayor to execute the lease agreement subject to final approval of the lease language by the City Attorney. Councilmember Doerffel seconded the motion, and it was approved by the following vote:

Ayes: Leak, Doerffel, Spencer, Rainer, Parker

Nays: None

(Resolution No. R-2010-09 on file in the City Clerk's office)

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

Mayor Block explained that Mr. Drew Williamson, Chairman of the Laurinburg/Scotland County Area Chamber of Commerce will present the Chamber's request for funding for Fiscal Year 2010-2011.

Mr. Williamson appeared before Council and presented a brief highlight of the Chamber's activities for the past two (2) to three (3) years. He explained that the Chamber has been focusing more on programs and activities with the ultimate goal to be funded by its membership.

A discussion ensued concerning Chamber funding and activities. Mayor Block stated that the Chamber's request for funding would be considered during the budget process.

## **SCOTLAND COUNTY ECONOMIC DEVELOPMENT CORPORATION**

Mr. Greg Icard, Scotland County Economic Development Director, appeared before Council to formally request funding in the amount of \$32,000.00 for the Economic Development Corporation for Fiscal Year 2010-2011. He described the activities of the past year and the composition of the Corporation's board.

A discussion ensued concerning the revolving loan fund. Mr. Icard explained that the Revolving Loan Fund is included in the total budget for the Corporation and that he is looking for grant money to expand the Fund.

Upon question by Mayor Block, Mr. Icard explained that no other municipalities in the County help fund the Corporation.

## **REPORT BY LAURINBURG POLICE CHIEF JOHN EVANS**

The City Manager explained that Police Chief John Evans would present a report on criminal activities in the City.

Police Chief John Evans presented a report on the recent incidents of vandalism, breaking and entering and armed robbery which have occurred in the City. He described the criminal activities and the preventive measures the Police Department is utilizing to deal with these crimes.

Councilmember Rainer expressed concern about the apparent brazenness of the robberies.

A discussion ensued concerning crime prevention and the involvement of the community.

## **AUDIT SERVICES**

The City Manager explained that earlier in the year Council discussed bidding the City's financial audit service. He added that the Finance Director mailed requests for proposals to Local Government Commission (LGC) qualified auditors and received four (4) responses.

Upon question by Councilmember Leak, Mrs. Cindy Carpenter, Finance Director, explained that the firms and their locations were as follows:

S. Preston Douglas & Associates, Lumberton  
Dixon Hughes, PLLC, Rockingham  
Kenneth R. Anderson, CPA, Rockingham but does have an office in Laurinburg  
Gustaf C. Lundin & Company, Laurinburg

A lengthy discussion ensued concerning the reason Council wanted the auditing services bid. Councilmember Parker explained that there had been a question concerning the City auditor's quality of audit by the State Auditors. The question dealt with the competency of an employee who was no longer employed by Gustaf C. Lundin.

Further discussion ensued concerning the auditing services and the City's audits.

Upon questions by Councilmember Parker, Mr. Carl Head of Gustaf C. Lundin and Company explained that the annual audit is due to the LGC by October 31. He added that with last year's audit some of the requested information was incorrect and late in being provided to the auditor. He further added that there were excessive journal entries that had to be made.

Further discussion ensued concerning requirements for auditing services.

Councilmember Spencer suggested that Mr. Kenneth R. Anderson of Kenneth R. Anderson, CPA, be allowed to address Council since he was present.

Mr. Kenneth R. Anderson appeared before Council and explained that his firm has offices in Rockingham, Statesville and Laurinburg and that it specializes in governmental auditing. He provided a brief overview of his firm and its history.

Following further discussion, motion was made by Councilmember Parker, seconded by Councilmember Spencer, and carried by a 4-1 vote to table discussion of auditing services until the budget discussions. Councilmember Leak cast the dissenting vote.

## **BUDGET WORKSHOPS AND PUBLIC HEARING**

The City Manager explained that he would present the 2010-2011 budget to Council on Friday, May 21. He proposed the following dates and times for the budget process:

Tuesday, May 25, 6:30 p.m. (budget workshop)  
Tuesday, June 1, 6:30 p.m. (budget workshop)  
Thursday, June 3, 6:30 p.m. (budget workshop)  
Monday, June 7, 6:30 p.m. (budget workshop)  
Tuesday, June 22, 7:00 p.m. (public hearing)

Following discussion, it was consensus of Council for the following meetings to be scheduled:

Tuesday, May 25, 6:30 p.m. (budget workshop)  
Tuesday, June 1, 6:30 p.m. (budget workshop)  
Thursday, June 3, 6:30 p.m. (budget workshop)  
Monday, June 7, 6:30 p.m. (budget workshop)  
Tuesday, June 22, 7:00 p.m. (public hearing)

## **COMMUNITY CENTER COMMITTEE**

Mayor Block explained that a list of proposed members of the newly formed Community Center Committee is for Council to consider appointing.

The proposed members are:

Mayor Matthew Block  
Councilmembers Herbert M. Rainer, Jr. and Kenton T. Spencer  
City Manager Ed Burchins  
Shannon Newton, Parks and Recreation Director  
County Commissioners Guy McCook and John Alford  
County Manager Kevin Patterson  
Jimmy Bennett, Scotland County School Board Chair  
Duke Williams, Scotland County School Board Member  
Mr. Greg Wood, Scotland Memorial Hospital  
Mr. Wood from Encore Theater  
Mrs. Becca Hughes, Parks and Recreation Foundation  
Sheriff Shep Jones  
Nancy Walker, Laurinburg Housing Authority  
Ken Nichols, Parks & Recreation Foundation  
Robert Malloy, National Association for the Advancement of Colored People (NACCP)

Following a brief discussion about the purpose of this committee, it was consensus of Council to appoint the above members to the Recreation Steering Committee.

### **RESIGNATION OF COUNCILMEMBER DOERFFEL**

Mayor Block stated that he preferred that Councilmember Doerffel make her recommendation to fill her council seat and Councilmembers make sure the individual fits all qualifications and requirements of being a councilmember before taking any action. He suggested Council hold a special meeting to make the appointment or make the appointment at the first meeting in June.

Upon question by Mayor Block, Councilmember Doerffel stated that her resignation would be effective at the end of May.

A lengthy discussion ensued concerning the procedure to appoint a Councilmember to a vacant seat. The Assistant City Attorney explained that an appointment to the Council can be made when there is a vacancy and the Council has the authority to make that appointment. He further explained that he recommended that an appointment not be made until there was an actual vacancy on the council.

Councilmember Doerffel stated that she recommends Joy Ellison to fill her seat. She added that Ms. Ellison has a permanent residence in District Two according to the Board of Elections and meets all the requirements. She further added that she is a special needs educator in the Robeson County School System and is president of the Scotland County Democratic Party. She explained that Ms. Ellison would resign from the Scotland County Democratic Party presidency if appointed to the Council.

Further discussion ensued concerning appointment to Councilmember Doerffel's seat. The Assistant City Attorney reiterated that until a vacancy exists on the Council, he did not recommend that Council appoint someone to Councilmember Doerffel's seat.

Councilmember Rainer expressed concern about the deviation from the precedent set by Council on filling vacant seats.

Councilmember Parker expressed concern that Ms. Ellison does not reside in the City as she has a secondary residence outside the city limits. He stated that he would oppose her appointment to Council until the 30 day residency requirement had been satisfied.

Councilmember Doerffel explained that Ms. Ellison has a secondary residence outside the city limits; however, according to the Board of Elections, her permanent residence is within the City in District Two and she had maintained that permanent residence for at least 30 days.

Further discussion ensued concerning residency requirements and the procedures for appointments to Council.

Motion was made by Councilmember Leak and seconded by Councilmember Spencer to appoint Ms. Joy Ellison to fill the unexpired term of Amanda F. Doerffel on the Laurinburg City Council. The vote was as follows:

Ayes: Leak, Spencer, Rainer, Doerffel

Nays: Parker

Councilmember Doerffel stated that her resignation would be effective May 19, 2010. She stated that it had been a great pleasure to serve on Council and that she felt the City had accomplished much and made great strides to improve the quality of life of Laurinburg citizens. She concluded by stating that the City's greatest asset is its employees and she hoped that the City would continue to provide them and citizens with quality services.

Discussion ensued concerning the appropriate date for Councilmember Doerffel's resignation to be effective. Councilmember Doerffel stated that her resignation would be effective May 19, 2010.

Motion was made by Councilmember Leak and seconded by Councilmember Spencer to accept the resignation of Councilmember Amanda F. Doerffel effective May 19, 2010.

### **PUBLIC COMMENT**

There was no one present to speak.

### **RECESS**

Motion was made by Councilmember Parker, seconded by Councilmember Spencer, and unanimously carried to recess the meeting to 6:30 p.m. Tuesday, May 25, 2010 in the council chambers of the Municipal Building located at 303 West Church St.

The meeting adjourned at 8:59 p.m.

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Matthew Block, Mayor

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Dolores A. Hammond, City Clerk