

**CITY OF LAURINBURG  
COUNCIL MEETING  
NOVEMBER 22, 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 November 22, 2011 at 7:00 p.m. in the council room of the Municipal Building with the Honorable Thomas W. Parker III, Mayor, presiding. The following Councilmembers were present: Curtis B. Leak, Herbert M. Rainer Jr., Kenton T. Spencer, and Mary Jo Adams.

Also present were: Edward F. Burchins, City Manager, Dolores A. Hammond, City Clerk, and William P. Floyd, Jr., Assistant City Attorney.

Mayor Parker called the meeting to order at 7:05 p.m.

Mayor Parker asked for a moment of silence in honor of former City Attorney Charles L. Hicks, Jr. who recently passed away. Councilmember Leak then gave the invocation.

Mayor Parker recognized Bobby Jones, Boy Scout Troop 420, who is working on his merit badge and presented him with a city pin.

**APPROVAL OF AGENDA**

Mayor Parker stated that Councilmember Leak would like to move Ms. Hilda Howell to the top of the list of delegations.

Councilmember Leak moved to adopt the agenda as amended. Councilmember Rainer seconded the motion and it unanimously carried.

**PRESENTATION**

Mayor Parker presented Miss Joy Ellison a plaque in honor of serving on the Laurinburg City Council for 18 months. Miss Ellison was nominated and approved in May 2010 to fill the unexpired term held by Amanda Faulk Doerffel.

Mayor Parker explained a plaque was prepared for former Mayor Block but Dr. Block could not be present at tonight's meeting.

**CONSENT AGENDA**

The City Manager reviewed the consent agenda.

- 1) a. Approve minutes from the regular meeting September 20, 2011 and the minutes from the agenda workshop meeting October 13, 2011

- b. Resolution No. R-2011-14 External Website Policy and Resolution No. R-2011-15 Internal Website Policy (working on social media policy to be presented at the December meeting).
- 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
- g. Approval of request by Mr. Ulysses Thomas, Commander, American Legion Post 181 per authority given to City Manager by Council

Councilmember Leak moved for the approval of the Consent Agenda as presented.

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

Ayes: Leak, Spencer, Rainer, Adams

Nays: None

### **VACANT COUNCIL SEAT**

Mayor Parker explained that due to the election and him being elected Mayor that his council seat is now vacant. Mayor Parker then recommended to Council that Andrew G. Williamson, Jr. be appointed to fill the council vacant seat for District 2.

Mayor Parker gave a brief bio regarding Mr. Williamson.

Councilmember Leak stated there were three individuals that campaigned for the District 2 Council seat in the 2011 election. He then nominated Miss Joy Ellison to fill the unexpired term of former Councilmember Parker's vacant seat for District 2.

Councilmember Adams nominated Mr. Andrew "Drew" G. Williamson to fill the unexpired term of former Councilmember Parker's vacant seat for District 2.

Councilmember Rainer seconded the nomination of Mr. Williamson.

There was no second for Miss Ellison.

With the nominations being closed, Mr. Williamson was appointed to the vacant seat by a 3-1 vote with Councilmember Leak casting the dissenting vote.

The City Clerk administered the oath of office to Mr. Williamson to fill the vacant seat for District 2.

### **HILDA HOWELL–VOTING DISTRICTS**

Mrs. Hilda Howell appeared before Council to express concern about the elections. She stated that as a taxpaying citizen she felt she should be able to vote for whomever she wanted in municipal elections. She explained that she was able to vote for only one Councilmember and would have liked to vote for the candidate of her choice.

Mayor Parker explained that this type of election, which the City of Laurinburg is divided into districts, was a result of a ruling from the United States Justice Department. Mayor Parker then stated that the US Government mandates the process in order to create an equal playing field for equal representation for everybody.

Councilmember Leak stated that the districts are a result of the 1965 Voting Civil Rights Act.

Mayor Parker thanked Ms. Howell for expressing her concern.

### **CARL HEAD, GUSTAF C. LUNDIN & COMPANY, LLP- AUDIT REPORT- 2010-2011 FISCAL YEAR**

Mr. Carl Head presented the City of Laurinburg audit report for fiscal year 2010-2011. Mr. Head reminded Council that the financial statements are the responsibility of the management of the City of Laurinburg. He stated that the responsibility of the firm is to express an opinion on the financial statements.

Mr. Head stated that the City of Laurinburg received an unqualified opinion. He explained that an unqualified opinion is the best opinion one can receive.

He then explained the difference in figures of a governmental business and a regular corporation.

He then stated that the City of Laurinburg cash flows from operations and the enterprise funds are all positive. He stated that the general fund balance increase is positive primarily because of the electric fund transfer of \$698,955.00. He continued by stating that in the general fund in 2010 the fund balance available as a percentage of General Fund expenditures equaled 8.5% and in 2011, the number is 29%. He informed Council that the cash balance June 30, 2011 was \$7,688,986.00 and in 2010, it was \$6,370,351.00. He explained that the primary increase in the cash balance of June 30, 2011 deals with the increases aforementioned, but most of the monies were reimbursement from capital projects that happened in the prior year.

Mr. Head explained that there is a material deficiency issued for material journal entries and report preparation. He stated that this deficiency was issued last year.

Mr. Head stated that there are areas that could use improvements in its internal controls. Following discussion, motion was made by Councilmember Spencer, seconded by Councilmember Leak, and unanimously carried to accept the 2010-2011 Fiscal Year Audit Report.

**SCOTLAND COUNTY RECREATION FOUNDATION FOR IN-KIND SERVICE TO THE SOCCER CONCESSION BUILDING LOCATED AT THE MORGAN COMPLEX**

Mr. Scoofer Jordan representing the Scotland County Parks and Recreation Foundation stated that he is requesting that the City provide in-kind services to the Scotland County Soccer Concession Building. He stated that the request is asking the City to help with the installation of its water/sewer lines and its irrigation plans for the concession building. He stated that the Foundation would purchase the materials.

Upon question by Councilmember Leak, Mr. Stacey McQuage stated that the estimated cost for labor and equipment would be \$4,000.00

Councilmember Rainer motioned that the City provide in-kind services to the Scotland County Recreation Foundation's Soccer Concession Building located at the Morgan Complex for its water/sewer lines and irrigation plans. Councilmember Adams seconded the motion and it unanimously carried.

**REQUEST TO OPERATE A HOT DOG CART AT 142 S. MAIN ST.**

Mr. Reginald Drakeford appeared before Council to request a permit to operate a hot dog cart outside his business establishment located at 142 South Main Street.

Mr. Drakeford explained that in the last couple of years he has acquired a hot dog cart and has sold hot dogs at two different locations in the City. He explained that he has perfected his hot dog cart and would like Council to grant him a permit to operate his hot dog cart at the location

Mrs. Brandi Deese, Zoning Officer, stated that this particular request does not involve zoning. She explained that the site has been investigated and that there is ample room for the hot dog cart.

Motion was made by Councilmember Rainer, seconded by Councilmember Williamson, and unanimously carried to authorize a permit to allow the operation of a hot dog cart at 142 South Main St.

**RESOLUTION NO. R-2011-17 AUTHORIZING THE SALE OF GENERAL OBLIGATION REFUNDING BONDS IN THE MAXIMUM AMOUNT OF \$1,700,000.00**

The City Manager stated that over a little month ago he reported to City Council that the opportunity, because interest rates are low, to refund the 1995 Sanitary Sewer Bonds, which would save the City cost to \$80,000.00 over a five-year period, needed to be considered. Council decided to pursue the matter. He explained that Council has a revised resolution that reflects 1995 Sanitary Sewer Bonds instead of 1994.

Mr. Bob Jessup, Sanford Holshouser LLP, informed Council that the proposed resolution is the last formal action to complete the refinancing of the 1995 Sanitary Sewer Bonds.

He stated that the resolution formally approves the issuance of the bonds, it approves the proposal for BB&T to purchase the bonds at a 1.64 interest rate, it approves the form of the bond, and delegates the staff the responsibility to complete the process. He explained that the closing is scheduled for Tuesday, November 29, 2011.

Upon question by Councilmember Rainer, the City Manager stated that funds are appropriated yearly for the payment of the bonds. He explained that the funds are budgeted in the Water/Sewer Fund.

Councilmember Adams moved to adopt revised Resolution No. R-2011-17 authorizing the sale of general obligation refunding bonds in the maximum amount of \$1,700,000.00.

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

Ayes: Adams, Rainer, Williamson, Spencer, Leak

Nays: None

**UPDATE ON TREE & STUMP REMOVALS AND AUTHORIZE THE MAYOR TO EXECUTE THE APPLICATION OF A GRANT FROM THE NORTH CAROLINA FORESTRY SERVICE FOR \$15,000.00**

The City Manager provided an update on the removal of street trees and stumps throughout the current year. He informed Council that there is an opportunity to apply for a \$15,000.00 North Carolina Forestry Service Grant that would allow a street tree inventory in order to develop an overall master plan for the urban forest.

He stated that staff is working on getting information on options for tree trimming that will be presented at Council's retreat or sometime in January.

Mrs. Brandi Deese stated that 53 trees have been removed from October 2010 through October 2011. She explained that for the number of weeks that the contractor worked there was an average of four trees per week removed with the stump and limb work completed as well.

She explained that the department has worked diligently to reduce the list of trees that need to be removed for liability reasons. She reported that there are three trees remaining on the list at this time.

Mrs. Deese 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.

The City Manager explained that 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.

Motion was made by Councilmember Leak, seconded by Councilmember Rainer, and unanimously carried to authorize the Mayor to execute the application for a grant from the NC Forestry Service.

### **JOINT MEETING BETWEEN THE CITY OF LAURINBURG AND THE SCOTLAND COUNTY COMMISSIONERS**

Mayor Parker stated the two 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.

There was consensus among Council to set January 12, 2012 at 7:00 p.m. as a meeting date with the Scotland County Commissioners unless there is a conflict that needs to be worked through.

There was also consensus among Council that a January 2012 workshop not be scheduled.

At this point of the meeting, Mayor Parker introduced Coach Chip Williams of the Scotland High School Varsity Fighting Scots football team. Mayor Parker stated that he and the Council are very proud of the football team. He commented on how much the team has done for the community. He explained that the football team has a 13-0 record and will be playing for the eastern championship Friday night.

Mayor Parker presented Coach Williams with a City pin.

Scotland High School Varsity football team Coach Chip Williams stated that he has a good crew this year and it speaks highly of Laurinburg and Scotland County. There are 32 seniors with 25 of them with a 3.0 average or better. He then stated that he feels all of them will graduate and proceed to school. He said that in athletics that the bottom line is to graduate and continue to go to school and on the way, win some football games. He further stated that it was a good thing for Laurinburg/Scotland County to have a winning season including the Richmond County football game.

Coach Williams stated it was been a pleasure coaching the team and an honor to be in Scotland County.

Councilmember Rainer commented that he does not know the history of Laurinburg High School and that there were several other schools that had football teams before Scotland High School was constructed, but during that time, none of the schools accomplished what Coach Williams and his team have accomplished.

Mayor Parker then recognized and welcomed Mr. Bill Floyd, Gordon, Hicks, Floyd Law, as the new Assistant City Attorney.

### **COMMENTS FROM MAYOR AND COUNCILMEMBERS**

There were no comments from Council.

## **PUBLIC COMMENT**

Mr. John Mautsby appeared before Council to explain that he has concerns about the elections. He stated that he feels that as a citizen he should be able to vote for any candidate of their choice.

## **CLOSED SESSION**

At 8:16 p.m. motion was made by Councilmember Spencer 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 Leak seconded the motion and it unanimously carried to adjourn to closed session.

At 9:15 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.

A discussion ensued regarding a retreat by Council. Mayor Parker stated that he would like each Councilmember to bring one project to discuss. The retreat will be held the same date, December 13, 2011, as the agenda workshop. Dinner will be served at 6:00 p.m. and the meeting will begin at 6:30 p.m. in the upstairs council room of the Municipal Building located at 303 West Church St., Laurinburg, NC

Mayor Parker also stated that he would like Council to discuss the consolidation of the city and county's tax departments as well as discussing a water authority.

## **ADJOURNMENT**

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

The meeting adjourned at 9:26 p.m.

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Thomas W. Parker III, Mayor

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Dolores A. Hammond, City Clerk