

**CITY OF LAURINBURG
COUNCIL MEETING
DECEMBER 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 December 20 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, Mary Jo Adams, and Andrew G. Williamson, Jr.

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 7:00 p.m.

APPROVAL OF AGENDA

Motion was made by Councilmember Leak, seconded by Councilmember Adams, and unanimously carried to adopt the agenda as presented.

PUBLIC COMMENT PERIOD

Mayor Parker explained that the Public Comment Period was going to be held in the beginning of council meetings instead of the end.

There was no one present to address Council.

**RECOGNITION OF RETIRING EMPLOYEES, DEE HAMMOND (26 YEARS) AND
BILL PEELE (31 YEARS)**

Mayor Parker presented a plaque to Dee Hammond for her 26 years of service to the City of Laurinburg as follows:

***APPRECIATION
To
DOLORES "DEE" A. HAMMOND
CITY CLERK
MAY 1999 - DECEMBER 2011***

***INTERIM CITY MANAGER
APRIL 2009 - JULY 2009
JANUARY 2005 - AUGUST 2005***

**ADMINISTRATIVE SUPPORT ASSISTANT/DEPUTY CITY CLERK
MARCH 1985 - MAY 1999**

In special tribute to Dolores “Dee” A. Hammond for her dedicated public service as City Clerk, Interim City Manager, and Administrative Support Assistant/Deputy City Clerk.

The Laurinburg City Council expresses its sincere appreciation for her unselfish and tireless efforts to serve the citizens of Laurinburg. Throughout her tenure at the City of Laurinburg, Dee upheld the highest standards of service ensuring that every citizen was treated fairly and promptly, and that the business of the City was conducted properly. As a result of her hard work and devotion to her career, Dee was elected President of the North Carolina Municipal Clerks Association from August 2009-July 2010 and proudly represented the City. Her dedication and love for this community made her a true public servant.

Presented this the 20th day of December, 2011.

*Thomas W. Parker, III
Mayor*

*Kenton Spencer
Mayor Pro Tempore*

*Herbert M. Rainer, Jr.
Councilmember*

*Kenton Spencer
Councilmember*

*Mary Jo Adams
Councilmember*

*Andrew G. Williamson, Jr.
Councilmember*

Mrs. Hammond thanked the Mayor and Council, previous Mayors and Councils she has served and especially the employees of the City.

Mayor Parker presented a plaque to Bill Peele for his 31 years of service to the City of Laurinburg as follows:

**APPRECIATION TO
WILLIAM “BILL” E. PEELE
PLANNER/CODE ENFORCEMENT OFFICER/BUILDING INSPECTOR
APRIL 1980-DECEMBER 2011**

In special tribute to William “Bill” E. Peele for his dedicated public service as the Planner/Code Enforcement Officer/Building Inspector.

The Laurinburg City Council expresses its sincere appreciation for his tireless and unselfish service to the citizens of Laurinburg. Throughout his 31 years of service, Bill ensured that the interests of the citizens and the community were protected and preserved. His invaluable contributions of knowledge, time and sound judgment made him the epitome of a public servant.

The community is a much better place to live and grow because of his service.

Presented this the 20th day of December, 2011.

*Thomas W. Parker, III
Mayor*

*Kenton Spencer
Mayor Pro Tempore*

*Herbert M. Rainer, Jr.
Councilmember*

*Curtis B. Leak
Councilmember*

*Mary Jo Adams
Councilmember*

*Andrew G. Williamson, Jr.
Councilmember*

Mayor Parker recognized Senator William R. Purcell, II to comment as former Mayor and councilmember. Senator Purcell stated that his relationship with the Peele family went back many years. He added that it was a great honor to recognize Mr. Peele for his many years of service to the City and to the community. He stated that he was present on behalf of Governor Beverly Eades Perdue to present one of the most prestigious awards that the Governor awards in North Carolina. He explained that this award is given to people with proven records of extraordinary service to the State who have served over 30 years and given extra efforts in their careers and dedicated service to the State. He added that in receiving this award, Mr. Peele would join people like Charles Kuralt, Reverend Billy Graham, Michael Jordan, Bob Timberlake, Scotland County long-time Superior Court Judge Craig Ellis and long-time Scotland County Clerk of Court Whit Gibson. Senator Purcell then read the award as follows:

Beverly Eades Perdue, Governor

Proposing special confidence in integrity, learning and zeal of William E. Peele, I do by these presents confer the Order of the Longleaf Pine with the rank of Ambassador Extraordinary privileged to enjoy fully all rights granted to members of this exalted Order among which is a special privilege to propose the following North Carolina Toast in select company anywhere in the free world:

*Here's to the land of the long leaf pine
The summer land where the sun doth shine,
Where the weak grow strong and the strong grow great,
Here's to "Down Home," the Old North State!*

Beverly E. Perdue, December 20, 2011.

Mr. Peele stated that this was overwhelming. He thanked everyone for the honor.

Mayor Parker stated that recognizing two (2) great employees for their dedicated and lengthy service to the citizens of Laurinburg and to the Council. He added that a reception honoring Dee Hammond would be held on December 22, 2011 from 3:00 p.m. until 6:00 p.m. in the council

chambers. He further added that Mr. Peele’s retirement lunch had already been held.

EMPLOYEE SERVICE RECOGNITIONS

Mayor Parker presented Service Pins to the following employees for their years of service as indicated:

EMPLOYEE	YEARS OF SERVICE	EMPLOYEE	YEARS OF SERVICE
Robert Ellis	30	Linda Terry	30
Chris Strickland	15	Lisa Howell	15
Mary McNeill	15	Jeremy White	5
Jane Patterson	5	Cynthia Leggette	5

Mr. Ellis stated that it was great to work with such a great group of people and that young people should consider a career in local government.

Mrs. Terry stated she enjoyed working for the City.

Mrs. McNeill stated the City is a great place to work and she enjoys all of her coworkers.

Mr. White stated that it was honor being with the Laurinburg Police Department.

The following individuals were not present to be recognized:

EMPLOYEE	YEARS OF SERVICE	EMPLOYEE	YEARS OF SERVICE
John Evans	25	Eric Deese	15
Brian Morrison	15	Randy Strickland	15
Phillip Johnson	15	Tim Tippet	15
Tim Maynor	15	Patrick Barton	10
Joey Hunt	10	Terrence Ellison	10
Daniel Campbell	10	Mitchell Mishue	5
James Hunt	5	Robert Smith	5

CONSENT AGENDA

The City Manager reviewed the consent agenda.

- a. Approve minutes from the October 18, 2011 regular meeting; November 15, 2011 agenda workshop; November 22, 2011 organizational meeting; and November 22, 2011 regular meeting
- b. Consider setting date for public hearing January 17, 2012 at 7:00 p.m. in the upstairs council room of the Municipal Building located at 303 West Church Street to hear a request to rezone a 23-acre tract of land on Woodlawn Street from Residential-6 and Residential-15 to Office/Institutional
- c. Annual Firefighters Certification
- d. Consider Ordinance No. O-2011-22 condemning the property located at 606 E. Covington Street directing the Building Inspector to demolish the dwelling (estimated

- demolition costs \$8,500.00)
- e. Consider Ordinance No. O-2011-23 condemning the property located at 255 Dickson Street and directing the Building Inspector to demolish the dwelling (estimated demolition costs \$4,500.00)
 - f. Consider Resolution No. R-2011-21 approving the City of Laurinburg Facebook Policy.

Mrs. Brandi Deese stated that the estimated cost for demolition of 606 E. Covington St. was \$8,500.00 and that the estimated condemnation cost of 255 Dickson Street was \$4,500.00. She cautioned that asbestos testing had not been performed and if asbestos is found in either building, the demolition costs will increase.

Upon question by Councilmember Spencer, Mr. Burchins stated that \$40,000.00 was budgeted for demolitions and less than half of that amount had been used.

Councilmember Leak expressed concern about demolition occurring near the courthouse. Mrs. Deese stated she would check on that to ensure safety.

Councilmember Leak moved for the approval of the Consent Agenda as presented with demolition costs included in items d. and e. Councilmember Williams seconded the motion, and it was approved by the following vote:

Ayes: Leak, Adams, Rainer, Williamson, Spencer

Nays: None

(Copies of the following on file in the City Clerk's Office: Ordinance No. O-2011-22, Ordinance No. O-2011-23 and Resolution No. R-2011-21)

PUBLIC HEARING TO CLOSEOUT THE 2009 COMMUNITY DEVELOPMENT BLOCK GRANT INFRASTRUCTURE PROJECT 09-C-2015

The City Manager explained this public hearing is to closeout the 2009 Community Development Block Grant Infrastructure Project on West Boulevard.

Mrs. Brandi Deese stated that in accordance with the regulations of the North Carolina Department of Commerce, a public hearing must be held before final closeout of the Scottish Glen Phase II/West Boulevard Grant. She added that the grant was in the amount of \$250,000.00 which represented 96% of the total project costs.

Mayor Parker declared the public hearing open.

There was no one to speak for or against the closeout of the 2009 Community Development Block Grant Infrastructure Project 09-C-2015.

Mayor Parker closed the public hearing.

PUBLIC HEARING TO CONSIDER APPLICATION FOR COMMUNITY DEVELOPMENT BLOCK GRANT FROM THE DEPARTMENT OF COMMERCE

The City Manager explained that this public hearing was to consider application for Community

Development Block Grant (CDBG). He added that the City holds a blanket public hearing in the event the City decides to apply for any CDBG funds during the year 2012. He further added that this first public hearing is required, and if the City decides on a future project another public hearing would be required.

Mayor Parker declared the public hearing open.

There was no one to speak for or against this matter.

Mayor Parker closed the public hearing.

PUBLIC HEARING TO REZONE FROM RESIDENTIAL-15 TO GENERAL BUSINESS CONDITIONAL USE DISTRICT PROPERTY LOCATED AT 907 S. MAIN ST. TO OPERATE A BAKERY

Mrs. Brandi Deese explained that Mr. Lester Forde requested that 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. She added that Mr. Forde never considered this property for commercial use; however, with his family history in the bakery business, he was open to the use of the property as a bakery provided the use of the property is limited to a bakery only. She explained that with the Conditional Use District zoning, if the bakery is not successful, the property would revert back to residential use. She further added that this request will be in harmony with the surrounding area and the conditional use district zoning provides for the intended use without opening it up to the entire range of uses permitted in the General Business zoning district.

Upon question by Councilmember Leak, Mrs. Deese stated that there had not been any opposition to the request.

Upon questions by Councilmember Spencer, Mrs. Deese explained that when a conditional use permit is requested, Council considers whether the intended use could be compatible for the property as currently zoned and may determine any conditions that need to be placed upon the use. She further explained that the Conditional Use District rezoning is used if the developer has a set developmental plan. She added that when a developer meets with Planning staff to consider rezoning property or requesting a conditional use permit, staff advises the developer as to what would be best, but ultimately the decision remains with the developer whether they apply for rezoning or a conditional use permit. If the property is sold, the zoning goes with the land.

Mayor Parker declared the hearing open.

Ms. Christy Leviner, representing McMillan Rentals, appeared before Council and stated that McMillan Rentals would be renting the subject property for the owner. She added that there would be few changes to the property other than a sign in the front yard and the possibility of a few trees removed from the side yard.

Upon question by Councilmember Leak, Mrs. Deese explained that once the site plan had been submitted, staff would determine the number of parking spaces required.

There was no present to speak in opposition to this request.

Councilmember Rainer explained that he is related to the petitioner and questioned whether he needed to abstain from voting on this request.

The City Clerk explained that unless he had a direct financial interest, he was required to vote.

Councilmember Rainer moved to approve Ordinance No. O-2011-21 which rezones the property located at 907 South Main St. from Residential-15 to General Business Conditional Use District to operate a bakery 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 the vote was as follows:

Ayes: Rainer, Spencer, Leak, Adams, Williamson

Nays: None

(Copy of Ordinance No. O-2011-21 on file in the City Clerk's Office)

RESOLUTION NO. R-2011-19 AUTHORIZING MAYOR AND CITY CLERK TO EXECUTE EASEMENT TO PIEDMONT NATURAL GAS COMPANY, INC. FOR THE AMOUNT OF \$3,000.00, AND APPROVAL OF RESOLUTION NO. R-2011-20 AUTHORIZING MAYOR AND CITY CLERK TO EXECUTE EASEMENT TO PIEDMONT NATURAL GAS COMPANY, INC. FOR THE AMOUNT OF \$75,000.00

Mayor Parker stated that because he and Councilmember Spencer are both on the Board of the Laurinburg-Maxton Airport Commission. He requested that Mayor Pro Tem Spencer preside over the meeting so that he could present information to Council concerning this matter since there were conflicts for the Airport Commission Director and the Commission attorney.

Mr. Thomas Parker of the Laurinburg-Maxton Airport Commission appeared before Council to request Council's approval of Resolution No. R-2011-19 which authorizes the Mayor and City Clerk to execute an easement to Piedmont Natural Gas Company, Inc. for the amount of \$3,000.00 and approval of Resolution No. R-2011-20 which authorizes the Mayor and City Clerk to execute an easement to Piedmont Natural Gas Company, Inc. for the amount of \$75,000.00. He added that the bulk of this money will be repaid to the City of Laurinburg to the indebtedness resulting from the loan from the City to the Airport Commission for the resurfacing project.

Upon question by Councilmember Leak, the City Manager explained that the first payment from the Airport Commission was due June 30, 2012; therefore the Commission would be making an early payment and would also make a payment on June 30, 2012. He further explained that the repayment agreement is for 10 years at 4% interest. He added that the annual payment is \$50,000.00.

Upon question by Councilmember Leak, Mayor Pro Tem Spencer stated that the Town of Maxton Board was considering this matter.

Councilmember Leak moved to adopt Resolution No. R-2011-19 authorizing the Mayor and City Clerk to execute an easement to Piedmont Natural Gas Company, Inc. in the amount of \$3,000.00 and adopt Resolution R-2011-20 authorizing the Mayor and City Clerk to execute easement to Piedmont Natural Gas Company, Inc. in the amount of \$75,000.00. Councilmember Rainer seconded the motion, and it was approved by the following vote:

Ayes: Rainer, Adams, Leak, Spencer, Williamson

Nays: None

(Copy of Resolution No. R-2011-19 and copy of Resolution No. R-2011-20 on file in the City Clerk's Office)

Mayor Parker resumed presiding over the meeting.

AGENDA WORKSHOP SCHEDULE FOR 2012

The City Manager explained that Council needed to consider dates for the agenda workshop for 2012. The following dates are suggested for workshops:

February 14, 2012

March 13, 2012

April 10, 2012

May 15, 2012

June 12, 2012

July 10, 2012

August 14, 2012

September 11, 2012

October 9, 2012

November 13, 2012

December 11, 2012

The City Manager stated that no workshop would be held in January since it conflicted with the Chamber Banquet.

Councilmember Spencer explained that he thought it would be beneficial for Council to hold a January workshop to discuss items that would be discussed at the joint meeting with the Scotland County Board of Commissioners on January 12, 2012.

A discussion ensued concerning items to be discussed at the joint meeting which included consolidation of taxes, consolidation of Information Technology (IT) Departments, the US 74 Lighting Project, Westpoint Stevens Water and Wastewater Plants, law enforcement agencies trading coverage areas for convenience, consolidation of Code Enforcement, Geographic Information System (GIS) and Planning and Zoning.

Following further discussion, motion was made by Councilmember Spencer to approve the Agenda Workshop Schedule amended to add a workshop on January 9, 2012 at 7:00 p.m. The motion was seconded by Councilmember Rainer, and the vote was as follows:

Ayes: Rainer, Williamson, Spencer, Leak, Adams

Nays: None

APPOINTMENTS

LAURINBURG BOARD OF ADJUSTMENT (MAYORAL APPOINTMENT)

Mayor Parker explained that the terms of the following members of the Laurinburg Board of Adjustment expire December 31, 2011:

Members: David Ellison and Iris Hamilton

Alternate Member: Joyce Jewell

He added that all three (3) individuals have expressed a desire to continue serving. Mayor Parker then reappointed David Ellison and Iris Hamilton to serve three-years terms as members of the Laurinburg Board of Adjustment with terms expiring December 31, 2014, and he reappointed Joyce Jewell to a three-year term as an alternate member of the Laurinburg Board of Adjustment with a term expiring December 31, 2014.

FIREMAN'S RELIEF FUND

Mayor Parker explained that the City Manager was appointed by the Council to serve on the Board of Trustees of the Fireman's Relief Fund with a term expiring January 2012; therefore an appointment for the term January 2012 to January 2014 needs to be made.

Motion was made by Councilmember Spencer, seconded by Councilmember Williamson, and unanimously carried to appoint the City Manager to the Fireman's Relief Fund Board of Trustees for a term to expire January 2014.

LUMBER RIVER COUNCIL OF GOVERNMENTS

Mayor Parker explained that Councilmember Spencer has resigned as alternate member to the Lumber River Council of Governments, and therefore, Council will need to make an appointment for an alternate member.

Motion was made by Councilmember Williamson, seconded by Councilmember Adams, and unanimously carried to appoint Mary Jo Adams to the Lumber River Council of Governments as an alternate member.

COMMENTS FROM MAYOR AND COUNCILMEMBERS

Mayor Parker announced that Councilmember Spencer's son won a Christmas card contest in the Scotland County School System.

Mayor Parker explained that he received a letter from Mrs. Ann Stack who was a history teacher in the Scotland County School System concerning the issue of voting districts discussed by several citizens at the November council meeting. He then read the letter, a copy of which is attached to and incorporated in these minutes.

Senator Purcell stated that the voting districts came about by a lawsuit filed by Mary Helen Speller based on the annexation in 1994. He explained that the City could have taken fought the lawsuit in court but instead decided to accept the voting districts.

ADJOURNMENT

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

The meeting adjourned at 7:56 p.m.

Thomas W. Parker III, Mayor

Jennifer A. Tippett, City Clerk

11480 X-Way Rd.
Laurinburg, NC 28352
December 5, 2011

Dear Tommy,

I watched the last city council meeting on television and heard the question asked about voting districts in Laurinburg. The woman asking the question wanted to know why she could only vote for one person on the ballot.

Laurinburg divided into voting districts when Bill Purcell was mayor, in 1994. The drawing of districts was a direct result of the annexation of the southern part of the county into the city, since the majority of us living in the area were white. As a result of a suit filed by Mary Helen Speller, et al, in order to annex us and other areas, the Justice Department required the district voting system so that minorities would have a fair chance at representation on the council. To abide by the Voting Rights Act, the City drew two voting districts. At this point the Justice Department said that the City would be in compliance with the law. I attended a meeting at the Court House where the issue was being debated.

I apologize for the generalizations but I have done so to be brief.

Congratulations on your election.

Sincerely,

A handwritten signature in cursive script, appearing to read "Ann".

Ann

11480 X-Way Rd.
Laurinburg, NC 28352
December 5, 2011

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