

**CITY OF LAURINBURG
COUNCIL MEETING
SEPTEMBER 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 September 20, 2011 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., Kenton T. Spencer, and Joy Ellison.

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 Spencer gave the invocation.

APPROVAL OF AGENDA

Councilmember Leak moved to adopt the agenda. Councilmember Parker seconded the motion and it unanimously carried.

CONSENT AGENDA

The City Manager reviewed the consent agenda.

- a. Approve minutes from the June 16, 2011 budget workshop; the June 20, 2011 budget workshop; the June 21, 2011 regular meeting
- b. Consider setting public hearing to be held October 18, 2011 at 7:00 p.m. in the upstairs council room of the Municipal Building for an amendment to the City of Laurinburg Sign Ordinance
- c. Consider Resolution No. R-2011-09 which authorizes the adoption of updates to the Fair Housing Plan and other adopted plans
- d. Consider Resolution No. R-2011-10 Authorizing Planning Grant Application to the NC Rural Economic Development Center for the City of Laurinburg Bridge Creek Outfall & Basin Evaluation and Preliminary Engineering Report (Per) and authorizes the City Manager to execute documents
- e. Consider piggyback bid for front loading refuse truck to Carolina Environmental Systems, Inc.
- f. Consider piggyback bid for automated side loading refuse truck to Carolina Environmental Systems, Inc.

The City Manager stated that Item C (Fair Housing Plan) does not have to have any formal action at this meeting. He explained that Council reviews the material and that more information will be provided for approval at the October Council meeting.

Councilmember Spencer asked that the budget workshop minutes from the June 20, 2011 be pulled from the consent agenda for correction and placed under the City Manager reports.

Councilmember Ellison moved for the approval of the Consent Agenda as amended with Item C (Fair Housing Plan) being removed for discussion at the October meeting and that the minutes from the June 20, 2011 budget workshop be added under the City Manager reports.

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

Ayes: Parker, Leak, Ellison, Rainer, Spencer

Nays: None

SCOTLAND COUNTY TOURISM DEVELOPMENT AUTHORITY (TDA) CORY HUGHES

Mayor Block introduced Mr. Cory Hughes, Executive Director, for the Scotland County Tourism Development Authority. He stated that Mr. Cory Hughes would discuss lighting on several interchanges on Highway US 74.

Mr. Hughes stated that the purpose of his presentation is talk about the opportunity to place some exit lights on US Highway 74. He then stated that from a tourism standpoint why it makes sense to do so and why the North Carolina Department of Transportation feels that it makes sense as well.

Mr. Hughes gave an overview of the role of the TDA in Scotland County and emphasized that the role of the TDA is to attract and to engage travelers to visit Laurinburg and Scotland County to contribute to the economic growth and well-being. He explained that funding for the TDA is a hotel tax paid by visitors not citizens of Laurinburg/Scotland County.

He also gave an overview of the amount of tourism dollars spent in the County. He reported that according to the North Carolina Department of Commerce tourism in Scotland County generated just under 36 million dollars in expenditures. Mr. Hughes stated that is the highest level that Scotland County has ever experienced. He proceeded to explain other statistics regarding tourism such as jobs, local and state revenue, etc.

He explained that there are two exits along US Highway 74 critical to the economic well being of Scotland County. He stated that within a one-mile radius there are over 50 businesses and entrepreneurs that employ thousands of employees.

Mr. Hughes stated that earlier in the year, the three exits rule was considered and the cost estimated was \$475,000.00 at each of the three exits by the North Carolina Department of Transportation (DOT). He then explained that DOT reviewed and a new estimate of \$687,000; however, DOT decided to do away with the three exist rule and focus the opportunity on the two high commerce exits. The estimated the cost for those two exits dropped to \$455,000.00 to provide at both exits east and west and US Highway 74.

He then stated that the TDA has pledge \$100,000.00 for lighting costs and Mr. David Burns with the DOT has also pledged to match the TDA amount. He informed Council that DOT could not assure that the funds will be available beyond 2011. He stated the final cost is \$255,000.00 to light two exits along US Highway 74.

Mr. Hughes explained that this project is a good opportunity for everyone to work together to help and create jobs and to improve the economy of Laurinburg and Scotland County. He stated that these are shared beliefs of the TDA, the City Council, and the DOT.

Upon question by Mayor Block, Mr. Hughes stated that there are 33,000 cars that travel back and forth along US Highway 74 on a daily basis.

Upon Councilmember Rainer, Mr. Hughes stated that the cost to keep the lights on is approximately \$13,000.00 per year.

Upon question by Councilmember Parker, the City Manager stated that the price of steel increased the original cost estimates.

Upon question by Councilmember Leak, Mr. Hughes stated he had not given the presentation to the Scotland County Commissioners but would be glad to do so.

Councilmember Leak suggested that TDA consider multiple year funding for the remaining \$255,000.00 over a five-six year period.

Mr. Hughes stated that there is capital restrictions (based on by-laws) that limit the amount of money contributed to capital dollars. He explained that there are still dollars invested in the Morgan Complex for approximately four years.

Upon question by Councilmember Spencer, Mr. Hughes based on information he received from DOT there are 33,000 cars a day coming through Laurinburg/Scotland County. He explained that if that number of car increased by one percent and if the number of cars spends \$12.00-\$15.00 that would generate 1.5 million dollars in expenditures and the community would benefit from the sales tax. Mr. Hughes also stated that he is trying to get information from other communities that have exit lights to see how the lights have benefited from the lights.

A discussion ensued on the lights and that more information is needed.

Councilmember Ellison stated that she is impressed with the proposed project, but she would also like the City to look research more residential lighting for citizens as well.

There was a consensus that the City Manager and Mr. Hughes work together to resolve some of the issues expressed this evening, look at the City's overall finances, and research how the lighting of residential areas could also fit into the scenario. They also agreed that Mr. Hughes should obtain a vehicle count during the hours that the lights are lit.

Mr. Hughes stated that he would gather information from other communities regarding revenue and safety where exit lights have been erected.

There was also a consensus that Mr. Hughes return to the October meeting to provide more information.

PRESENTATION TO BETTY COOPER, RETIRED EMPLOYEE

Mayor Block recognized Mrs. Betty Cooper and presented her a plaque and a City pin for her dedicated service to the City of Laurinburg over the last five years.

JIM WILLIS, LAURINBURG DOWNTOWN REVITALIZATION CORPORATION (LDRC) REPORT

Mayor Block introduced Mr. Jim Willis, President of the LDRC appeared before Council to give a report on the direction of LDRC.

Mr. Willis began by giving a brief history of LDRC. He explained that in 1987 times were good in Laurinburg and Scotland County. He stated that unemployment was about eight percent, industry was good and the American Dream was being fulfilled. He then stated that the statistics were reflected in the downtown area with multiple clothing stores, drug stores, jewelry stores, furniture stores, variety stores and specialty store. He shared that the downtown area was the retail and economic center of the community.

Mr. Willis stated that Belk Department Store was in the downtown area and it announced they were leaving the downtown area. He explained that this was the signal that change was coming.

He then proceeded to explained how that Mr. Peter Batchelor and his Urban Design Assistance Team was contacted which a four-day workshop was held to develop a plan for the downtown area. Mr. Willis stated that he feels that this plan is still a sound guide to follow.

He explained that other groups have identified the downtown area as a key element in community development. He stated that the 2006 Scotland County Economic Summit recommended, "increasing the viability of downtown Laurinburg". He also explained that the Scotland County 21st Century Communities Action plan set a goal to "Strengthen local business infrastructure, redevelop, and revitalize downtown Laurinburg. Mr. Willis then stated that the downtown area is the face of the community, the historic, governmental and economic center that is a reflection of the community's overall status.

Mr. Willis commented, "Where are we now". He explained that the situation is much different. The industrial base has changed, unemployment remains at record highs and the downtown area has empty building with many in need of repair.

He then proceeded to list initiatives which are underway for LDRC which are as follows:

- Removal of old signs (in process of getting permission from property owners to take down);
- Replacement of canvas awnings on naked frames;
- Parking lot lease (in process of acquiring property owners signatures); and
- Fountain in City parking lot (improve and beautify this structure);

Mr. Willis stated he would like the City to partner with LDRC on three of the items presented.

He informed Council that LDRC is potentially planning on partnering with Tim Brown to help guide the downtown revitalization efforts. He explained that Mr. Brown has worked with the Town of Maxton and the City of Bennettsville to improve their downtown. He stated that Mr. Brown in a licensed general contract in North and South Carolina.

Mr. Willis stated it is the desire of LDRC to use some of its current funds to begin some of the initiatives stated. He also explained that at this time there is not a director but is looking forward to the time when a

director is needed once again.

Following further discussion, upon question by Mayor Block, Mr. Willis stated that there is a very diverse business group in the downtown area and that because of the language barrier, a one on one conversation may be needed with those business partners. He stated that he is willing to participate in a downtown meeting with whoever desires to meet.

Upon question by Councilmember Spencer, Mr. Willis stated that Mr. Brown would help with the costs associated with improving the downtown area.

A discussion ensued on the funds that are allotted to LDRC in contingency in the General Fund of the City of Laurinburg's budget.

Motion was made by Councilmember Spencer, seconded by Councilmember Parker, and unanimously carried to release the funds allocated in the contingency line item of the General Fund of the City of Laurinburg's 2011-2012 budget.

YEA (Young Entrepreneurs Academy) - Mrs. Toni Blount

Mrs. Toni Blount, Co-Program Manager for the Young Entrepreneurs Academy and the Scholarship Coordinator for the Scotland County School System appeared before Council to introduce the YEA program to City Council. She stated that Brenda Gilbert, representing the Laurinburg/Scotland County Area Chamber of Commerce is the Co-Program Manager. She stated that Mrs. Gilbert could not attend because of prior travel commitments.

Mrs. Blount stated that over the past few months, Mrs. Gilbert has marketed the academy to the private and home schooled students. She stated that her focus has been on recruitment of the Scotland County school students.

She explained that Mrs. Theresa Lamson, President of the Chamber, learned about the academy through colleagues and the US Chamber of Commerce. She also stated that others partners in this academy are St. Andrews University, the North Carolina Rural Center, and support from the Kaufman Foundation. This academy will be launched in November 2011.

Mrs. Blount informed Council how YEA began. She reported that Laurinburg/Scotland County is the only North Carolina academy.

Mrs. Blount then showed a short DVD on the YEA program. She explained the academy would take middle school and high school students through the process of starting their own real business or social movement over the course of an academic year. The students will brain storm, review and solidify their project into a real business plan. Mrs. Blount stated that then the co-program managers will bring in help from accountants, attorneys, insurance agents, graphic designers, web developers, and business mentors from the Community. She then explained that the students would then refine their plan and make their presentation to a real investor panel.

She then reported that the students would take six field trips to a variety of businesses to learn real world training into the entrepreneur world. She stated that there would be six key instructors. She then stated that the classes would be every Tuesday, 4:00 p.m.-7:00 p.m. at St. Andrews University in the Early College classroom from November 2011 through June 2012. She stated that either she or Mrs. Gilbert would be at the classes or on the field trips.

She continued explaining the program to Council.

Upon question by Mayor Block, Mrs. Blount reiterated that this is the first academy in North Carolina and there are 30 programs in progress and in business for seven years.

Upon question by Councilmember Spencer, Mrs. Blount stated that at this time there are five or six committed scholarships out of twenty available slots.

Upon question by Councilmember Rainer, Mrs. Blount reported that the scholarship is \$295.00 for a student to attend the whole program.

A discussion ensued on the YEA Program and Councilmember Spencer motioned that the City set up a scholarship for the YEA program for five students that are qualified with funds being disbursed from the City of Laurinburg Youth Council budget line item. Councilmember Rainer seconded the motion and it unanimously carried.

SCOTT REDINGER, NORTH CAROLINA INDIAN HOUSING AUTHORITY PRESENTATION

Mr. Scott Redinger introduced Ms. Margrit Bergholz with the North Carolina Financing Agency and Ms. Barbara Melvin the Executive Director of the North Carolina Indian Housing Authority.

He stated that they would like to explain a plan to develop and build 12 apartment units on a property on Homer Street for persons with disabilities. He explained that Manis Custom Homes Builders would be the building for this project. He also stated that Manis Custom Homes is located in Scotland County.

Ms. Margrit Bergholz stated that the North Carolina Financing Agency is a self-supporting state agency that finances a wide variety of affordable housing types across the State of North Carolina. She explained that she works with the supportive housing development program that gives loans to non-profits in units of local government to develop emergency transitional and permanent housing for people who need services to maintain themselves in housing.

She then explained the funds available to help develop capacity of non-profit organizations in rural areas to create and manage supportive housing. She stated that Scotland County was chosen as a pilot site for this project because of the high economic need and the availability of the Indian Housing Authority.

Ms. Barbara Melvin, Director of the North Carolina Indian Housing Authority (NCIHA), stated that these units are not just for Indians. She explained NCIHA has been in affordable housing since the early 90's. She explained that the NCIHA builds affordable housing for persons with disabilities. She then explained that these residents would have to be able to be independent. She stated that there would be a property manager approximately three days per week, maintenance would be provided, a screening process for applicants is in place, and the project would be monitored.

Ms. Melvin stated that the NCIHA has partnered with other municipalities, other non-profits, and State agencies over the last years to provide housing in different manners. She informed Council

that a project is currently being built in Red Springs, North Carolina.

Upon question by Councilmember Parker, Ms. Melvin stated that normally payment in lieu of taxes is requested by the NCIHA.

Upon question by Councilmember Leak, Ms. Bergholz stated that the facilities would be modular homes built by Manis Custom Homes located in Scotland County.

Mr. Redinger stated that he is asking Council for support regarding this project. He explained that the proposed site, which is under option, is currently zoned for this type and number of apartments.

Mr. Redinger stated that Scotland County was chosen by the NCIHA because of the need for affordable housing for persons with disabilities. He also stated that Scotland County was selected because there is currently a manufactured home builder in Scotland County. He reiterated that this is a program that the State Housing Agency hopes to implement statewide and use other non-profits in other areas of the State.

He stated that the assistance that the City is being asked to help with this project is in applying for a Community Development Block Grant through the North Carolina Division of Community Investment. He explained that his company could not apply directly to the North Carolina Division of Community Investment because the requirement is that the request comes from a unit of local government.

Upon further discussion, Council asked Mr. Redinger to conduct a neighborhood meeting in order to inform the citizens in the proposed area of his plans.

Mr. Redinger stated that he would do so.

Motion was made by Councilmember Leak, seconded by Councilmember Rainer, and unanimously carried that Mr. Redinger's staff and City staff work together to get a full understanding of the programs and what the City requirements would be in applying for the grant and bring back to Council to discuss at the agenda workshop in October.

BOB BELL-TREES/TREE LIMBS FALLING DURING STORMS

Mr. Bob Bell, the City's Human Resource and Safety Officer, gave Council a report on the City's trees.

Mr. Bell explained that staff as well as the contractor who trims and cuts City trees work together to evaluate trees in the City. He stated that if a storm comes through and causes damages to a citizen's property, they could contact his office. He then stated that he would take the information about the incident, take pictures at the location, and then file a claim with the City's property and liability insurance carrier. He then explained that the insurance carrier processes the claim, reviews the information, the adjuster makes a site visit, and then makes a determination based on State law.

The Assistant City Attorney stated that the only liability that the City has is if the City knew or reasonably should have known a dangerous condition exists that is likely to cause damage to a citizen's property. He further stated that most incidents (such as storms, strong winds) are considered an act of God. Councilmember Leak stated that the reason he wanted the issue addressed on the agenda is that the City's trees are aging and some of the limbs are falling onto citizens' property. He also stated that he had received calls from citizens that stated there was an orange circle on some trees and he informed them that

the circle indicates that a tree will be addressed for takedown or trimming.

Mr. Bell commented that if Council or a citizen notices a tree that seems to be a concern, please call the City and someone would investigate.

Councilmember Ellison stated that she feels that if there is not a plan in place to address the aging trees, that staff should address the issue expedite and begin developing a plan.

The City Manager stated that a member from North Carolina State to help evaluate the trees and Mrs. Deese is in the process of addressing some of those problem trees.

Councilmember Rainer stated that he would like staff to research what the cost and what would take the City to have its own tree crew to take care of tree takedowns and trimmings. He suggested that employees could be cross-trained especially those that have seasonal duties.

The City Manager stated that staff would provide the information before the proposed budget workshops begin for 2012-2013. He also stated that Council could discuss the in-house tree unit at the next retreat.

Upon question by Mayor Block, Mr. Bell stated that this is the worst year for storms that have taken trees down.

Upon question by Mayor Block, Mrs. Brandi Deese stated that there is long list of trees that need to be addressed. She stated that staff is working hard to get the list of trees taken care of as well as developing a plan to address the older trees.

Upon question by Councilmember Ellison, Mrs. Deese stated that there a number of large trees that are aging and will be an increasing problem for staff.

Mayor Block stated that for clarification of trees, the City only addresses trees in the rights-of-way.

Mrs. Deese stated that citizens can call the Barrett Building and someone can go out and determine if a tree is in the right-of-way. She explained that staff could also give advice as to whether the tree is healthy or needs to be taken down. Mrs. Deese also stated that the trees are trimmed or taken down by a private contractor.

CONSIDER CHANGING AGENDA WORKSHOP DATE TO WEDNESDAY, OCTOBER 12, 2011

The City Manager explained that the candidates' forum for Municipal Elections is scheduled Tuesday, October 11, 2011 at 6:00 p.m. at the Scotland County Courthouse. He informed Council that this is also the night of the agenda workshop and if Council so chooses, can change the date in order to participate in this event.

Motion was made by Councilmember Leak, seconded by Councilmember Spencer, and unanimously carried to change the Agenda Workshop date from October 11, 2011 to October 12, 2011 at 7:00 p.m. in the conference room of the W. Charles Barrett Building located at 305 West Church St., Laurinburg, NC.

Councilmember Spencer stated that the June 20, 2011 minutes, page 354, paragraph six states that "the proposed budget has been compiled, the City has received a \$3,000.00 grant". Councilmember Spencer stated that the number should be changed to reflect a \$5,000.00 grant.

Councilmember Leak stated that he thought the \$3,000.00 was the correct amount.

Motion was made by Councilmember Spencer, seconded by Councilmember Ellison, and unanimously carried to change the \$3,000.00 figure to \$5,000.00.

APPOINTMENTS

LAURINBURG DOWNTOWN REVITALIZATION CORPORATION (LDRC) APPOINTMENT

Mayor Block stated that a recommendation has been made to appoint Mrs. Brandi Deese to fill the unexpired term of the City Manager to the LDRC Board. The term will expire July 2013.

Motion was made by Councilmember Parker, seconded by Councilmember Leak, and unanimously carried to appoint Mrs. Brandi Deese to fill the unexpired term of the City Manager to expire July 2013.

CRIME AND DRUG COMMITTEE

The City Manager stated that the City has received six applications to be considered for appointment to the crime and drug committee. He informed Council that the following citizens have submitted applications:

Wanda Bethea	Brenda Gilbert
John Cary Easterling, III	Loretta Rena McNeil
Desiree Block	Neil Carter

He then stated that Scotland County has appointed four members. They are:

Pat Fields	Tony Harrington
Amanda Martin	Donna Store

The City Manager then gave the list of ex officio members which are:

Duke Williams, City of Laurinburg Police Department
Earl Haywood, Scotland County Sheriff's Department

He explained that the Scotland County Court System, Scotland County School System, and the City of Laurinburg Youth Council has not yet recommended appointments'

He then explained that two applications were received on this date, September 20, 2011, one being Sybil Kelly and Rhonda Jane Patterson. Ms. Patterson is outside the City limits; therefore, her application will be forwarded to the Scotland County Commissioners for consideration. The City Manager stated that there would be an organizational meeting October 13, 2011 at 6:00 p.m. in the upstairs council room of the Municipal Building.

Motion was made by Councilmember Parker, seconded by Councilmember Leak, and unanimously carried to appoint Wanda Bethea, Brenda Gilbert, John Cary Easterling, III, Loretta Rena McNeil, Desiree Block, Neil Carter, and Sybil Kelly to the Crime and Drug Committee.

APPOINT VOTING DELEGATE AND ALTERNATE VOTING DELEGATE FOR THE NORTH CAROLINA LEAGUE OF MUNICIPALITIES (NCLM) BUSINESS MEETING AT THE CONFERENCE TO BE HELD IN OCTOBER

Mayor Block stated that a voting delegate and an alternate voting delegate needs to be appointed in order to vote at the upcoming business meeting of the NCLM business meeting.

Councilmember Rainer motioned to appoint the City Manager as the voting delegate and Councilmember Leak as the alternate voting delegate. Councilmember Spencer seconded the motion and it unanimously carried.

COMMENTS FROM MAYOR AND/OR COUNCILMEMBERS

Councilmember Spencer informed everyone that Belk is having a charity sale November 5, 2011, 6:00 a.m. – 10:00 a.m. He explained that part of the proceeds would go to restoring the Hope Center. He stated that this is a good example of a non-profits working together.

Mayor Block reminded citizens that the Kuumba Festival is being held this weekend, September 23-24, 201 at Market Park.

PUBLIC COMMENT

Mr. Walter Rogers appeared before Council to discuss senior trees in the community. He stated that he has noticed that the City trees are aging. He explained that in less than 90 days, he has observed five different instances where trees are falling on his property or close to it.

He informed Council that of the trees that fell wiped out the service to one of his rental properties and will cost him over \$700.00 to be re-connected. He explained that Scotland County would require new services once the service has been disconnected from the location.

Mr. Rogers suggested that the City look at its trees and inventory trees that are diseased, decayed, or dying before a storm might hit.

Mr. Rogers stated that he understood Mr. Bell's report on trees and the "act of God" when it comes to storms, but trees are falling without a storm approaching or happening.

He then explained that it costs citizens to have to replace their service because of a City tree or tree limb falling on their property.

Upon question by Councilmember Rainer, Mr. Rogers stated that the Scotland County Electrical Department has additional requirements when the service has been disconnected.

The City Manager stated that once the service has been disconnected, that the requirement is that the reconnection be brought up to Electrical code.

A discussion ensued regarding trees, tree limbs falling, and Mr. Rogers's requirement to bring his service up to code by Scotland County.

CLOSED SESSION

At 9:24 p.m., motion was made by Councilmember Parker to go into closed session pursuant to North Carolina General Statute 143-318.11(a)(3), to consult with the attorney employed or retained by the City of Laurinburg in order to preserve the attorney-client privilege between the attorney and the City Council relating to Carolina Transformer litigation.

At 9:38 p.m., Councilmember Parker, seconded by Councilmember Rainer, motioned to resume the open meeting.

Motion was made by Councilmember Parker, seconded by Councilmember Spencer, and unanimously carried to authorize the City Manager and City Clerk to approve and execute any and all documents necessary to settle claims against parties in accord with the recommendations of the attorneys representing the City as part of the Carolina Transformer Contribution Claim Group.

ADJOURNMENT

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

The meeting adjourned at 9:40 p.m.

Thomas W. Parker III, Mayor

Dolores A. Hammond, City Clerk