

**Town of Eastover - Town Council Meeting
Tuesday, January 6, 2009, 7:00 p.m.
Eastover Community Center**

Mayor Charles G. McLaurin, Presiding Council Members: Lawrence Buffaloe, Willie Geddie, Cheryl Hudson, Donald Hudson, Benny Pearce, and Sara Piland

MINUTES OF MEETING – January 6, 2009

Mayor Charles G. McLaurin, Council Members Lawrence Buffaloe, Donald Hudson, Sara Piland, Willie Geddie, Cheryl Hudson and Benny Pearce were in attendance at the January 6, 2009 Eastover Town Council Meeting. A quorum was present at the Town Council Meeting. Also in attendance was Mr. Matt Rooney from the Cumberland County Joint Planning & Inspections Department, Mr. John Jackson, town attorney, Mr. Thomas Taylor, Interim Town Manager, and Jane Faircloth, town clerk.

I. Call to Order:

Mayor Charles McLaurin called the January 6, 2009 meeting of the Eastover Town Council to order at 7:00 p.m., and welcomed all in attendance. Mayor McLaurin introduced Eastover's new Interim Town Manager, Mr. Thomas Taylor.

II. Invocation / Pledge of Allegiance:

Council Member Sara Piland gave the invocation and led the attendees in The Pledge of Allegiance.

III. Public Comments:

There were no public comments.

IV. Approval of Agenda:

Council Member Sara Piland made a motion to approve the January 6, 2009 Agenda, and requested that Mr. Matt Rooney give the Council an update on the timelines for the 2030 Growth Plan at the end of the meeting. The motion was 2nd by Council Member Cheryl Hudson. The motion was carried unanimously.

V. Consent Agenda:

- 1. Consider approval of the December 2, 2008 minutes.**
- 2. Consider approval of the December 10, 2008 minutes, Special Meeting.**

3. Consider approval of the December 23, 2008 minutes, Special Meeting.

Council Member Sara Piland made a motion to approve the Consent Agenda as stated. The motion was 2nd by Council Member Lawrence Buffaloe. The motion was carried unanimously.

VI. Discussion Agenda:

Agenda Item # 1:

Presentation from the McFadyen & Sumner, CPAs PA Firm concerning the 2007-2008 Audit for the Town of Eastover.

Mr. David Maxwell, CPA gave a briefing concerning the results of the Town of Eastover's Budget for 2007-2008 to the Mayor and Town Council. He stated that they had to take a different approach this year, as this is year one and we have no data to compare to a previous year. The State is looking to determine if your books are in order and in compliance with the U.S. Generally Accepted Auditing Standards. **I am happy to report that the Town of Eastover has a "clean audit opinion", and we saw no material deficiencies.**

Mr. Maxwell stated management is responsible for the selection and use of appropriate policies. In accordance with the terms of our engagement letter, they will advise the Town Council about the appropriateness of accounting policies and their application. The significant accounting policies used by the Town of Eastover are described in Note 1 of the financial statements. He stated no new accounting policies were adopted and the application of existing policies were not changed during the year. Mr. Maxwell stated they noted no transactions entered into by the governmental unit during the year for which there is a lack of authoritative guidance or consensus. There are no significant transactions that have been recognized in the financial statements in a different period than when the transactions occurred.

Mr. Maxwell stated that they encountered no difficulties in dealing with management in performing and completing our audit. Mr. Maxwell stated that this report is submitted to the Department of State Treasury, and more specifically to the Local Government Commission (LGC) and must be submitted each year. He stated that the LGC looks to see what kind of opinion the auditors rendered to the Town for the past year. Mr. Maxwell stated that in private business Financial Profit & Loss statements are known as the "Balance Sheet". The Government tends to use different terms, such as the "Balance Sheet", and is now known as the "Statement of Net Assets", also known as "Net Worth". The Town of Eastover total of net assets, as of end of year June 30, 2008 was \$186,151. The Town of Eastover's expenditures for the year ending June 30, 2008 were \$176,501 and our revenues were \$506,483. There are normally three primary departments. He stated that we are only dealing with the "General Fund", as we do not have water, sewer funds, etc. The Town has general government, public safety and fire departments, parks & recreation. The General Government is anything that is not required to be reported in any other specific department. In our case it is anything that is not fire, police or parks and recreation.

To determine the fund balance the equation is **assets minus liabilities = fund balance**. Mr. Maxwell stated that the average expenditures across the State are 65%. If we drop below 8% in the General Fund the State will really get nervous. The Town of Eastover's General Fund is 9.2%, however we have not had time to build up the reserves. Eastover does have a low percentage point but it is understandable at this time, as we have only been a Town for one year.

The average tax rate in North Carolina is .31 cents per \$100 evaluation. Eastover's tax rate is 20.5 cents per \$100 evaluation. The Town of Eastover' property taxes are billed and collected by Cumberland County. Eastover is well below what other towns in our population size, are charging for their tax rate. Eastover' property taxes are being collected at 97.56%, and motor vehicle taxes at 85% by Cumberland County. The LGC will be pleased with these percentages.

The other part of the audit is where we discuss other issues. Procedures for cash / check disbursements are being required to have two signatures. Invoices should be reviewed and annotated that they have been approved. Sales tax the Town pays can be recouped from the State. The Sales Tax paid should be separated from the actual cost and entered into CitiPak - Southern Software as a separate item, so a claim can be filed with the State for reimbursement within six months of the close of the fiscal year. Year 2007-2008 the sales tax the Town could have recouped was approximately \$180, which we did not. Most all towns use the CitiPak-Southern Software Program.

Mr. Maxwell stated we need a Personnel Policy Manual and is something the Town needs to do in the future. There is a State Policy Manual that would be a great source in preparing our manual.

Mr. Maxwell thanked Council Member Cheryl Hudson and Town Clerk Jane Faircloth for their support, and stated they have only positive things to say.

Council Member Sara Piland and Mayor McLaurin thanked Mr. Maxwell for such a thorough report, and commended Council Member Cheryl Hudson, and Jane Faircloth for their efforts in getting the Town through the first year.

Agenda Item # 2:

Consider the needs of the Eastover and Vander Fire Departments.

Chief Mark McLaurin from the Eastover Fire Department presented the needs of the Fire Department to the Town Council. The letter presented to the Town Council was prioritized, with number one as being the top priority. Priority one is the "Structural Firefighting Protective Clothing Replacement" which consists of coats, pants, gloves, helmets, and hoods, which are due for replacement. The projected costs of these items are \$29,201. Chief McLaurin stated that the Eastover Fire Departments area of support encompasses 37 miles. The population density is contained within the Town of Eastover. As you travel north, our district ends at Rich Walker Road, we cover to the Cape Fear River, City of Fayetteville, and the district line breaks about middle way Murphy Road. Mayor McLaurin stated that the Town of Eastover is approximately 11 square miles.

Council Member Sara Piland asked if they cover 40% of the population of the Town of Eastover? Chief McLaurin stated he did not have any figures with him at the meeting. He stated

that about 50% of the calls they receive are within the Town of Eastover. A small percentage (about 50 parcels) goes to Vander Fire Department on Rock Hill Road. Anything other than a single dwelling fire we have automatic assistance.

Council Member Benny Pearce stated that at the last Council Meeting he had recommended that we go as far as our budget would allow in assisting the Eastover Fire Department, and with an appropriate amount going to the Vander Fire Department. He stated that Council Member Cheryl Hudson was not at the last meeting, and we did not know the dollar amount budgeted for the Fire Departments.

Council Member Cheryl Hudson stated that we originally budgeted an incentive for Eastover \$12,000 and Vander \$1,000. This was based on a percentage of collections for the fire taxes, and budgeted on a percentage basis. Mayor McLaurin asked if the Town could pay the other \$17,000 for the Priority one for the Eastover Fire Department. Council Member Cheryl Hudson stated that she would have to go back to the budget, and prepare a budget amendment before that could occur. She also stated that they should revisit the budget to determine where these funds will come from.

Mayor McLaurin stated that we would come to the next Town Council Meeting better prepared to answer this proposal. Mayor McLaurin thanked Chief McLaurin and Danny Matthews from the Eastover Fire Department, and stated the Council will continue this discussion at the next meeting.

Agenda Item # 3:

Consider Case No. 09-002- Property of Otis & Joyce Thames- Subdivision Review. Property location: Southwest side of SR 1722 (Beard Road), and Northwest of SR 2828 (Ballpark Road).

Mr. Matt Rooney from the Cumberland County Planning & Inspections Department briefed the Council on Case No. 09-002. Mr. Rooney stated that the developer is proposing to divide two lots out of 62.02 total acres. The proposed lot is zoned R40 and Lot 3 has split zoning of R40 and RR zoning districts. Combined, the proposed lots will have 600.84 feet of road frontage along SR 1722 (Beard Road). This site is served by public water and sewer provided by the Eastover Sanitary District. This tract is being subdivided into two additional lots. One lot was divided in December 2008. This is subject to the conditions stated on the condition sheet in your packet on Case No. 09-002.

Council Member Sara Piland made a motion to approve Case No. 09-002 subject to the conditions presented by Cumberland County. The motion was 2nd by Council Member Benny Pearce. The motion was carried unanimously.

Agenda Item # 4:

Consider payment to Howard Piland Jr. for services performed at the Town Hall.

Mayor McLaurin stated that Howard Piland Jr. has been doing work at the Town Hall, especially during the move of furniture. Mr. Piland has not been compensated for this work.

Council Member Sara Piland asked to be excused from the discussion and voting of Howard Piland, Jr. She stated that Howard Jr. is her son and had rather not participate in this agenda item. Council Member Lawrence Buffaloe made a motion to excuse Council Member Sara Piland from this agenda item. The motion was 2nd by Council Member Cheryl Hudson. The vote was unanimous.

Mayor McLaurin asked the Town Clerk for her comments. Ms Faircloth stated that Mr. Piland has done so much work at the Town Hall, other than the Website. He is constantly helping the Town Hall reinstalling computers, copiers and solving many network problems that have occurred. He personally purchased a large cabinet to house the Town's server/back-up system for the Town's data. Mr. Piland has not been reimbursed, nor has he asked to be reimbursed for these services. Ms. Faircloth stated she feels the Town should reimburse Howard Piland, Jr. for these services, and future services he provides to us.

Mayor McLaurin suggested that we prepare a retainer contract at a minimal fee and have Howard Jr. on call for services. Attorney John Jackson stated if we are going to do this we need a Consultation Contract prepared. The Town Manager, Mr. Taylor stated that the current work he has done falls under professional services and if we have budgeted for this type of funds, we could pay the current bill by motion tonight. Council Member Cheryl Hudson stated that there are funds budgeted for professional services. Mr. Taylor stated we should have Mr. Piland submit a bill for these services (amount unknown at this time), and have Mr. Piland prepare a Consultation Agreement to the Town for future services with a rate to be agreed upon.

Council Member Lawrence Buffaloe made a motion to authorize Mr. Piland to submit a bill to the Town for payment, and present a "Retainer Type Contract" at the next Town Council Meeting for consideration. The motion was 2nd by Council Member Donald Hudson. The motion was carried unanimously.

Agenda Item #5

Consider a Special Work Session during the week of January 12, 2009 to discuss a Plan of Work with the Interim Town Manager.

Council Member Benny Pearce suggested that the Town Council work this into the schedule when Congressman Mike McIntyre comes to the Town Hall on January 12, 2009. Council Member Sara Piland stated that they had a meeting scheduled with Ms. McPherson from the USDA after Congressman McIntyre. She stated that she would call Ms. McPherson and reschedule the appointment. All agreed they would meet after Congressman McIntyre's meeting.

Council Member Lawrence Buffaloe made a motion to hold the Special Work Session after Congressman McIntyre's meeting on January 12, 2009. The motion was 2nd by Council Member Sara Piland. The motion was carried unanimously.

VIII. Receive Mayor's Update:

1. Mayor McLaurin stated that we needed a telephone for the Interim Town Manager's desk. The Mayor asked if the Council wanted a phone with just another handset, or two phone lines. Council Member Cheryl Hudson asked if we need two phone lines. Mr. Taylor, Interim Town Manager asked what the Town's plan is concerning building a Town Hall, as this should be considered prior to investing money into the present building. Mayor McLaurin stated the Town would be located at its present location for quite a while, and that the Town is not in a position financially to do anything at this point. Attorney John Jackson stated that the Town should be careful, as Eastover has not had a Town Manager before and we need to set a dollar amount that he can authorize for purchases (i.e. supplies, etc.). Normally this is done in the budget process. Council Member Sara Piland stated that we do not need to make a motion concerning this issue. Council Member Benny Pearce stated just fix the problem. Council Member Cheryl stated that she has a portable phone with an extra hand set the Town could use.

2. Mayor McLaurin stated that several community residents have asked about the Town having a shredder truck coming to the Town Hall or Fire Department for a day to shred personal papers. The cost would be \$100 per hour, with a minimum of 4 hours. He stated that some of the neighboring Towns have done this for their residents. Council Member Benny Pearce stated that there is a provision through the Solid Waste Department that they do shredding free, if the person takes the items to be shredded to them. The Mayor and Council decided that this is not something the Town would want to pursue.

Update from Mr. Matt Rooney on the timelines on the 2030 Growth Vision Plan.

Mr. Matt Rooney from the Cumberland County Planning & Inspections Department talked about the Growth Vision Plan. He stated that he first talked about the results back in November 2008 at the first Community Forum. He stated we are going to further discuss the Growth Vision Plan at the February 3, 2009 Community Forum. We should have approval of the Growth Vision Plan during the first quarter, with the Town's holding Public Hearings in April 2009. If any of you have any individual concerns, we can talk about them at the Community Forum on February 3, 2009. Mr. Rooney stated that the Town Council should be getting together comments concerning the Growth Vision Plan. These comments should be submitted to Mr. Tom Lloyd of the Cumberland County Planning & Inspections Department. Council Member Sara Piland stated that we had sent a letter to Mr. Lloyd asking him to ensure that Eastover was included in the Recreation part and further comments to come. We also need to make recommendation to the Planning Board, and also to the Cumberland County Board of Commissioners. Each Board would hold Public Hearings on the 2030 Growth Vision Plan. Because it involves Public Hearings, advertising would have to be done. Mr. Rooney stated that the schedule could possibly be changed; however this was their marching order as of this date. He stated that we would try to tie some of the issues from the last Community Forum to the 2030 Growth Vision Plan at the February 3, 2009 meeting. Council Member Sara Piland stated that the February 3, 2009 would be in lieu of a Town Council Meeting. Attorney John Jackson stated that the 2030 Growth Vision Plan was a very important document.

Council Members Sara Piland and Lawrence Buffaloe both stated that the residents input

from the Community Forum and the 2030 Growth Plan must be intertwined. Mr. Matt Rooney stated that the community wanted to preserve the rural character, but how the Town goes about doing this must be determined. Council Member Sara Piland stated how does the Town maintains a rural environment in a growing community, and we have to help people see ways of doing this. Attorney John Jackson stated that Eastover has made more comments and had more interest in the 2030 Growth Plan than any other Town he has worked with.

IX. Receive Council Members Update.

1. Council Member Willie Geddie asked about the Eastover Sanitary District. He stated that he is getting a lot of calls for them. Mr. Geddie stated he refers people to Mr. Morgan Johnson but they say they cannot get up with him. The town clerk stated they then call the Town Hall for information, and people are referred to Mr. Morgan Johnson again. Council Member Sara Piland stated that Mr. Johnson should come to a Town Council Meeting and brief the Council at a meeting after the Community Forum.

2. Council Member Willie Geddie asked if the Book Mobile comes to Eastover. Council Member Cheryl Hudson stated that they use to come to the Day Care Centers, but does not know if this service is still performed. She stated that he would have to call the Public Library to get this information. Since the fire at the Cumberland County Public Library, they have delayed the service until the books are cleaned. Council Member Benny Pearce stated he had heard that it would be a couple more months before the downtown library is functional again.

3. The Interim Town Manager, Mr. Tom Taylor stated that the 2009 Legislative Session would be held in Pinehurst on January 24, from 10 until 12. He stated that Council Member Sara Piland is planning to attend.

Mr. Taylor stated that he would be on vacation the week of January 16-24. He stated this was preplanned, and he hated to take leave when just starting a new job.

4. Attorney John Jackson stated that as a matter of interest since this is our first audit, he routinely must certify certain things to the auditor. He stated that he receives a letter from the auditor, and if anyone knows of any potential claims he must be made aware, as this is part of his certification to the auditor.

5. Attorney Jackson stated he is finishing up the “pre-clearance letter” to the State Legislature on the annexation. He will be contacting Representative Rick Glazier and Senator Tony Rand regarding the information they need to do the ratification process, in the upcoming legislature.

6. Attorney Jackson stated he finally had gotten a call from Mr. Strickland, attorney for the Sheriff’s Office concerning the ordinances we may propose. He stated that Mr. Strickland informed him that he could go through the website, and get a table of contents and pick the ones that I wanted. The Cumberland County’s website shows the Code of Ordinances. Once we do this, there is a service in which the Town can buy a loose-leaf notebook and it would be a good investment for the Town. The Code Five part of this notebook would be a good reference document, such as Animal Control etc. He stated that that he would be in touch with the Town Manager, and get those ordinances the Town wants to adopt.

7. Council Member Lawrence Buffaloe asked about for clarification as to what the Town was to present to Congressman Mike McIntyre at the on September 12, 2009 meeting. Council Member Sara Piland stated that the Congressman's aid stated he wanted the town's ideal's on the "economic turn down" as to how it is affecting our area, and wanted our suggestions/ ideals. Council Member Piland stated that Congressman McIntyre also wants to update us on Legislative Issues. Mayor McLaurin stated that we should mention the I-295 and the post office issue to the Congressman. Council Member Sara Piland stated that Mr. Tony McEwen, Aid to the Congressman, had stated to her that he may be able to help us on the Post Office issue at another time. She stated that the Council Members should send a list to the Town Manager and he will prepare a list of items to present to Congressman McIntyre.

8. Mayor McLaurin asked the auditor David Maxwell if the Town wanted to save money to acquire property for a Town Hall, would that be considered/counted as "Reserve Funds". Mr. Maxwell stated that, yes it would be Reserve Funds.

X. Motion to Adjourn at 8.25 p.m.

Mayor Charles G. McLaurin asked for a motion to adjourn. Council Member Benny Pearce made the motion to adjourn. The motion was 2nd by Council Member Sara Piland. The motion was approved unanimously.

Town of Eastover

Charles G. McLaurin, Mayor

Attest: _____, Town Clerk
Jane F. Faircloth