

Town of Eastover - Town Council Meeting & Community Forum
Tuesday, April 7, 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–April 7, 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 April 7, 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 April 7, 2009 meeting of the Eastover Town Council to order at 7:00 p.m. and welcomed all in attendance.

II. Invocation / Pledge of Allegiance:

Council Member Willie Geddie gave the invocation and led the attendees in The Pledge of Allegiance.

III. Recognitions:

Mayor Charles McLaurin recognized Mr. Chadwick Braxton Royal for heroism. Mr. Royal rescued an elderly lady from a fire in our community. The Mayor presented Mr. Royal with a letter of recognition from the Town of Eastover, and the Town of Eastover coin. Mr. Royal is a member of the State Bureau of Investigation (SBI), and the Town is very proud of his actions.

IV. Public Comments:

One individual (Mr. Danny Matthews, Eastover Fire Department) signed up to speak.

Mr. Danny Matthews presented the Mayor a copy of the Eastover Fire Department's audit report, as required by law, and the contract between the Town of Eastover and the Fire Department. He stated that he would be happy to answer any questions. No questions were asked. The Mayor gave the audit report to Council Member Cheryl Hudson as she is the Finance Officer for the Town. The Finance Officer will review and report on this audit to the Town Council at a later date.

V. Approval of Agenda:

Town Manager requested that a motion be made to add Item #9 to the Discussion Agenda. Council Member Sara Piland made a motion to amend the April 7, 2009, Discussion Agenda to add Item #9 to read as follows: "Consider Resolution and Air Quality Ozone Standards and Early Action Compact Request. The motion to amend the Agenda was 2nd by Council Member Cheryl Hudson. The motion was carried unanimously.

A motion to approve the Agenda with the amendment was made by Council Member Donald Hudson. The motion was 2nd by Council Member Benny Pearce. The motion was carried unanimously.

VI. Consent Agenda:

Consider approval of the March 3, 2009 minutes.

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

VII. Discussion Agenda:

Agenda Item #1:

Briefing from Mr. Michael Gibson, Director of the Fayetteville-Cumberland County Parks and Recreation Department.

Mr. Michael Gibson, Director of the Fayetteville-Cumberland County Parks and Recreation Department gave a briefing to the Mayor and Town Council. Mr. Gibson gave the Town Council a brief of his experience. Mr. Gibson gave the Mayor and Town Council members a copy of the Parks & Recreation Master Plan for Fayetteville-Cumberland County Parks & Recreation Department dated April 17, 2006. Eastover is not included in this plan as we were not incorporated at that time. Mr. Gibson asked the Town Council at what intervals they would like for him to update them on issues concerning the Town of Eastover. He stated that there is a definite difference in urban versus rural recreation. The Urban environment is space limited; therefore playgrounds and recreational areas are needed. The rural environment has much larger areas of play for children. Most of the yards in the rural area are larger than the parks in an urban area. He stated that one thing we have found out is that all should look the same, urban or rural. All children need slides, swing sets, monkey bars, etc. on which to play, whether they live in an urban or rural environment. Mr. Gibson stated that they are adding more ball fields and a soccer field at the Eastover Ball Park and hope to add a play station for young pre-school children. Perhaps with the Town's help we could add a walking trail. The play ground would be accessible during the day time, and the Park would not be just a ball field. The Eastover Ball Park should be like all parks in the Fayetteville-Cumberland area, and we are working toward that goal.

Mayor McLaurin asked Mr. Gibson what the plans were for the undeveloped area at the Eastover Ball Park? Mr. Gibson stated that additional parking spaces will be added, a multi-purpose field and another ball field in the back. We are going to add swings and move the "warm-up area" outside of the area where people walk. This should be done within the next three weeks. Mayor McLaurin informed Mr. Gibson that the Eastover Sanitary District is running

sewer lines out there in the area he was talking about. Mr. Gibson stated that this is something he needs to know, and we need to keep him informed of what is happening in the area.

Council Member Lawrence Buffaloe asked Mr. Gibson about the Budget shown in the "Master Plan" he had given to them. Mr. Buffaloe asked if this included the things he had been talking about. This is based on what the population was based on that time. This is only an estimate based at that time. Mr. Gibson stated that we have a member on the Advisory Board, Mr. Tom Cain. Mayor McLaurin stated we want a representative on the Parks & Recreation Board. Mr. Gibson stated we can ask, and come to the Advisory Board and present our opinions to them. Attorney Jackson asked when the Budget would be submitted. Mr. Gibson stated very soon. Mr. Jackson stated we must get with the program to get our input into the Budget. The Mayor and Town Council thanked Mr. Gibson for the wealth of information and want him to come back again soon.

Agenda Item #2:

Presentation of the February 28, 2009 Financial Report.

Council Member Cheryl Hudson briefed the Town Council on the Financial Report as of February 28, 2009. She stated the beginning bank balance as of July 1, 2008 is \$133,285.29; add deposits of \$864,279.00; and less disbursements of \$574,836.51; leaving a balance of \$422,727.78; less accounts payable (Sales Tax Collected) in the amount of \$50,417.77. Funds available as of February 28, 2009 are \$372,310.01.

Agenda Item # 3:

Consider approval of Budget Amendment No. 02-2009.

Council Member Cheryl Hudson briefed the Town Council on Budget Amendment No. 02-2009. Ms. Hudson stated be it ordained by the Governing Board of the Town of Eastover, NC that the following amendment is made to the annual budget ordinance for the fiscal year ending June 30, 2009.

Section 1. To amend the General Fund, the expenditures are to be changed by departments as follows: Increase Administration by \$14,000.00; Fire Department by \$43,000.00; and Recreation Department by \$18,000.00. This will result in a net increase of \$75,000.00 in the expenditures of the General Fund.

To provide the additional revenue for the above, the following revenues will be increased. Property Taxes increased by \$75,000.00. The total General Fund Budget with amendment is \$1,274,382.00.

Section 2. Copies of this budget amendment shall be furnished to the Clerk of the Governing Board for her direction.

Council Member Cheryl Hudson made a motion to adopt Budget Amendment No. 02-2009 as stated. The motion was 2nd by Council Member Benny Pearce. The motion was carried unanimously.

Agenda Item #4:

Consider payroll and salary adjustment.

Council Member Cheryl Hudson stated that the Town Manager had researched the average salary for the Town Clerks, and Eastover is below the amount for a town our size. Council Member Cheryl Hudson recommended the Town Clerk's salary be increased from \$12.00 per

hour to \$15.00 per hour effectively immediately. Our Town Clerk has been with us since January 2008, over a year. Council Member Sara Piland stated it is important for the Town to know that the Town Clerk is the one who got us headed in the right direction. She stated that the Clerk is a detailed oriented person and she feels we are getting a bargain at \$15.00 per hour. Mayor McLaurin stated we appreciate all that she does for us. Council Member Cheryl Hudson stated the Town Clerk has experience and a financial background.

Council Member Cheryl Hudson made a motion to increase the pay of the Town Clerk from \$12.00 to \$15.00 per hour immediately. The motion was 2nd by Council Member Sara Piland. The motion was carried unanimously.

Agenda Item # 5:

Presentation from Council Member Cheryl Hudson concerning donation to Cape Fear High School for recycling canisters.

Council Member Cheryl Hudson gave a briefing concerning the recycling canisters for Cape Fear High School. She stated this issue was tabled from the last Town Council Meeting. She stated that she obtained information from the School Board Attorney that it is legal and acceptable for a school to accept funds from a municipality.

Council Member Cheryl Hudson made a motion to donate \$750.00 from the Town of Eastover, for the purchase of 10 sets of recycling canisters for Cape Fear High School. The motion was 2nd by Council Member Sara Piland. The motion was carried unanimously.

Agenda Item # 6:

Consider scheduling a meeting with Planner Matt Rooney to discuss Landscaping and Appearance Ordinances.

Council Member Sara Piland stated that we have been a Town over a year now and still have not set any Ordinances concerning Appearances and Landscaping. We need to set some standards especially in our commercial area. She stated that she had asked Mr. Rooney to show us some Ordinances that have been adopted and how the landscaping and appearance looks in these towns. She stated that we would like to set a date for a meeting to discuss, and see what Mr. Rooney has to show the Town Council concerning this issue.

Council Member Sara Piland made a motion to set the meeting concerning Ordinances for Appearance and Landscaping on Tuesday, April 21, 2009 at 3:30 p.m., at the Eastover Town Hall. The motion was 2nd by Council Member Cheryl Hudson. The motion was carried unanimously.

Agenda Item # 7:

Discuss the 2009-2010 tax levy.

Town Manager, Mr. Tom Taylor addressed the Town Council concerning the 2009-2010 tax levy. Eastover's tax rate is 20.5 cents per \$100 valuation of property we have allocated .05 cents for the Town, 10 ½ cents for the Fire Department, .05 cents for recreation. Our tax collection rate is 98%, which is excellent. In order to be revenue neutral and be back at the \$391,000 we have this year. He stated that we need to reduce our tax rate from 20.5 to 17.5 cent, a .03 cent reduction. He stated if the County takes action to become revenue neutral it would remain the same. Council Member Benny Pearce stated that the County has instructed the County Manager to come back with a revenue neutral Budget. Mr. Pearce stated we need

to find out from the County Manager just what the tax rate is going to be. Mr. Taylor stated that the Town Council will get the Town's 2009-2010 Budget at the May meeting. Mr. Taylor stated that he would advise that the Town Council schedule a Public Hearing on the Budget at the June meeting. The Budget will be adopted sometime in June 2009.

Council Member Sara Piland stated that the Town Council is looking at the \$391,000 as Operating Expenses not Capital, as we are just getting started and are trying to get a Town Hall. Mr. Taylor stated that the Town has no Capital Funds in its current budget. Mr. Taylor stated we did budget \$200,000 for building construction of a new building which could be considered Capital Funds. He stated the letter he sent to the Local Government Commission (LGC) that the Mayor signed, they are cautioning us to build our Fund Balance. The LGC is asking us for a plan to build the Fund Balance to \$800,000 to match towns our size. Mr. Taylor stated if we put \$200,000 per year into the Fund Balance we could reach that goal in four to six years, perhaps earlier. He said we do not have to stick to the \$200,000 nor, the 4 to 6 years, but we do need to show an increase in our Fund Balance. Mr. Taylor stated that the Capitol Reserve Fund also counts toward the Fund Balance. Council Member Benny Pearce stated that we should not be considered a typical town as others our size, we do not have the services other towns have.

Attorney John Jackson stated that he wanted to make a cautionary statement. The LGC is our overriding authority. The LGC will send folks down here to take control over us. He said I think they understand that we are a start up community. Mr. Jackson stated he thinks the LGC wants the plan to achieve the Reserve Balance. He said if we squeak they will look with great scrutiny and they are not dummies. He stated this is the only way we will get into trouble with our money as a Town. The LGC will be flexible if we go with a detailed plan, but they are hard and fast about the Reserve Fund. Council Member Benny Pearce stated that they have a formula and if applied as any town our size, our expenditures would not be like other towns our size. Mr. Tom Taylor stated they use a percentage as other town's budgets are much larger than ours. They use a sliding figure in their computation. The audit report is what prompted the letter from the LGC.

Council Member Lawrence Buffaloe asked Mr. Taylor if he was going to find out what the County tax rates were going to be. Mr. Taylor stated he will leave our tax rate alone. He stated that .01 cent generates \$16,000 up or down in tax revenue. Council Member Sara Piland stated the Town operates on the .05 cent tax rate.

Agenda Item #8:

Consider approval of Resolution No. 02-2009, authorizing application of credit/procurement cards from Branch Bank & Trust for use by the Town of Eastover.

Town Manager, Mr. Tom Taylor stated to the Town Council that an additional paragraph has been added to the Resolution No. 02-2009 as requested by Council Member Sara Piland. This paragraph request that additional checks and balances should be added to Resolution No. 02-2009. He stated that the credit limit on the credit card will be \$5,000.00 and the cards will be held and issued, as needed in the office of the Town Clerk. When the card is issued to an authorized individual, that person will sign for the card and return the card to the Town Clerk upon completion.

Council Member Sara Piland made a motion to approve Resolution No. 02-2009 to authorize (2) Credit Cards be issued from Branch Bank & Trust Company to the Town of Eastover, for official use only. The motion was 2nd by Council Member Willie Geddie. The motion was carried unanimously.

Agenda Item #9:

Consider Resolution and Air Quality Ozone Standards and Early Action Compact request.

Mr. Matt Rooney briefed the Town Council concerning the Air Quality and Early Action Compact Resolution. Mr. Rooney stated at the November 14, 2008 Cumberland County Mayor's Coalition Meeting, the North Carolina Department of the Environment and Natural Resources (NCDENR) presented the proposed ozone no-attainment boundaries for this area. He stated that one of the directives the Coalition gave staff was to continue efforts to pursue an Early Action Compact through letters and resolutions to the Environmental Protection Agency.

Mr. Rooney stated that now the Federal and State governments have designated new administrators, Cumberland County forwarded a letter and resolution for our jurisdiction's consideration. The Town Clerk has put the letter and resolution in the Town of Eastover's format and assigned a Resolution No. 03-2009. Mr. Rooney stated he is asking the Town Council to approve and adopt the Resolution No. 03-2009 concerning the Air Quality and Early Action Compact.

Council Member Sara Piland made a motion to approve and adopt Resolution No. 03-2009 as stated. The motion was 2nd by Council Member Benny Pearce. The motion was carried unanimously.

VIII. Subdivision Review:

Subdivision Review Case No. 09-029: Charles & Kenneth McLaurin property zero lot line Subdivision Review—County Subdivision Ordinance; Zoning: A1 & M(P); Acreage: 18.9 +/-; Location: Northeast Quadrant of I-95 and SR 1831 (Baywood Road), Across from SR 1893 (Gobbler Lane). (Eastover)

The Mayor requested a motion for him to be excused from participation in Subdivision Review Case No. 09-029 and asked the Mayor Pro-Tem to preside. A motion was made by Council Member Benny Pearce to allow Mayor McLaurin to excuse himself from this item and have the Mayor Pro-Tem preside. The motion was 2nd by Council Lawrence Buffaloe. The motion was carried unanimously.

Mr. Matt Rooney briefed the Town Council on Case No. 09-029. He stated this was originally four lots, and is being turned into three lots. This development is located within the Eastover Sanitary District (ESD) Phase Two area and public water should be available in approximately 12 to 15 months from the date of this conditional approval. When public water is available, all new construction will be required to connect to the public system. This conditional approval is contingent upon continued compliance with the County's Subdivision and Zoning Ordinances.

Council Member Sara Piland made a motion to approve Case No. 09-029 subject to the conditions as stated by the County. The motion was 2nd by Council Member Benny Pearce. The motion was carried unanimously.

IX. Mayor's Comments:

1. Mayor McLaurin stated that the Town had received a letter from the Tourism Development Manager, from the Fayetteville Area Convention and Visitors Bureau (FACVB). He stated they are requesting a representative to serve on the "Society of Patriots". Mayor McLaurin stated that he had appointed Council Member Benny Pearce to represent Eastover and serve on the committee.

2. Mayor McLaurin stated that Ms. Irma McPherson, the USDA representative managing stimulus funding for rural areas, will be meeting with County management on Tuesday, May 5, 2009 from 2:00-4:00 at the Cumberland County Department of Social Services (Meeting Room D). Mayor McLaurin encouraged all Town Council members to participate in this opportunity. Attorney John Jackson stated that Ms. Irma McPherson of the USDA is a very critical person, and it would be to our advantage to keep in her good graces. Attorney Jackson stated that Ms. McPherson and Mr. Smith administers and interacts with the towns to help you with your applications and can help get us funds.

3. Mayor McLaurin requested that each Town Council Member submit a nominee for the "2009 Rick Glazier Living Legacy of Leadership Award". This award will be presented to an individual at the May 2, 2009, Heritage Day Celebration. Nominees must be submitted to the Town Clerk no later than 12:00 noon on Monday, April 13, 2009. If your nomination is not received it will not be considered. We must have time to have the plaque made for presentation to the recipient on Heritage Day.

4. Mayor McLaurin stated that the Town has made an "Offer of Purchase" to the Cumberland County School Board for purchasing the Eastover Community Center. The School Board is meeting Thursday night to make their decision. He stated it will then be offered to the Cumberland County Board of Commissioners as required by law.

5. Mayor McLaurin wanted to remind everyone that the Eastover Ball Park Parade will be held on Saturday, April 18, 2009. If you have never seen this event, you need to do so. You can see just how many kids are really involved in this.

X. Council Members Update:

1. Council Member Benny Pearce stated that he attended a meeting April 6, 2009, at Fayetteville Technical Community College concerning funding. The Legislative Delegation was in attendance and they pointed out that funds are available from USDA for capital outlay for small towns. He stated that this will make the meeting on May 5, 2009 with Ms. Irma McPherson even more important and a good thing for the Town to attend.

2. Attorney John Jackson stated that today about 12:30 the Senate Bill regarding the "Annexation Bill" confirmation left the Senate for the House. He stated it is well on its way. Also, we have received our preclearance letter on the Annexation; and the Resolution the Town passed regarding "Absentee Balloting" has been forwarded to the Department of Justice (DOJ). Mr. Jackson stated that he anticipates getting a letter from the DOJ, so he can get Ms. Terri Robinson, Board of Elections a copy of the letter by May 6, 2009.

XI. Town Managers Update:

1. Mr. Tom Taylor, Town Manager stated the Town had received a letter from the Town of Wade. They are inviting the Town of Eastover to their Founders Day Celebration on June 6, 2009. We could purchase an Advertisement in their Historic Souvenir Book.

2. Mr. Tom Taylor stated that we received a letter this week from the Department of Revenue, stating an overpayment of Sales and Use Taxes. He said since they have overpaid us, they are going to start taking the overpayment back, and this will begin in April and continue through October. Mr. Taylor stated our overpayment is only \$7,000 so we will not be hurt greatly by that.

3. Mr. Taylor stated that he attended the Rick Management Seminar held in Aberdeen, NC on March 10, 2009. The host for this seminar was the North Carolina League of Municipalities (NCLM). Mr. Taylor stated that he did not really learn anything new, except that the NCLM is viable and is being funded. He stated that they are in good shape.

4. Mr. Taylor informed the Mayor that he met with Mr. James Martin, Cumberland County Manager and they have begun establishing a working relationship.

XII. Motion to Adjourn at 8:25 p.m.

Mayor Charles G. McLaurin asked for a motion to adjourn. Council Member Cheryl Hudson made the motion to adjourn. The motion was 2nd by Council Member Lawrence Buffaloe. The motion was approved unanimously.

Town of Eastover

Charles G. McLaurin, Mayor

Attest: _____, **Town Clerk**
Jane F. Faircloth