

**Town of Eastover - Town Council Meeting
Tuesday, May 3, 2011, 7:00 p.m.
Eastover Community Center**

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

MINUTES OF MEETING – May 3, 2011

Mayor Charles G. McLaurin, Council Members, Donald Hudson, Lawrence Buffaloe, Cheryl Hudson, Willie Geddie, Sara Piland and Benny Pearce were in attendance at the May 3, 2011 Eastover Town Council Meeting. A quorum was present at the Town Council Meeting. Also in attendance was, Mr. John Jackson, Town Attorney, Mr. Kim Nazarchyk, Town Manager, Mr. Matt Rooney, Cumberland County Planning & Inspections Department, and Ms. Jane Faircloth, Town Clerk.

I. Call to Order:

Mayor Charles McLaurin called the May 3, 2011 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 Donald Hudson gave the invocation and lead in the Pledge of Allegiance.

III. Proclamations:

- (1) “**Air Quality Awareness Week**”- Read by Town Manager Kim Nazarchyk.
- (2) “**Food Allergy Awareness Week**”- Read by Council Member Sara Piland.
- (3) “**National Day of Prayer**” - Read by Council Member Cheryl Hudson.

IV. Approval of Agenda:

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

V. Public Comments:

None.

VI. Consent Agenda:

1. Consider approval of the April 5, 2011 Town Council Minutes.

2. Consider approval of the March 31, 2011 Financial Report
3. Consider approval of the April 21, 2011 Special Meeting Minutes.

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

VII. Discussion Agenda:

Agenda Item #1:

PUBLIC HEARING: Case No. P11-11: REZONING OF 1.94 +/- ACRES FROM A1 AGRICULTURE TO R40 RESIDENTIAL OR TOA MORE RESTRICTIVE ZONING DISTRICT, LOCATED AT 3530 MURPHY ROAD, SUBMITTED BY EDNA H. AND DONALD L. MURPHY (OWNERS).

Mayor Charles McLaurin **Opened** the Public Hearing. Mayor McLaurin asked if anyone had signed up to speak for or against the Case No. P11-11. The Town Clerk replied no.

Mr. Matt Rooney of the Cumberland County Planning & Inspections Department presented the case to the Council. Mr. Rooney stated that there is no water and sewer available at this time on this property. However; ESD stated that water available in 3 to 6 months. He stated that there is hydric - TR Torhunta and Lynn Haven soils on the property. He said the Planning & Inspections Staff recommends approval of the R40 Residential district for this request based on the following:

1. The district requested is consistent with the 2030 Comprehensive Plan, which calls for “rural” and “community growth areas” at this location, as well as meeting the location criteria for rural density residential development as listed in the Land Use Policies Plan; and

2. The request will ensure comparable lot sizes with the one acre lots currently recommended for this area in the Eastover Land Use Policies Plan and the pending Northeastern Cumberland Study. There are no other districts considered suitable for this request.

Mr. Rooney stated that the Planning Board approved the zoning request.

Mayor McLaurin asked for any discussion on Case No. P11-11. There was no discussion and no one signed up to speak for or against this case.

Mayor McLaurin asked for a motion to **Close** the Public Hearing.

Council Member Cheryl Hudson made a motion to accept closing the Public Hearing. The motion was 2nd by Council Member Sara Piland. The motion was approved unanimously.

Council Member Cheryl Hudson made a motion to **approve** Case No. P11-11. The motion was 2nd by Council Member Sara Piland. The motion was approved unanimously.

Agenda Item #2:

CASE NO. 11-041. CONSIDER ATION OF THE PHIL SMITH PROPERTY, REQUEST FOR A GROUP DEVELOPMENT REVIEW. COUNTY SUBDIVISION ORDINANCE; ZONING: R6A; TOTAL ACERAGE: 1.14 +/-; LOCATION 3548 BEARD ROAD. (EASTOVER)

Mr. Matt Rooney briefed the Council on Case No. 11-041. He stated that the developer is requesting approval of an addition of a manufactured home to be placed on the property. There is an existing home located on the property. The property has 228.04 feet of road frontage along SR 1722 (Beard Road). Mr. Rooney stated that this property has Eastover Sanitary District's water and sewer located along the front of the property within the right-of-way of SR 1722 (Beard Road). Mr. Rooney stated that prior to application for the building final inspection, a fire hydrant must be installed along SR 1722 (Beard Road); hydrants must be located no further than 1,000 feet apart and a maximum of 500 feet from any lot.

Council Member Sara Piland stated that the fire hydrant must be installed by the property owner as one of the conditions, and Mr. Rooney replied yes. The property owner made no statements concerning this case to the Council. No further discussion on Case No 11-041 was made by the Council or the property owner.

Council Member Lawrence Buffaloe made a motion to approve Case No. 11-041 with the conditions as specified by the Cumberland County Planning & Inspections Department. The motion was 2nd by Council Member Donald Hudson. The motion was approved unanimously.

Agenda Item #3:

Review and Update of Zoning Ordinance by Mr. Matt Rooney, Cumberland County Planning & Inspections Department.

Mr. Matt Rooney gave the Council an update on the Zoning Ordinance. Mr. Rooney stated that there are 5 minor changes and 10 major changes to the zoning ordinance. The main change is that there will be no longer be a requirement to have the Quasi-Judicial Hearings for variances, special and conditional use district and permit hearings. It will now be a straight rezoning. One of the minor changes is that non residential depended on size of building for paved parking spaces. It is no longer required to do so; however handicapped parking spaces still must be paved.

Council Member Sara Piland stated that she did not want a "Tiger Swan" in Eastover, as was the case on Highway 53 in the Cedar Creek area. She stated such cases should come before the Planning Board, not the Board of Adjustments so it can have a full review process. Council Member Donald Hudson stated that he wants Eastover's A1 Zoning to be different from Cumberland County, and perhaps we can prevent any more firing ranges (i.e. "Tiger Swan"). Council Member Sara Piland requested that the Town Manager to be proactive and change our A1 Zoning so we do not have a situation like Cedar Creek.

Council Member Piland made a motion for the Town Manager to have an alternative to A1 property for certain uses that would require an opportunity for the affected residents to offer their input and provide a full review process, and have it for the next Town Council Meeting. The motion was 2nd by Council Member Cheryl Hudson. The motion was approved unanimously.

Agenda Item #4:

Presentation of Preliminary Budget for Fiscal Year July 1, 2011- June 30, 2012.

Mr. Kim Nazarchyk presented the Fiscal Year 2012 budget to the Town Council. He stated that this is our 5th year and we have an excellent fund balance. He stated that our tax base increased slightly. The 20 1/2 percent per \$100 evaluation will stay the same. We will still have the zoning, street lighting, recreation and fire departments. He stated that the budget was sent to each Council Member prior to this meeting for your review and or changes. No changes were reported by Council. Mr. Nazarchyk requested that the Town hold a Public Hearing on the FY 2012 Budget on June 7, 2011 at the Eastover Community Center at 7:00 p.m.

Council Member Benny Pearce made a motion to hold the Public Hearing on June 7, 2011 for FY 2012 Budget for the Town of Eastover. The motion was 2nd by Council Member Cheryl Hudson. The motion was approved unanimously.

Agenda Item #5:

Mayor McLaurin stated that the Town would present Mrs. Eloise Talley a "Resolution of Gratitude" for her contributions to the Town of Eastover. This will be presented to Mrs. Talley at a ceremony at 9:30 a.m. at Woodland Park on Heritage Day, May 6, 2011.

Council Member Sara Piland made a motion to approve the Resolution of Gratitude for Ms. Talley. The motion was 2nd by Council Member Benny Pearce. The motion was approved unanimously.

IX. Receive Mayors Update:

Mayor McLaurin reminded everyone of Heritage Day, May 6, 2011 from 10:00 a.m. to 4:00 p.m. The Civic Association has worked very hard to have the best ever.

Mayor McLaurin stated that Council Member Cheryl Hudson and several community citizens picked up trash along Baywood Road, Draughton Road and James Dail Road. He stated they picked up 31 bags of trash. Mayor thanked them for their service to the community. Council Member Willie Geddie thanked Council Member Cheryl Hudson and the other volunteers for cleaning up James Dail Road.

Mayor McLaurin expressed condolences to Mr. Nazarchyk in the loss of his father-in-law.

Mayor McLaurin asked if anyone had any comments. Mr. Phil Smith asked to make a comment from the audience and was recognized by Mayor McLaurin. Mr. Phil Smith stated he had a complaint concerning the Cumberland County Sheriff's Office. Mr. Smith stated that the alarm went off in his building on Dunn Road and the Deputy that responded could not find the building where the alarm was going off. He stated that the building is behind a house and had a number on the building. He stated that there is no number posted on the road front. Mayor McLaurin informed Mr. Smith that this was not the proper forum and should be addressed to the Cumberland County Sheriff's Office.

X. Receive Council Members Updates:

Council Member Sara Piland commended Mayor McLaurin for all of his personal time and countless hours working on Woodland Park. She stated that the Town is grateful for your service to the Town of Eastover.

Council Member Cheryl Hudson asked the Town Manager where we stand on our Business District consultant. Mr. Nazarchyk stated he is researching and that a consultant will be costly.

Council Member Lawrence Buffaloe stated the water guarantee with PWC expires March 2012 and expressed his concern. Attorney John Jackson stated that PWC has proposed to ESD to be a wholesale water customer of PWC under contract. He stated that Hobbs & Upchurch was doing a study and would be completed before long. Then ESD can choose which is in their best interest. He stated that PWC has presented the contract to ESD for consideration.

XI. Receive Town Managers Update:

Mr. Nazarchyk stated that May 1-7, 2011 is Municipal Clerk's Week. He expressed his gratitude for all that the Town's Clerk does for the Town of Eastover.

Mr. Nazarchyk stated that he attended a class in Raleigh on May 2, 2010, on how to properly destroy florescent light bulbs.

XII. Consider a motion to adjourn.

Mayor Charles McLaurin made a motion to adjourn the meeting at 8:05 p.m. The motion was 2nd by Council Member Benny Pearce. The motion was approved unanimously.

Town of Eastover

Charles G. McLaurin, Mayor

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