

**Town of Eastover - Town Council Meeting  
Tuesday, December 12, 2017 7:00 p.m.  
Eastover Community Center**

**x☐ Mayor Charles G. McLaurin, Presiding;  
Council Members: x☐ Cheryl C. Hudson, x☐ J. Lawrence Buffaloe,  
x☐ M. Stan Crumpler, x☐ Randy P. Lee,  
☐ Benny M. Pearce, x☐ Bruce R. Sykes, and x☐ Lee P. Hedgecoe**

**MINUTES OF MEETING – December 12, 2017**

Mayor Charles G. McLaurin, Council Members: Cheryl C. Hudson, J. Lawrence Buffaloe, M. Stan Crumpler, Bruce R. Sykes, Lee P. Hedgecoe, and Randy P. Lee were in attendance at the December 12, 2017, Eastover Town Council Meeting. A quorum was present at the Town Council Meeting. Council Member Benny Pearce was absent from the meeting, however he provided a written waiver of notice prior to the December 12, 2017, Town Council Meeting. Also in attendance were the Honorable Judge Talmage Baggett Jr., Attorney Tim Smith, Mr. Aaron Barnes, Cumberland County Planning and Inspections Department, Mr. Kim Nazarchyk, Town Manager, and Ms. Elizabeth Bass, Administrative Assistant.

**I. Call to Order:**

Mayor Charles McLaurin called the December 12, 2017 Eastover Town Council meeting to order at 7:00 p.m. and welcomed all in attendance.

**II. Invocation/Pledge of Allegiance:**

Mayor Charles G. McLaurin gave the Invocation and led in the Pledge of Allegiance.

**III. Recognition:**

Mayor McLaurin stated Council Member Benny Pearce has served as a Council Member for the Town of Eastover for 10 years. He said Council Member Pearce helped form the Eastover Township. Mayor McLaurin complimented Council Member Benny Pearce for his wisdom, advice, and faithfulness in service, while serving on the Eastover Town Council.

Each Council Member spoke of Council Member Pearce's service. They said he is a man with few words so when he said something, it was important to pay attention. They said he was very knowledgeable of the Town of Eastover and Cumberland County. He is a thorough man

that believes in researching data and is very competent with computers. The Council wished Council Member Pearce the best in his endeavors and stated he would be greatly missed.

#### **IV. Oaths of Office:**

The Honorable Judge Talmage Baggett administered the Oath of Office to Council Members Lawrence Buffaloe and Randy Lee (4 year term).

The Honorable Judge Talmage Baggett administered the Mayor's Oath of Office to Mayor Charles McLaurin (2 year term).

Mayor Charles McLaurin administered the Oath of Office to Council Member Bruce Sykes.

The November 7, 2017, Municipal Election resulted in Mayor Charles G. McLaurin and Council Members Lawrence Buffaloe and Randy Lee being re-elected. Council Member Bruce Sykes was newly elected. Mayor Charles G. McLaurin and all Town Council Members welcomed Council Member Bruce Sykes to the Council.

#### **V. Nominations:**

Mayor McLaurin asked for nominations for Mayor Pro Tem. Council Member Lawrence Buffaloe made a nomination for Council Member Cheryl Hudson. Mayor McLaurin asked for other nominations. No other nominations were made.

Mayor Charles McLaurin asked for a motion to nominate Council Member Cheryl Hudson for Mayor Pro Tem. Council Member Lawrence Buffaloe made a motion to appoint Council Member Cheryl Hudson as Mayor Pro Tem. The motion was 2nd by Council Member Randy Lee. The vote was unanimous for approval.

#### **VI. Approval of Agenda:**

Mayor Charles McLaurin asked the Council if they had any questions concerning the Agenda. Town Manager Kim Nazarchyk stated Number 5 on the discussion agenda needed to be omitted.

Mayor McLaurin asked for a motion to approve/disapprove the Agenda with the changes.

Council Member Cheryl Hudson made a motion to approve the Agenda with the changes. The motion was 2<sup>nd</sup> by Council Member Stan Crumpler. The vote was unanimous for approval.

**VII. Public Comments:**

**None.**

**VIII. Consent Agenda:**

- 1. Consider approval of the Minutes for the November 14, 2017 Town Council Meeting.**
- 2. Consider approval of the October, 2017 Financial Reports.**
- 3. Consider approval of Town Council Meeting Dates for 2018.**
- 4. Consider approval of Eastover's Observed Holiday Dates for 2018.**

Mayor McLaurin asked the Council if they had any questions concerning the Consent Agenda. There were none.

Mayor McLaurin asked for a motion to approve/disapprove the Consent Agenda as stated. Council Member Lawrence Buffaloe made a motion to approve the Consent Agenda as stated. The motion was 2<sup>nd</sup> by Council Member Stan Crumpler. The vote was unanimous for approval.

**IX. Discussion Agenda:**

**Agenda Item #1:**

**Presentation by Mr. David Maxwell from McFadyen & Sumner CPAs, PA concerning Fiscal Year 2017 Audit for the Town of Eastover.**

Mr. David Maxwell stated the Town of Eastover had a clean audit and there were no deficiencies or irregularities as related to accounting principles. The Town ended 2017 with 3.7 million in the bank which is up \$665,000 over the previous year. In 2016 the balance was 3 million and in 2017 it increased to 3.7 million. Powell Bill Fund receives approximately \$74,000 per year; the funds can accumulate for a period of time but have a time limit. Mr. Maxwell stated he and his firm are keeping an eye on the time limit. Mr. Maxwell stated the Town of Eastover is cash flow positive.

Mr. Maxwell shared a chart with the Town of Eastover's revenues. The revenues are where the Town of Eastover receives funding. For 2017, excluding Parks and Recreation, the total revenues are \$1.638 million up \$27,000 from 2016. Mr. Maxwell stated the Town of Eastover is vastly diversified.

Mr. Maxwell said the next chart shows the overall expenditures for the Town of Eastover. The total expenditures are \$969,000, which is down \$5,000 from 2016. The largest expenditure is police and fire at \$413,000. The second highest expenditure is general government. The General Government expenditure is all expenditures not required to be accounted for in another department. The third highest expenditure is cultural and recreational.

Mr. Maxwell stated there was a management letter in the audit that included recommendations to overcome inherent risks because of the lack of segregation of duties due to the Town of Eastover being so small. Mr. Maxwell said the Council already practices these recommendations such as being faithful in attendance at Council meetings, reviewing the interim financial review, and participating in the budget process. Mr. Maxwell said the Town of Eastover has strong internal controls, policies, and procedures. He said this was an exceptional audit.

Mayor McLaurin asked the Council if they had any questions concerning the Fiscal Year 2017 Audit. There were none.

Mayor McLaurin asked for a motion to approve/disapprove the Fiscal Year 2017 Audit. Council Member Cheryl Hudson made a motion to approve the Fiscal Year 2017 Audit. The motion was 2<sup>nd</sup> by Council Member Stan Crumpler. The vote was unanimous for approval.

**Agenda Item #2:**

**CASE NO.P17-48. REVISION AND AMENDMENT TO THE EASTOVER SUPPLEMENT OF THE CUMBERLAND COUNTY ZONING ORDINANCE AMENDING ARTICLE VIII.I, OVERLAY DISTRICTS, SECTION 801. COMMERCIAL CORE OVERLAY DISTRICT (CCO), SUB-SECTION C. USES ALLOWED; REZONING APPLICATIONS; AND SUB-SECTION D. DEVELOPMENT STANDARDS. (EASTOVER)**

Mayor McLaurin **OPENED** the Public Hearing.

Mr. Aaron Barnes presented Case# P17-48 to the Council. Mr. Barnes said this case is a revision and amendment to the Eastover Supplement of the Cumberland County Zoning Ordinance amending Article VIII.I, Overlay Districts, Section 801. Commercial Core Overlay District (CCO), subsection C. uses allowed; rezoning applications; and Sub-Section D. Developments Standards.

Mr. Barnes stated the following changes to the Eastover Commercial Core Overlay District were proposed:

- All land uses under the existing zoning will be allowed in all cases. Manufactured homes would not be allowed in existing residential districts regardless of the zoning district and those properties currently zoned C2(P), C(P), HS(P), C3 and all industrial districts would be limited to those uses specifically listed in the proposed amendment;
- A minimum street frontage for every new lot created is proposed to be 75 feet in width, essentially eliminating the ability to create “flag lots” within the overlay district;
- The base building area for new construction within the overlay district will be reduced from 65% of the lot area to no more than 45%.

Mr. Barnes also stated all new uses of property and any changed in an existing use shall first require approval of a conditional zoning application prior to commencement of the proposed or change in use. To ensure the primary objective of the district is attained, land uses within the district are limited to the following:

- 1) Any residential use except manufactured homes and manufactured home parks for existing residentially zoned lots; new applications for residential zoning within the district shall not be accepted;
- 2) Uses as allowed in the C1(P) Planned Local Business District and O&I(P), Planned Office and Institutional District;
- 3) Allowed uses from the C2(P) Planned Service and Retail and the C(P) Planned Commercial districts are as follows:
  - Bed and Breakfast;
  - Dwelling (second floor and above or to the rear-see Mixed Use Building Sec. 914-1);
  - Exterminating Services;
  - Farm supplies merchandising and machinery sales/servicing (in accordance with Section 916)
  - Farmer’s Market, open air;
  - Food Production (with on premises retail sales of product);
  - Home Furnishing and Appliance sales;
  - Janitorial Service;
  - Motor Vehicle Rentals;
  - Motor Vehicle Sales, new and used, including motor vehicle auctions;
  - Nursery Ops/Plant Husbandry/Greenhouses;
  - Office supplies and Equipment Sales & Service, Mailbox Service;
  - Pet Sales (excluding kennel activities or outside storage of animals; and
  - Recreation or Amusement Indoor (conducted inside building for profit, not otherwise listed and not regulated by Section 924.

Mr. Barnes stated any changes to this Case would have to start over with the same process.

Mayor McLaurin asked if anyone signed up to speak for or against this case. One person had signed up to speak, they are as follows:

**FOR:**

**None**

**AGAINST:** John McCauley, 2054 Middle Road, Eastover, N.C. 28312

**SPEAKERS FOR:**

**None**

**SPEAKERS AGAINST:**

Mr. John McCauley stated he has lived in Eastover on Middle Road his whole life. Eastover is his home. He understands there are good intentions meant with Case No. P17-48. He stated he has a property adjacent to I-95 behind Circle K on Murphy Road that is not big enough for much. He wants to place a Mini Storage Warehouse on this property. The new Commercial Core Overlay will not allow him to do so. Mr. McCauley stated the property is not visible from any main thoroughfare. He asked the Council to please reconsider this case or allow for exceptions.

After some discussion by the Council, Mayor McLaurin asked for a motion to **CLOSE** the Public Hearing.

Council Member Cheryl Hudson made a motion to close the Public Hearing. The motion was 2<sup>nd</sup> by Council Member Randy Lee. The vote was unanimous for approval.

Mayor McLaurin asked for a motion to approve/disapprove Case No. P17-48 for consistency with the adopted Eastover Area Land Use Plan.

Council Member Stan Crumpler made a motion to approve Case No. P17-48 for **consistency** with the adopted Eastover Area Land Use Plan. The motion was 2<sup>nd</sup> by Council Member Randy Lee. The vote was unanimous for approval.

Mayor McLaurin asked for a motion to approve/disapprove Case No. P17-48 for reasonableness in the public interest because the amendment would preserve the rural character of the community.

Council Member Randy Lee made a motion to approve Case No. P17-48 for **reasonableness** in the public interest because the amendment would preserve the rural character of the community. The motion was 2<sup>nd</sup> by Council Member Stan Crumpler. The vote was unanimous for approval.

Mayor McLaurin asked for a motion to approve/disapprove Case No. P17-48.

Council Member Stan Crumpler made a motion to approve Case No. P17-48. The motion was 2<sup>nd</sup> by Council Member Lawrence Buffaloe. The vote was unanimous for approval.

### **Agenda Item #3:**

#### **Presentation by Ms. Dee Taylor with Cumberland County Community Development.**

Ms. Dee Taylor thanked the Mayor and Council for allowing her to come out and inform them of the upcoming activities Cumberland County Community Development (CCCD) has to offer. Ms. Taylor said the CCCD is developing action plans with all municipalities and she would like to have the Town of Eastover participate.

Ms. Taylor said the CCCD offers a Home-Buyer Assistance Program, Housing Rehabilitation Program, Rental Rehabilitation Program, Affordable Housing Program, Public Service and Public Facility Program, and Business Loan Programs.

Ms. Taylor said the CCCD was offering help to victims of Hurricane Matthew. She said there were several programs available for these victims. They are as follows:

- Single Family Homeowner Rehabilitation
- Single Family Homeowner Reconstruction
- Housing Repair Reimbursement
- Homeowner Buyout
- Mobile Home Repair

To apply one would need to call 910-550-1155 to schedule an appointment. The second step is to visit the application center at 1225 Ramsey Street, Fayetteville, N.C. 28301. From there your case worker will walk you through the process.

Mayor McLaurin asked for a motion to approve/disapprove Resolution 2017-07, to participate with Cumberland County in the Community Development Block Grant-Disaster Recovery (CDBG-DR) Housing Recovery Program.

Council Member Cheryl Hudson made a motion to approve Resolution 2017-07, to participate with Cumberland County in the Community Development Block Grant-Disaster Recovery (CDBG-DR) Housing Recovery Program. The motion was 2<sup>nd</sup> by Council Member Lawrence Buffaloe. The vote was unanimous for approval.

**Agenda Item #4:**

**Consideration of Hold Harmless Agreement to Architect.**

Mr. Nazarchyk informed the Council that this agreement would protect the plans for the New Town Hall for the Town of Eastover. This agreement between Walter Vick and LSV Partnership would give the Town of Eastover sole ownership of the plans to do with as they choose.

After a brief discussion by the Council, Mayor McLaurin asked for a motion to approve/disapprove the Hold Harmless Agreement to the Architect.

Council Member Lee Hedgecoe made a motion to approve the Hold Harmless Agreement to the Architect. The motion was 2<sup>nd</sup> by Council Member Lawrence Buffaloe. The vote was unanimous for approval.

**Agenda Item #5:**

Presentation by Mr. Danny Matthews, President of Eastover Fire Department.

**Removed from Agenda.**

**Agenda Item #6:**

Amendment to Contract for Ballpark Road Construction.

**Tabled until January 9, 2018 Town Council Meeting.**

**X. Receive Mayor's Update:**

- The Town of Eastover and other municipalities pay \$.05 of tax funds to Cumberland County Parks and Recreation Center. These funds are distributed based on Capital Expenditure need.
- \$282,400 was allocated to the Town of Eastover in the year 2015-2016, of those funds \$79,000 is remaining. These funds must be re-allocated so the clearing of the 8 acre lot can be accomplished. After speaking with Cumberland County Parks and Recreation a new proposal was drawn up.

Mayor McLaurin asked for a motion to approve/disapprove the Fayetteville-Cumberland Parks and Recreation proposed changes to funding.



A motion to approve the Fayetteville-Cumberland Parks and Recreation proposed changes to funding was made by Council Member Lawrence Buffaloe. The motion was 2<sup>nd</sup> by Council Member Cheryl Hudson. The vote was unanimous for approval.

- Mayor McLaurin reminded everyone the Flea Drop will be held on December 31<sup>st</sup> at the Eastover Community Building.
- Mayor McLaurin wished everyone a very MERRY CHRISTMAS!

#### **XI. Receive Town Council Update:**

Council Member Randy Lee stated that when the Council makes a decision they must stick by that decision. Unfortunately, it isn't easy to come up with a plan that will satisfy everyone. However, the Council is trying to do what is in the best interest of the Town. Council Member Stan Crumpler stated that standing by the decisions made, could save the Town from undesired ramifications.

Council Member Lawrence Buffaloe said he agreed with both statements, but sometimes allowances may have to be made on some decisions the Council makes. Mayor McLaurin agreed with all of the Council Members'.

#### **XII. Receive Town Managers Update:**

Mr. Nazarchyk stated that on Thursday morning at 9:30 a.m. Mayor McLaurin will be representing the Town of Eastover in giving Salem United Methodist Church \$5,000 for their Food Pantry Program. These funds are from the Cumberland Community Foundation Grant.

Mr. Nazarchyk said Mayor McLaurin will be representing the Town of Eastover on Thursday morning at 10:15 a.m. or 10:30 a.m., in giving Lebanon Baptist Church \$5,000 for their Backpack Buddies program. These funds are from the Cumberland Community Foundation Grant.

Mr. Nazarchyk reminded everyone the Eastover Land Use Planning Committee will be meeting on Thursday at 7:00 p.m. at the Eastover Community Building.

#### **XIII. Closed Session:**

**CLOSED SESSION IN ACCORDANCE WITH GS 143-318.11(a)(3)-ATTORNEY  
CLIENT PRIVILEGE**

Mayor McLaurin asked for a motion to go into Closed Session. Council Member Cheryl Hudson made a motion to go into closed session. Council Member Stan Crumpler 2<sup>nd</sup> the motion. The vote was unanimous for approval.

Mayor McLaurin asked for a motion to return to regular session. A motion was made to come out of closed session by Council Member Cheryl Hudson. The motion was 2<sup>nd</sup> by Council Member Stan Crumpler. The vote was unanimous for approval.

**XIV. Consider a Motion to Adjourn:**

Mayor McLaurin asked for a motion to adjourn.

A motion to adjourn was made by Council Member Lee Hedgecoe at 8:45 p.m. The motion was 2<sup>nd</sup> by Council Member Lawrence Buffaloe. The vote was unanimous for approval.

\_\_\_\_\_, **Administrative Assistant**  
**Elizabeth S. Bass**

**Town of Eastover**

\_\_\_\_\_  
**Charles G. McLaurin, Mayor**

**Attest:** \_\_\_\_\_, **Town Clerk**  
**Jane F. Faircloth**