

**CITY OF LAURINBURG
COUNCIL MEETING
DECEMBER 16, 2008
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 December 16, 2008 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: Rembert DeBerry, Amanda B. Faulk, Curtis B. Leak, Thomas W. Parker, III and Herbert M. Rainer, Jr.

Also present were: Craig F. Honeycutt, 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 DeBerry gave the invocation. Mayor Block then informed everyone that Mr. James Brown who was retired from Gustaf C. Lundin & Company and had audited the City's financial records over the past twenty years had passed away. He asked everyone for a moment of silence in memory of Mr. Brown.

APPROVAL OF MINUTES

Motion was made by Councilmember Leak, seconded by Councilmember DeBerry, and unanimously carried to approve the minutes of the citizen input session held November 6, 2008 and the regular meeting held November 18, 2008.

DELEGATIONS

Laurinburg Downtown Revitalization Corporation Administrative Assistant, Barbara Alexander

Mayor Block introduced Mrs. Barbara Alexander and explained that she is the new Administrative Assistant with Laurinburg Downtown Revitalization Corporation (LDRC).

Recognition of Officers of the Laurinburg Police Department

Chief John Evans stated that on the night of Sunday, November 16, 2008 a robbery occurred at Big Lots of Laurinburg. He then stated that minutes after the robbery Officer Robert Carlisle of the Laurinburg Police Department stopped a vehicle for a minor traffic infraction. He explained that after receiving a description of the robbery suspects, Officer Carlisle realized that the occupants of the vehicle he stopped were the suspects in the robbery. He further explained that when additional officers came to assist Officer Carlisle, the suspects fled in their vehicle. He continued by stating that a chase ensued by several officers led by Lt. Darwin Williams and Officer Carlisle and that upon being stopped, the suspects were taken into custody and charged with multiple offenses. Chief Evans stated that the suspects were found to be convicted felons with one suspect having previously been charged with murder and the other suspect was currently wanted in Columbia, South Carolina.

Upon further investigation by Detectives Brian Gibson and Chris Young with other agencies, more information was found connecting the suspects with even more robberies in other places.

He concluded by stating that a job well done in the apprehension of the dangerous felons merits special recognition of these officers.

Mayor Block presented Police Commendation awards to the following:

Lt. Darwin Williams
 Officer Robert Carlisle
 Detective Brian Gibson
 Detective Chris Young

Gustaf C. Lundin & Company, LLP - Audit Report 2007-2008 Fiscal Year

Mr. Carl Head of Gustaf C. Lundin & Company presented City Council with an expressed unqualified opinion for the 2007-2008 Fiscal Year Audit. The opinion is a good one. He continued by explaining that the General Fund Balance decreased by approximately \$45,000.00; the Electric Fund decreased by approximately \$407,000.00; the Water Fund increased by approximately \$201,000.00; and the Solid Waste Fund increased by approximately \$216,000.00. He stated that in the previous year there were some material deficiencies that he had mentioned and that they have now been corrected. He then stated that one deficiency remains and it has been lowered to significant which is less than a material deficiency. He explained that the significant deficiency deals with auditor preparation of the journal entries and financial statements.

Upon question by Councilmember Parker, Mr. Head stated that the City needs to continue doing what it is doing to correct the significant deficiency. He concluded by stating that progress is being made and that the significant deficiency should be taken off the audit report next year.

Motion was made by Councilmember Faulk, seconded by Councilmember Leak, and unanimously carried to accept the 2007-2008 Fiscal Year Audit Report as submitted.

City of Laurinburg Energy Audits-Brian Morrison, Electrical Services Technician

Mayor Block explained that at the City Council workshop in November, the City Council discussed the possibility of electric rate increases that NCEMPA will be implementing as of February 1, 2009. He added that Brian Morrison, Electrical Services Technician with the City's Electrical Department, was present to discuss energy audits, how such audits are available free to residents and how they can lower residents' costs.

Mr. Brian Morrison appeared before Council and explained the City's Energy Audit and the procedures required for an audit to be conducted.

East Laurinburg Representatives

Mayor Block explained that residents from East Laurinburg have asked, in light of the town's current economic problems and conditions, to talk directly with the City council about options that may be available to the town. Residents, along with the Mayor of East Laurinburg, have requested that the City Manager attend the January 6, 2009 meeting to discuss options and processes.

Mrs. Agnes Freeman Sturdivant appeared before Council on behalf of a number of residents of the Town of East Laurinburg. She stated a petition has been signed requesting that the City of Laurinburg consider annexing the Town of East Laurinburg into the City of Laurinburg. She continued by stating that the residents are concerned about the financial condition and leadership of East Laurinburg's current governmental board.

Mayor Block stated that there are procedures that the Town of East Laurinburg would have to take before any steps towards annexation could occur. He explained that the City of Laurinburg desires to be a good neighbor to the town and would like to help if possible.

Councilmember Leak stated that he was aware that the Mayor of East Laurinburg and some of the residents have asked

Craig Honeycutt, City Manager, to attend its regularly scheduled council meeting on January 6, 2009. It was a consensus among Council that the City Manager attend the meeting to provide clarity to the residents of the town on annexation proceedings.

Mr. Randy Miller, Town of East Laurinburg Mayor, appeared before Council and stated that there has been an audit of the town's recent financial issues and that all was found to be in proper order. He also stated that he would like the City Manager to attend the meeting on January 6, 2009.

(Petition on file in the City Clerk's office)

Training Facility at North Fire Station-David Laviner, President, Scotland County Firefighters Association

Mayor Block explained that Mr. David Laviner, representing the Scotland County Firefighters Association is requesting on behalf of the Association that the City allow the Fire Association to construct a two-story 1,600 square foot building and a 576 square foot four-story training tower on City property behind the North Fire Station. He added that the request is to allow the Association to build the facility with the City to then own and maintain the facility. He further added that if the concept is approved by the City Council, staff will then work on an agreement with the City Attorney and the Association for final approval.

Mr. Laviner then explained that the proposed facility which would enable the members to learn, develop and refine the necessary skills to save their lives and the lives of citizens.

Mr. Laviner then explained that the facility was needed in the area and that having it here would allow members to train in the County rather than away from the community. He explained that training out of the area is not only costly, but reduces emergency resources.

Following discussion, Councilmember Leak expressed that he has concern with locating the facility behind the North Fire Station because of the proximity to a playground, a church, and neighborhood. He stated that he felt that the best location for the proposed facility would be at the same site as the police firing range. This location is behind the old recycling center at Public Works. He then stated that another concern is the accountability of the Association because it does not receive funds from the City or Scotland County.

Mr. Laviner stated that the proposed facility is to be built in memory of a former firefighter (Matt Ellis) who was a member of several fire and rescue organizations in the community.

Mr. Laviner then explained that the facility would consist of a two-story, 36'x40' building and a 12'x12' four-story training tower. He continued by explaining the training days and the number of hours per month. He stated that the Association felt that the best location for this training facility would be behind the North Fire Station (on North Main Street). He then added the following reasons why it would best be located there: the property is available and, of sufficient size; the fire station is centrally located; it is staffed 24 hours per day; air compressors available from the fire station; good truck access; available water supply; and limited residential intrusion. He continued by explaining the construction of the facility. Mr. Laviner stated that the Association would comply with all zoning requirements and flood plain issues.

He informed Council that the estimated cost of the facility is \$8,000.00 and that the Ellis family has generously agreed to donate the majority of the funds.

Mr. Laviner stated that the Scotland County Firefighters Association would fund the construction of the facility and would donate the facility to the City. He then stated that in return the Association is asking that the City provide the land, insurance, and necessary maintenance for the facility. He also asked that the City agree to allow all Fire and Rescue agencies in the county to train at the facility as long as it exists.

He then introduced Mr. Jim Ellis, father of deceased firefighter Matt Ellis. Mr. Ellis stated that he is honored that the Scotland County Firefighters Association would like to name the facility in memory of his son. He explained that his

son loved firefighting and farming. He then stated that he did not realize how much training a firefighter has to have until his son chose to become a firefighter. He explained that after his son's death, the community gave a large amount of money to a fund in his memory and that he would like to see those funds used to construct the proposed facility.

Following a lengthy discussion, the City Manager explained that further examination of the costs associated with a different location could be explored and that information presented to Council at the next meeting.

There was no action taken on this matter.

AUTHORIZE MAYOR TO SIGN LETTER OF AGREEMENT BETWEEN THE CITY OF LAURINBURG AND ROBERT S. SEGAL, CPA PA TO FIND POSSIBLE UNREPORTED REVENUE TO THE CITY

The City Manager explained that the firm of Robert S. Segal is proposing to help the City find monies that may be due the City associated with unreported State sales tax and Utilities franchise fees. He added that the company can go back and receive back revenue for the past three years. He further added that the fee for this service is a fee equal to 50% of every dollar saved, credited, refunded or additional revenues received for 24 months after the initial refund/credit is made and if no additional revenue is found, the City will not be liable to Mr. Segal for any work performed by him. He added that only if and when Mr. Segal finds new revenue will the City be charged.

The City Manager explained that the company would look mainly at utility franchisee fees (Progress Energy) and Sales Tax revenue from the State; however, the firm will look at other areas as well to see if there is any additional revenue to be found. The City Manager would report back the findings to the City Council once the study is completed.

A discussion ensued concerning the methodology of finding the unreported revenue and the percentage fee that the company is asking as compensation for its efforts.

The Assistant City Attorney explained that from a legal standpoint Council should consider a clause in the contract addressing termination issues. He suggested the following statement be added as an addendum to the agreement:

This agreement may be terminated upon 30 days notice by either party provided termination of the agreement will not relieve Client of its obligation to pay Segal any funds which may be due him under the contract.

Motion was made by Councilmember Leak, seconded by Councilmember DeBerry to authorize the Mayor to execute a letter of agreement between the City of Laurinburg and Robert S. Segal, CPA PA to find possible unreported revenue due the City with the addition of the addendum to the agreement as suggested by the Assistant City Attorney. The motion passed by a 4-1 vote. The dissenting vote was cast by Councilmember Parker.

CONSIDER RESOLUTION WHICH DONATES TWO VEHICLES TO THE SCOTLAND COUNTY SCHOOL SYSTEM

The Scotland County School System has requested that the City donate two declared surplus police cars to be used as a security vehicle at the high school and the other to be used at the school garage. The vehicles are 1997 and 1999 Ford Crown Victorias.

Councilmember Rainer moved for the adoption of Resolution No. R-2008-18 which donates two declared surplus police vehicles to the Scotland County School System. Councilmember DeBerry seconded the motion and it was approved by the following vote:

Ayes: Rainer, Faulk, Leak, DeBerry, Parker

Nays: None

(Resolution No. R-2008-18 on file in the City Clerk's Office)

CONSIDER RESOLUTION WHICH DECLARES CERTAIN ITEMS AS SURPLUS PROPERTY

The City Manager explained that the following list of equipment has been deemed surplus by City Staff and a resolution needs to be approved by City Council to allow the City Manager to dispose of the property as outlined in North Carolina General Statutes.

Councilmember Faulk moved for the adoption of Resolution No. R-2008-19 which declares certain items as surplus property. Councilmember Parker seconded the motion and it was approved by the following vote:

Ayes: Faulk, Rainer, Parker, DeBerry, Leak

Nays: None

(Resolution No. R-2008-19 on file in the City Clerk's Office)

DISCUSSION ON FIREWORKS DISPLAY FOR JULY 4, 2009

The City Manager explained that the proposed contract for fireworks for July 4, 2009 would increase by \$2,000.00 for the same show as last year, for a total contract price of \$13,000.00. The County shared in the cost of the 2008 show, and will be asked to share in the cost again this year. The City Manager has contacted the County Manager and the County Manager he sees no problems with this for 2009.

Following a brief discussion concerning the state of the economy, the City Manager was instructed to contact the fireworks display company (Melrose Pyrotechnics) and find out what type of show we could receive for the same cost as last year. He was also asked to negotiate with the company because of the state of the economy and because gas prices, etc. have decreased over the last few months. The City Manager will report to Council at its January regular meeting.

CONSIDER TIMES AND DATES FOR CITIZEN INPUT SESSION FOLLOW-UP

The City Manager explained that as requested by the City Council, in order to follow up specific questions and concerns raised at the public input meeting on November 6, 2008, staff suggests that a follow-up citizen input session be scheduled either during the week of January 26-30 or February 9-13, 2009. He added that citizens who signed up at the meeting would be sent invitations for the follow-up.

Motion was made by Councilmember Faulk, seconded by Councilmember DeBerry, and unanimously carried to schedule a follow-up meeting of the citizen input session on Thursday, February 12, 2009 at 7:00 p.m. in the upstairs council room of the Municipal Building located at 303 West Church Street, Laurinburg, NC.

APPOINTMENTS

CONSIDER APPOINTMENTS TO THE LAURINBURG BOARD OF ADJUSTMENT

Mayor Block explained that there are three reappointments to be made to the City of Laurinburg Board of Adjustment. He added that there also is a vacant position for a city alternate to be considered. He further added that the reappointments are:

Mr. David Ellison, Jr.

Ms. Joyce Jewell (City Alternate)

Ms. Iris Hamilton

Mayor Block stated that Mr. Ellison, Ms. Jewell and Ms. Hamilton have all expressed an interest in being reappointed to this board. These are three-year appointments and will expire December 31, 2011.

Motion was made by Councilmember Parker, seconded by Councilmember Rainer, and unanimously carried to appoint Mr. David Ellison, Jr., Ms. Joyce Jewell (alternate City appointee), and Ms. Iris Hamilton to the Laurinburg Board of Adjustment with terms expiring December 31, 2011, with the vacant position to be appointed later.

MAYORAL UPDATE

Mayor Block explained that he would like to begin having a Mayoral Update at each Council meeting in order to ensure that key issues, such as indoor recreation, retail recruitment, Laurinburg-Maxton Airport and beautification continue to be addressed. He added that he would begin addressing these issues at the next Council meeting.

A discussion ensued concerning the City's involvement with recreation.

PUBLIC COMMENT

Mr. Rowe Franz, resident of East Laurinburg, appeared before Council and expressed concern about communication problems in the Town of East Laurinburg.

Mr. Evan Sturdivant, resident of East Laurinburg, appeared before Council and expressed concern about problems in the Town of East Laurinburg.

ADJOURNMENT

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

The meeting adjourned at 9:15 p.m.

Matthew Block, Mayor

Dolores A. Hammond, City Clerk