

**CITY OF LAURINBURG
COUNCIL MEETING
NOVEMBER 16, 2010
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 November 16, 2010 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: Curtis B. Leak, Thomas W. Parker, III, Herbert M. Rainer, Jr., Kenton T. Spencer, and Joy Ellison.

Also present were: Edward F. Burchins, 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 Rainer gave the invocation.

CONSENT AGENDA

The City Manager presented the Consent Agenda indicating all items were considered to be routine and could be enacted simultaneously with one motion and a roll call vote.

The items on the Consent Agenda were as follows:

- a. Corrected Minutes of the June 9, 2010 meeting
- b. Minutes from the meetings July 13 and 20, 2010; August 10 and 17, 2010; and September 14, 2010 agenda workshop
- c. Ordinance No. O-2010-23 which amends the Budget Appropriations Ordinance - Additional money owed to the Employment Security Commission of North Carolina
The Finance Director explained the proposed ordinance.
- d. Resolution R-2010-19 to lease property on Stewartsville Road to Harvey Edge Farms

Councilmember Leak moved for the approval of the Consent Agenda as presented. Councilmember Parker seconded the motion, and it was approved by the following vote:

Ayes: Leak, Ellison, Rainer, Spencer, Parker

Nays: None

RECOGNITION-GOLDEN KNIGHTS COMPETITION TEAM

Mayor Block presented the Golden Knights Competition Team with a plaque honoring their overall record of 51 gold medals, 36 silver medals, and 19 bronze medals with a total of 106 medals.

SFC Brian D. Krause, SFC Greg Windmiller, and SFC Elisa Tennyson accepted the plaque from Mayor Block.

SFC Brian D. Krause stated that the Golden Knights moved to Laurinburg in 2004. He thanked everyone for the honor that has been bestowed upon them from the Mayor, Council, and the citizens of Laurinburg.

Councilmember Parker stated that, as the City representative on the Laurinburg/Maxton Airport Commission, the Commission appreciates the Golden Knights being located at its facility.

DELEGATION

North Carolina Department of Transportation Rail Division - Brain Gackstetter & Jahmal Pullen

Mr. Brain Gackstetter and Mr. Jahmal Pullen appeared before Council to explain the proposed closing of the rail crossing at Biggs Street.

Mr. Gackstetter gave a brief history of the North Carolina Department of Transportation Rail Division.

He explained that the Rail Division evaluates the 100 worst crossings every year. He stated that this site has been listed because it needs to be upgraded because of its age.

Mr. Pullen explained that the crossing is a state route and that the state has final approval of what is ultimately done with the crossing.

Mr. Gackstetter stated that there are 1,100 vehicles a day that use the crossing with 15 trains passing through the crossing and 4 trains that switch for a total of 19 trains daily traveling at 45 miles per hour.

He explained that this track is under consideration for a possible passenger rail from Charlotte, NC to Wilmington, NC

He then explained that one of the largest concerns is the limited site distance as vehicles head south on Biggs Street. He also explained that there is limited room between the railroad and Railroad Street.

Mr. Fuller explained that because this is a state crossing, the Railroad Division would like to receive input from the Council as to whether they see a need for the crossing or would like to see the crossing closed.

He further explained that in addition to feedback from Council, a workshop would be set to allow the citizenry to give comments about the closing. He stated that if Council is okay with the Rail Division conducting a workshop, there will be several additional steps to follow such as advertising a date for a public hearing for citizens.

He then explained that if the crossing is not closed then there is the potential to put gates on the crossing. The City would not incur any expense because this is a state rail crossing.

Further discussion ensued regarding the crossing on Biggs St. Councilmember Parker stated that Council had discussed this issue at its agenda workshop and the consensus among Councilmembers was that they preferred the crossing not be closed.

Upon question by Councilmember Ellison, it was explained that the passenger rail service is not close to being a reality at this time.

Following further discussion, Councilmember Parker, seconded by Councilmember Rainer, and

unanimously carried to table this topic until the December Council meeting.

Robeson Health Care Corporation (RHCC) - Dr. Thomas Maynor, Vice-President and Chief of Operations

Dr. Thomas Maynor, Vice President and Chief of Operations for the RHCC, appeared before Council to request a letter of support for the efforts of RHCC to secure the necessary grant funding to see this project become a reality in Laurinburg and Scotland County, North Carolina.

Dr. Maynor explained that the proposed project is a Community Health Center. He then explained that the health center would benefit those that are underinsured or uninsured. He then explained that the fee charged to clients will be on a sliding scale based on federal regulations. The fee is usually around \$20.00.

He stated that RHCC has been working with Scotland Healthcare System for approximately two years while waiting for the federal government to open access to applications from new health centers. He further stated that when the application is approved the process would be to locate the center into one of the buildings that the hospital has until a new facility could be built. He then stated that the proposed location for a new center would be in close proximity to the hospital.

Following discussion, motion was made by Councilmember Spencer, seconded by Councilmember Rainer, and unanimously carried that the Mayor send a letter of support for RHCC.

GUSTAF C. LUNDIN & COMPANY, LLP - AUDIT REPORT 2009-2010 FISCAL YEAR

The City Manager explained that Mr. Carl Head, Gustaf C. Lundin & Company, presented the 2009-2010 City of Laurinburg Financial Audit report at Council's agenda workshop Tuesday, November 9, 2010. Mr. Head reported that an unqualified opinion was rendered which is the best that can be received.

He explained that since the agenda workshop, the City has received a letter from the Local Government Commission (LGC) and that the letter is rather confusing.

Cindy Carpenter, Finance Director, stated that the letter received refers to one point in time, the same being June 30, 2010. She explained that there are two different issues. She stated that she and Mr. Head have spoken with the LCG and will meet tomorrow morning at 9:00 a.m. to finalize figures and to address the issues.

She explained that the main issue is the \$353,000.00 loan that is owed to the Electric Fund from the General Fund. She explained that a payment of \$35,000.00 was being made each year to repay the loan. This budget year Council decided to waive the payment. She explained that a formal agreement needs to be drafted to indicate that the City will no longer be liable to pay the money to the Electric Fund. That will automatically put \$350,000.00 cash back into the General Fund.

Mrs. Carpenter continued explaining that there were questions about funds being put back into particular funds which include funds owed to the City from the Richmond Community College project.

Following further discussion, motion was made by Councilmember Parker, seconded by Councilmember Rainer, and unanimously carried to accept the 2009-2010 Fiscal Year Audit Report as submitted and as explained by Cindy Carpenter, the City's Finance Director.

RESOLUTION TO CLOSE ALLEY

The City Manager stated that a petition was submitted to the City Clerk November 10, 2010 requesting that Council consider closing a 10 foot alley located behind properties on Washington Avenue and North Gill St. The petition is in order as required. The stated reason for the alley closing is that it has never been opened and is not needed. Upon closing, the property owners that own parcels adjacent to the alley and their lot lines will be extended to the center line of the alley.

The proposed Resolution No. R-2010-20 sets a public hearing to be held Tuesday, December 21, 2010 in the upstairs council room of the Municipal Building. It also directs the City Clerk to publish the Resolution of Intent in the local newspaper, to transmit by registered or certified mail to each owner of property abutting upon that portion of said alley a copy of the Resolution of Intent and to cause adequate notices of this Resolution of Intent and the scheduled public hearing to be posted as required by G. S. 160A-299.

Councilmember Parker moved for the adoption of Resolution No. R-2010-20 which sets a public hearing on the possible closing of a 10 foot alley located off Washington Avenue (Block 100). Councilmember Spencer seconded the motion, and it was approved by the following vote:

Ayes: Parker, Spencer, Rainer, Ellison, Leak

Nays: None

AUTHORIZE THE CITY MANAGER TO EXECUTE CONTRACT FOR THE FINANCING OF EQUIPMENT AS LISTED IN THE 2010-2011 BUDGET

Council discussed financing recycling bins, a street sweeper, dump truck, backhoe, and leaf vacuum truck during the preparation of the 2010-2011 budget. The length of financing, interest rates and proposed financial institutions for consideration are listed below:

Recycling Bins	3 years	RBC	1.67%
Street Sweeper			
Dump Truck &			
Back Hoe	5 years	RBC	2.5%
Leaf Vacuum	10 years	BBT	2.62

Motion was made by Councilmember Ellison, seconded by Councilmember Parker, and unanimously carried to authorize the City Manager to execute contract for the financing of equipment as listed in the 2010-2011 budget in the amount \$564,893.00.

REQUEST TO TAKE BIDS ON FIRE TRUCK (PUMPER) FOR THE LAURINBURG FIRE DEPARTMENT

The City Manager stated that there was discussion at the agenda workshop concerning taking bids for a Fire Truck (Pumper) for the Laurinburg Fire Department. He explained that he thought that at the beginning of this fiscal year that a truck would not have to be purchased. He explained that this is not the case.

He stated he is recommending that the City take bids and consider ordering a truck to be delivered in the fiscal year 2011-2012. He explained that the first payment would not be required until 2012 if the vehicle is financed. He then explained that in mid year 2012, another truck could be ordered but not delivered until 2013 but finance a year in arrears and pay for it in 2014.

Fire Chief John Evans explained that he had a company, Triad Fire, Inc., to provide an estimate on the costs for service and repairs on the trucks the City owns. He explained that parts alone for one of the units would be approximately \$28,000.00 with the labor nearly tripling the total cost to approximately \$70,000.00.

He explained the other truck will cost approximately \$55,000.00 to repair. Both trucks are due for servicing this year. He stated that the representative of the company reported that the value of the two trucks is less than the price of repair parts and labor.

Councilmember Parker suggested that if this truck is bid that staff consider the bid with the company that has the best equipment rather than a brand name that does not stack up.

Councilmember Leak expressed his concerns about purchasing two fire trucks especially with the State's budget deficient as it is.

Following further discussion, motion was made by Councilmember Parker, seconded by Councilmember Ellison, and unanimously carried to allow the City Manager to bid the pumper truck and to bring back to Council for consideration.

COMMENTS FROM MAYOR AND/OR COUNCILMEMBERS

Councilmember Leak stated he would like to commend Councilmember Spencer and City Clerk, Dee Hammond, on the City of Laurinburg Youth Council pinning and swearing in ceremony.

PUBLIC COMMENT

There was no one present for the public comment session.

CLOSED SESSION

At 8:30 p.m. Councilmember Parker moved to go into closed session pursuant to General Statute 143-318.11(a)(3) for the purpose of consulting with the attorney in order to preserve attorney-client privilege between the attorneys and the City regarding Schoollink, Inc. Councilmember Spencer seconded the motion and it carried unanimously to adjourn to closed session.

At 9:45 p.m. motion was made by Councilmember Parker, seconded by Councilmember Spencer, and unanimously carried to adjourn the closed session and resume the open meeting.

Motion was made by Councilmember Parker, seconded by Councilmember Spencer, and unanimously carried to authorize the Mayor to sign the proposed agreements (effective July 1, 2010) between the City of Laurinburg and LMK Communications.

ADJOURNMENT

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

The meeting adjourned at 8:49 p.m.

Matthew Block, Mayor

Dolores A. Hammond, City Clerk