

**CITY OF LAURINBURG  
COUNCIL MEETING  
MARCH 20, 2012  
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 March 20, 2012 at 7:00 p.m. in the council room of the Municipal Building with the Honorable Thomas W. Parker III, Mayor, presiding. The following Councilmembers were present: Mary Jo Adams, Curtis B. Leak, Kenton T. Spencer, and Andrew G. Williamson, Jr. Councilmember Herbert M. Rainer, Jr. was absent from the meeting.

Also present were: Edward F. Burchins, City Manager, Jennifer A. Tippett, City Clerk, and William P. Floyd, Jr., Assistant City Attorney.

Mayor Parker called the meeting to order at 7:09 p.m.

The invocation was given by Councilmember Adams.

Mayor Parker recognized the presence of Mrs. Dolores Hammond, retired City Clerk; Mr. Kevin Patterson, Scotland County Manager; and Mr. Guy McCook, Scotland County Commissioner.

**APPROVAL OF AGENDA**

Mayor Parker requested that the agenda be revised to move Item number 11, Resolution No. R-2012-10 supporting the study of an indoor recreation facility and committing funds for said study, be moved to the Delegation section of the agenda.

Councilmember Leak moved to amend the agenda by moving Item number 11, Resolution No. R-2012-10 supporting the study of an indoor recreation facility and committing funds for said study, to the Delegation section of the agenda and to adopt the agenda as amended. Councilmember Adams seconded the motion and it unanimously carried.

**PUBLIC COMMENT**

Mr. David Adcox of American Legion Post 50 appeared before Council and explained that American Legion Post 50 was developing the Scotland County Veterans Garden. He explained the design and components of the garden, and the desire to honor veterans. He further explained that Post 50 is selling commemorative bricks that will have names and other information to honor veterans. He added that if anyone is interested in purchasing a brick for \$50.00 they can contact him or any other member of American Legion Post 50. He concluded his comments by thanking the Mayor and Council for their support.

## **RESOLUTION HONORING ANDREW TODD**

Mayor Parker recognized Mr. John Lyon of AT&T.

Mr. Lyon explained that AT&T began a program four (4) years ago, Aspire, for the purpose of improving high school graduation rates. He added that since then, AT&T has committed additional funding for this program as well as starting a Job Shadow Program, and this year added a national essay contest for the Job Shadow participants. He further explained that out of the 12,000 students participating in the essay contest on the importance of education, three (3) participants were recognized and the second place recipient was Andrew Todd. He further added that Mr. Todd was presented a check for \$2,500.00 at the Scotland County School Board meeting on March 12, 2012.

Councilmember Spencer moved to approve Resolution No. R-2012-09 which honors Andrew Todd for his academic achievement. Councilmember Leak seconded the motion and it was approved by the following vote:

Ayes: Spencer, Leak, Adams, Williamson

Nays: None

(Resolution No. R-2012-09 on file in the City Clerk's office)

Mayor Parker read the Resolution No. R-2012-09 as follows:

### *RESOLUTION HONORING ANDREW TODD*

***WHEREAS**, education is essential for every person to maximize their skills and abilities in seeking to accomplish their goals, fulfill their hopes and reach their dreams; and*

***WHEREAS**, graduation from high school is a key educational milestone along each person's educational life journey; and*

***WHEREAS**, dropping out of high school is a national crisis that severely limits each student's prospects for the future and carries the likelihood of substantially lower earnings potential and greater risk of incarceration, and that harms communities through lost intellectual capital and increased cost of governmental services; and*

***WHEREAS**, research has shown that Job Shadow programs which help students understand the connection between their educational journey and the world of work can substantially increase student motivation for academic achievement and graduation; and*

***WHEREAS**, AT&T and Junior Achievement Worldwide are engaged in a four-year nationwide initiative to increase high school retention and workforce readiness by engaging 100,000 students in Job Shadowing, a project which included the "Class of 2012 Inspired to Graduate Essay Contest", which was open to more than 12,000 students across the country; and*

**WHEREAS**, Andrew Todd, a senior at Scotland High School, has been named runner-up in this national contest for his essay entitled *The Real World*; and

**WHEREAS**, this award-winning essay articulates a young man's maturity and his goals for education and service to others, and serves as an example and encouragement to his peers,

**NOW, THEREFORE, BE IT RESOLVED** that the City Council of the City of Laurinburg, North Carolina, hereby congratulates Andrew Todd for his academic achievement in the aforementioned essay contest and for his expressed commitment to graduation and continued education, with a goal of serving his country.

**BE IT FURTHER RESOLVED** that the Council expresses its appreciation to the Faculty and Staff of Scotland High School for their daily commitment to inspiring and educating young people; to AT&T and Junior Achievement for their sponsorship of Job Shadowing and the impact it has on lives and families; and to AT&T's Laurinburg employees, who have actively and repeatedly embraced Job Shadowing opportunities and opened their workplace and their hearts to our community's students.

Presented this 20<sup>th</sup> day of March, 2012.

/S/  
Thomas W. Parker, III, Mayor

/S/  
Jennifer A. Tippett, City Clerk

Mayor Parker presented Mr. Todd with a City pin.

Mr. Todd thanked the City and AT&T for the resolution and award. He explained that in the Job Shadow Program he saw people working hard every day and he respected every worker.

## **CONSENT AGENDA**

The City Manager reviewed the Consent Agenda.

- a) Approve minutes of the January 9, 2012 agenda workshop/retreat; January 11, 2012 meeting; January 12, 2012 joint meeting; January 17, 2012 regular meeting; and February 6, 2012 special meeting
- b) Authorize City Manager to execute Agreement with East Coast Pyrotechnics, Inc. for July 4<sup>th</sup> Fireworks Display for \$11,000.00
- c) Consider Ordinance No. O-2012-06 amending the 2011-2012 Budget Ordinance (O-2011-11) for Laurinburg-Maxton Airport and Highway 74 Interchange Lighting Project
- d-) Authorize the Mayor or City Manager to execute Financing Agreement with BB&T for automated side-loading refuse truck and front-loading refuse truck for 10 years at 1.83% interest and authorize Mayor or City Manager to execute Financing Agreement with BB&T for the custom pumper truck for 10 years at 2.18%

- e) Consider Resolution No. R-2012-08 requesting NC DOT declare a School Speed Zone on US 15-401 South (Scotland Christian Academy)
- f) Consider Resolution No. R-2012-10 authorizing the Mayor and City Clerk to execute lease to Silgan Containers Manufacturing Corporation

Councilmember Adams moved to approve the Consent Agenda as presented. Councilmember Leak seconded the motion and it was approved by the following vote:

Ayes: Adams, Leak, Williamson, Spencer

Nays: None

**CONSIDER REQUEST TO REZONE FROM RESIDENTIAL-15 TO OFFICE/INSTITUTIONAL A 4.55 ACRE TRACT OF LAND ON N. WILKINSON DR.**

Mrs. Brandi Deese, Planning and Development Director, explained that Community Baptist Auxiliary Church has requested that a 4.55 acre tract of land on N. Wilkinson Drive be rezoned from Residential-15 to Office/Institutional to allow for construction of a church facility. She added that this request will be in harmony with the surrounding area and with the permitted uses in the Office/Institutional zoning district. She further added that staff has determined that the application is complete, the proposed development is within the planning jurisdiction of the City of Laurinburg and it is consistent with regulatory provisions of the Unified Development Ordinance. She concluded by stating that Planning Board heard this request at its February 14, 2012 meeting and unanimously recommended approval.

Mayor Parker opened the public hearing.

Mr. William Manning, Pastor of Community Baptist Auxiliary Church, explained that a water drainage problem that the State has not been able to remedy has caused the Church to look for a new location. He requested that Council consider the church's request for locating in Laurinburg at the proposed site.

There was no one present to speak against the request.

Mayor Parker closed the public hearing.

Councilmember Adams moved to approve Ordinance No. O-2012-04 which rezones from Residential-15 to Office/Institutional a 4.55 acre tract of land on N. Wilkinson Drive as it is:

- Consistent with other development in the area;
- Advances the public health safety or welfare; and
- Provides a positive impact to the public at large.

The motion was seconded by Councilmember Leak, and the vote was as follows:

Ayes: Adams, Leak, Spencer, Williamson

Nays: None

(Ordinance No. O-2012-04 on file in the City Clerk's Office)

**CONSIDER REQUEST TO REZONE FROM GENERAL BUSINESS TO INDUSTRIAL A 3.4 ACRE TRACT OF LAND ON MCCOLL RD. AND CONSIDER REQUEST FOR CONDITIONAL USE PERMIT TO ERECT AN OFF-PREMISES SIGN (BILLBOARD) ON A 3.4 ACRE TRACT OF LAND ON MCCOLL RD.**

The City Manager explained that the request to rezone from General Business to Industrial a 3.4 acre tract of land on McColl Road and the request for a Conditional Use Permit to erect an off-premises sign (billboard) on the same tract while separate requests are tied together because in order to erect an off-premises sign, the property must be rezoned first. He added that Planning Board voted to deny the request to rezone the property and tabled the request for a Conditional Use Permit. He requested that staff and Planning Board be allowed 30-60 days to research reasonable requirements for locating billboards in the City so that said requirements benefit residents and property/business owners. He added that he had discussed this with Mr. Lee Howell, applicant for the two (2) requests, and Mr. Howell indicated that he had no problem with giving the City 30-60 days to research requirements for off-premises signs.

Councilmember Leak expressed concern that requirements for locating off-premises signs be carefully considered.

Mr. Lee Howell, applicant for the two (2) requests, explained that he had no problem with providing City staff 30-60 additional days to research this matter provided he not bear any additional costs. He further added that because of the size and shape of the lot, there is less than one-half (1/2) acre of usable land.

Councilmember Williamson moved to continue the public hearings for the request to rezone from General Business to Industrial a 3.4 acre tract of land on McColl Road and a request for a Conditional Use Permit to erect an off-premises sign (billboard) for 30-60 days in order to allow staff to research requirements for off-premises signs (billboards) for this request and future requests and to allow Planning Board further consideration of said requirements. Councilmember Adams seconded the motion and the vote was as follows:

Ayes: Williamson, Adams, Spencer, Leak

Nays: None

**DELEGATIONS**

***Resolution Supporting Application for Grant from the North Carolina 911 Board-Roylin Hammond***

Mr. Roylin Hammond, Scotland County Emergency Management Services (EMS) Director, appeared before Council to request consideration of a resolution supporting consolidation of the five (5) Public Safety Awareness Points (PSAPs) in Scotland County and support for application for a grant from the North Carolina 911 Board to construct a consolidated 911 PSAP center. He explained that the Scotland County Board of Commissioners approved the resolution at its

March 5, 2012 meeting.

Upon questions by Councilmember Spencer, Mr. Hammond explained that Scotland County is being allowed to contribute part of the 911 Fund Balance as part of the matching portion of the grant. He added that the County could receive up to \$5,000,000.00 that would not have to be matched locally. He further added that the County has been awarded a grant from Homeland Security for \$650,000.00 for construction of the facility. He explained that the facility would be located on county property beside the EMS building. He further explained that environmental impact study had been completed to comply with Homeland Security requirements.

Upon question by Mayor Parker, Mr. Hammond explained that in order to have a redundant facility, discussions are being held with Richmond County to work together and build facilities large enough so that in the event of a failure at the Scotland County facility, Scotland County EMS could move into the Richmond County facility, and in the event of a failure at the Richmond County facility, Richmond County EMS could move into the Scotland County facility.

Councilmember Spencer moved to approve Resolution No. R-2012-07 which supports the application for a grant from the North Carolina 911 Board. Councilmember Williamson seconded the motion and it was approved by the following vote:

Ayes: Spencer, Williamson, Leak, Adams

Nays: None

(Resolution No. R-2012-07 on file in the City Clerk's Office)

***Consider Resolution Supporting Study of an Indoor Recreation Facility***

Mr. Page Pratt, Chairman of the Parks and Recreation Advisory Committee, explained that in order to bring a community center to Laurinburg, the Parks and Recreation Advisory Committee was requesting that the City participate in the hiring of Site Solutions to conduct a planning study to determine if the community wants a community center, and if so, the elements desired in a community center and how a community center could be funded and maintained. He added that the cost of the study would be \$26,500.00. He further added that Scotland Healthcare System and the Scotland County Parks and Recreation Foundation have each agreed to fund up to \$10,000.00 for the study, and on behalf of the Parks and Recreation Advisory Committee, he was requesting that the City match the contributions of Scotland Healthcare System and the Scotland County Parks and Recreation Foundation. He stated that Scotland County has offered to provide the time and services of Shannon Newton, Director of Scotland County Parks and Recreation, to serve as Project Manager.

Upon question by Mayor Parker, Mr. Pratt explained that the study is necessary in order to leverage the community's resources.

Upon questions by Councilmember Leak, Councilmember Spencer explained that the study should take approximately six (6) to nine (9) months. He stated that the study includes recommending a location for the community center.

Mayor Parker noted that there was an error on the agenda and that the maximum amount for the City to contribute was \$8,833.33, not \$8,333.33.

Upon question by Councilmember Adams, the City Manager explained that this was not budgeted and a budget amendment would be presented at the next Council meeting.

Councilmember Spencer moved to approve Resolution No. R-2012-10 supporting study of an indoor recreation facility and committing funding for one-third (1/3<sup>rd</sup>) cost of the study, or up to \$8,833.33. Councilmember Leak seconded the motion and it was approved by the following vote:

Ayes: Spencer, Leak, Williamson, Adams

Nays: None

(Resolution No. R-2012-10 on file in the City Clerk's Office)

## **CITY MANAGER REPORTS**

### **CONSIDER TAX COLLECTION CONSOLIDATION**

Mayor Parker explained that a meeting was held earlier in the day with County representatives, the County Attorney, the City Attorneys, regarding tax collection consolidation issues. He added that the City Attorneys will provide Council with an opinion regarding tax collection consolidation issues before Council moves forward with this issue.

Councilmember Leak expressed concern with the manpower shortage and the effect on the City's tax collection rate.

Councilmember Spencer expressed concern that some collections such as for lot cuttings and demolition charges have been affected by the lack of a tax collector.

Upon question by Mayor Parker, Mr. Floyd stated that he and Mr. Gordon should have their opinion regarding tax foreclosures ready for Council's consideration on March 27, 2012.

A discussion ensued concerning manpower needs in the Finance Department.

Councilmember Leak motioned to authorize the City Manager and Finance Director to hire a tax collector.

Councilmember Spencer stated that he wanted to amend the previous motion to authorize the City Manager and Finance Director to hire a tax collector or an individual deemed appropriate for current and future departmental needs.

Upon recommendation by the Assistant City Attorney, Councilmember Leak withdrew his motion.

A discussion ensued concerning the tax foreclosure issue and the effects on revenue collection caused by the personnel vacancy in the Finance Department.

Motion was made by Councilmember Spencer, and seconded by Councilmember Leak to authorize the City Manager and Finance Director to hire an individual deemed appropriate for current and future departmental needs.

Upon question by Councilmember Adams, Mayor Parker explained that the decision regarding tax collection consolidation with the County was tied to the tax foreclosure issue.

Further discussion ensued concerning the tax foreclosure issue. The Assistant City Attorney explained that if one (1) entity is collecting taxes for another and a tax foreclosure suit is filed, the suit does not have to name the other taxing entity as a defendant in the suit. He added that part of said process required that there be some consolidation of the tax collection process. He further added that there were other items such as nuisance abatement, demolition charges and assessments that the City would still need to collect.

At this time Mayor Parker restated Councilmember Spencer's motion, and the vote was as follows:

Ayes: Spencer, Leak, Adams, Williamson

Nays: None

#### **COMMENTS FROM MAYOR AND COUNCILMEMBERS**

There were no comments from the Mayor or Councilmembers.

#### **CLOSED SESSION**

At 8:10 p.m., Councilmember Spencer moved to go into closed session pursuant to General Statute 143-318.11(a)(6) for the purpose of considering the qualifications, competence, performance, character, fitness, conditions of employment or conditions of initial employment of an individual, public officer or employee.

Councilmember Leak seconded the motion and it carried unanimously.

At 8:25 p.m., motion was made by Councilmember Spencer, seconded by Councilmember Williamson, and unanimously carried to adjourn the closed session and resume the open meeting.

#### **CONSIDERATION OF TAX CONSOLIDATION AGREEMENT**

The City Clerk explained that the agenda included consideration of a tax collection consolidation agreement with Scotland County, and since Council was going to continue discussion regarding the tax collection issues, consideration of the tax collection consolidation agreement should be tabled.

Motion was made by Councilmember Spencer, seconded by Councilmember Williamson, and unanimously carried to table consideration of the tax collection consolidation agreement.

**RECESS**

Motion was made by Councilmember Adams, seconded by Councilmember Spencer, and unanimously carried to recess the meeting to Wednesday, March 28, 2012 at 7:00 p.m. in the council chambers of the Municipal Building located at 303 W. Church Street, Laurinburg, NC for consideration of tax consolidation issues.

The meeting recessed at 8:31 p.m.

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Thomas W. Parker III, Mayor

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Jennifer A. Tippet, City Clerk