**January 17, 2017**

**MINUTES OF TOWN OF MAXTON, NORTH CAROLINA**

**BOARD OF COMMISSIONERS**

The Board of Commissioners of Maxton, North Carolina met in Formal Session in the Meeting Chambers of the Town of Maxton Town Hall located at 201 McCaskill Avenue Maxton, North Carolina at 7:00 p.m.

**ATTENDANCE**

**Present:**

Mayor Emmett “Chip” Morton, Mayor Pro Tem Virgil Hutchinson, Commissioner Elizabeth Gilmore, Commissioner James McDougald, Commissioner Paul McDowell, Town Manager Kate Bordeaux, Town Attorney Nick Sojka, Town Clerk Jacqueline Johnson, and Town Police Chief Tammy Deese.

**Absent:**

None

**FORMAL SESSION**

Mayor Morton called the meeting to order, welcomed everyone, and the matters below were addressed.

The invocation was given by Mayor Emmett Morton.

**Adoption of Proposed Agenda**

Mayor Morton requested a motion to adopt the proposed agenda. Commissioner McDougald moved that the Board approve the proposed agenda, Commissioner Gilmore seconded the motion, and the motion was unanimously approved

**Approval of Consent Agenda**

1. Minutes from Board Meeting December 8, 2016
2. Tax adjustments

Mayor Morton requested a motion to approve the consent agenda. Commissioner McDowell moved that the Board approve the proposed agenda, Commissioner McDougald seconded motion, and the motion was unanimously approved.

**RECOGNIZATIONS**

**Employee of the month**

Dennis Freeman was employee of the month. Town Manager Bordeaux presented him a plaque for going over and beyond on his job duties. She further stated that he shows great leadership skills. Mr. Freeman has 18 years of training in wastewater.

**Schools**

No speaker was present.

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**PUBLIC FORUM**

* Ray Oxendine briefly spoke about the annual Library Committee meeting and that it was very successful. The Library Committee’s goal was met through the fund raiser of the ticket sale.
* Helen McPhatter concern was that the cemeteries needed to be cleaned up.
* David McEachin concern was trash on the side of the roads throughout the town.

Mayor Morton closed the public forum after no others came forward to speak at 7:25pm.

**OLD BUSINESS**

1. **S. Preston Douglas Associates (John Masters) FY 2015-2016 Audit (approval of audit)**

John Masters briefed the Board on the FY2015-2016 audit. He stated that no major changes in any funds were made. He further stated that over all the audit looks good and he commended Budget Director Tyndall and the staff on a good audit. The only change is that the Town will have to add law enforcement separation allowance to cover all full-time law officers. Mayor Morton requested a motion to approve the FY 2015-2016 Audit. Mayor Pro Tem Hutchinson moved that the Board approve the FY 2015-16 Audit, Commissioner Gilmore seconded motion, and the motion was unanimously approved.

**New Business**

1. **Management (FEMA Resolution Designation of Applicant NC Emergency)**

Town Manager Bordeaux briefed the Board on the FEMA Resolution for the Town as the applicant to apply for the disaster funds provided by or through the State as a result of the disaster of Hurricane Matthew FEMA number 4285-DR-NC. Mayor Morton requested a motion to approve the FEMA Resolution Applicant for North Carolina Emergency. Commissioner Gilmore moved that the Board approve the Resolution, Mayor Pro Tem Hutchinson seconded the motion, and the motion was unanimously approved.

RESOLUTION 2017-17-01

DESIGNATION of APPLICANT’S AGENT

**WHEREAS**, the Town of Maxton Board of Commissioners adopt a Resolution to approve the North Carolina Division of Emergency Management Designation of Applicant Agent for Disaster Hurricane Matthew; and

**WHEREAS,** the Town of Maxton has legal authority to apply for assistant on behalf of the Applicant pursuant to a RESOLUTION duly adopted or passed by the applicant governing body; and

**NOW, BE IT RESOLVED,** by the Mayor and Maxton Board of Commissioners of the Town of Maxton,(a public entity duly organized under the laws of State of North Carolina) that the above-named Primary and Secondary Agents are hereby authorized to execute and file applications for Federal and/or State assistant on behalf of the Town of Maxton for the purpose of obtaining State and Federal assistant under the Robert T. Stafford Disaster Relief & Emergency Assistant Act, (Public Law 93-288 as amended) or as otherwise available.

**BE IT FURTHER RESOLVED** that the above-named agents are authorized to represent and act for the Town of Maxton in all dealings with the State of North Carolina and the Federal Emergency Management Agency for all matters pertaining to such disaster assistant required by the grant agreements and the assurances printed on the reverse side hereof.

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**BE IT FINALLY RESOLVED THAT** the above-named agents are authorized to act severally. PASSED AND APPROVED this **17th** day of **January**, **2017**

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Emmett Morton, Mayor James McDougald, Commissioner

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Virgil Hutchinson, Mayor Pro Tem Paul McDowell, Commissioner

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Elizabeth Gilmore, Commissioner ATTEST: Jacqueline Johnson, Town Clerk

1. **Adopt Resolution Application for NC Department of Commerce (Building ReUse)**

Manager Bordeaux briefed the Board on the Building ReUse grant. The Building ReUse grant is a program of the North Carolina Department Commerce which helps through funding renovation of vacant buildings purchased to start businesses creating new jobs. In the grant application, the Town will partner with Driven Contractors with the project of opening a business at 700 West Martin Luther King Jr. Drive. Driven Contractors will provide the 5% match required amount of $2,000**.**  Mayor Morton requested a motion to approve the Resolution for the Building REUse application. Commissioners Gilmore moved that the Resolution for the application be approved, Commissioner McDougald seconded the motion, and the motion was unanimously approved.

**TOWN OF MAXTON RESOLUTION 2017-17-01**

**APPLICATION FOR NC DEPARTMENT OF COMMERCE**

**FOR BUILDING REUSE**

**WHEREAS,** the Town of Maxton Board of Commissioners had indicated its desire to assist economic development efforts for businesses and industries within the Town of Maxton; and

**WHEREAS,** the Maxton Board of Commissioners fully supports the proposed project by Driven Contractors,LLC which will result in the renovation/construction of a facility located at 700 West Martin Luther King Jr. Drive, and will create a minimum of 4 new jobs for the Town of Maxton; and

**WHEREAS,** the Maxton Board of Commissioners wishes to pursue a formal application for Building Reuse or Infrastructure funds in the amount of $40.000 from the NC Department of Commerce; and

**WHEREAS,** Driven Contractors, LLC certifies it will provide the 5% match required amount $2,000 and will meet all other requirements of the North Carolina Department of Commerce,

**NOW, THEREFORE BE IT RESOLVED,** by the Maxton Board of Commissioners:

That the Town of Maxton is authorized to submit a formal application to the North Carolina Department of Commerce in order to provide assistant to benefit Driven Contractors, LLC.

That this Resolution shall take effect immediately upon its adoption.

**Adopted this 17th day of January, 2017 in The Town of Maxton North Carolina.**

Emmett Morton, Mayor

**ATTEST:**

Jacqueline Johnson, Town Clerk

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1. **Resolution approval sale of land to Scotland County Economic Development Corporation**

Mayor Morton requested a motion to approve the Resolution for the sale of the land to Scotland County Economic Development Corporation. Commissioner McDowell moved that the Resolution to sale the land be approved, Commissioner McDougald seconded the motion, and the motion was unanimously approved.

**RESOLUTION NO. R-2017-17-01**

**A RESOLUTION FOR THE SALE OF 322.24 ACRES, MORE OR LESS, AT LAURINBURG/MAXTON AIRPORT TO SCOTLAND COUNTY ECONOMIC DEVELOPMENT CORPORATION**

**BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF THE TOWN OF MAXTON:**

First. That the Board of Commissioners has determined and does hereby declare:

1. That the City of Laurinburg and the Town of Maxton jointly own a tract of land of 322.24
2. acres, more or less, located in Stewartsville Township, Scotland County, North Carolina, and being adjacent to and lying on the south side of Skywood Church Road (State Road 1435), and containing 322.24 acres, more or less, and being more particularly described according to a survey dated December 1, 2011, by D. Wayne Sullivan, Professional Land Surveyor, as follows:

BEGINNING at a new iron stake which marks the intersection of the southernmost right-of-way line of Skyway Church Road and the easternmost line of McCaffery Road (State Road 1479), and runs thence as and with the southernmost right-of-way line of Skyway Church Road North 52 degrees 00 minutes 05 seconds East 1,187.63 feet to another new iron pipe in the southeasternmost right-of-way line of Skyway Church Road; thence as and with the southeasternmost right-of-way line of Skyway Church Road in a northeasterly direction, along the arc of a circle having a radius of 670 feet, for a chord distance of 257.93 feet to another new iron pipe in the southeasternmost right-of-way line of Skyway Church Raod; thence continuing as and with the southeasternmost right-of-way line of Skyway Church Road North 74 degrees 21 minutes 50 seconds East 1,053.19 feet to another new iron pipe in the southeasternmost right-of-way line of Skyway Church Road; thence continuing as and with the southeasternmost right-of-way line of Skyway Church Road North 74 degrees 15 minutes 57 seconds East 921.57 feet to a new iron stake; thence South 19 degrees 28 minutes 20 seconds East 2,074.26 feet to a new iron stake; thence South 66 degrees 31 minutes 01 seconds East 1,615.57 feet to a new iron pipe situated in the line of the Carroll’s Realty Partnership property (see Deed Book 430, Page 58, Scotland County Registry); thence as and with the westernmost line of the Carroll’s Realty Partnership property South 30 degrees 33 minutes 00 seconds West 1,533.61 feet to an existing iron pipe; thence as and with the northernmost line of the Maxton Farms, Inc. property (see Deed Book 11-E, at Page 190, Scotland County Registry) South 59 degrees 33 minutes 42 seconds West 1,413.30 feet to an existing iron pipe which marks the northernmost corner of that certain tract or parcel of land owned by John W. Bullard, et als (see Deed Book 14-L, Page 29, Scotland County Registry); thence as and with the John W. Bullard, et als South 59 degrees 33 minutes 42 seconds West passing over an iron stake at a distance of 791.08 feet, for a total distance of 870.58 feet; thence North 82 degrees 14 minutes 11 seconds West 432.96 feet to an existing concrete monument which marks the southeasternmost corner of that certain tract or parcel of land owned by Johns Manville Products Corporation (see Deed Book 4-I, Page 60, Scotland County Registry); thence as and with the easternmost line of the Johns Manville Products Corporation land North 07 degrees 47 minutes 51 seconds East 1,499.29 feet to an existing concrete monument which marks the northeasternmost corner of the lands of Johns Manville Products Corporation; thence as and with the northernmost line of the lands of Johns Manville Products Corporation North 82 degrees 20 minutes 33 seconds West passing over an existing iron pipe at a distance of 1,616.83 feet for a total distance of 1,645.96 feet to a new iron pipe situated in the southernmost line of Pell Road (State Road 1495); thence crossing the right-of-way of Pell Road North 07 degrees 17 minutes 53 seconds East 63.47 feet to an existing concrete monument in the northernmost right-of-way line of Pell Road; thence as and with the easternmost line of Fred D. Godley (see Deed Book 1085, Page 269, Scotland County Registry), and also, as and with the westernmost line of a private road North 07 degrees 17 minutes 53 seconds East 800.17 feet to an existing iron pipe; thence as and with the northernmost line of the Godley property North 82 degrees 13 minutes 50 seconds West 659 feet to a new iron pipe in the easternmost line of McCaffrey Road; thence as and with the easternmost line of McCaffrey Road North 06 degrees 55 minutes 22 seconds East 293.06 feet to another new iron pipe in the easternmost right-of-way line of McCaffrey Road; thence continuing as and with the easternmost line of McCaffrey Road North 10 degrees 31 minutes 45 seconds West 710.82 feet to a new iron pipe, the point and place of BEGINNING.

The above described tract or parcel of land is that same parcel described in quitclaim deed dated October 27, 1947 and May 7, 1948 and recorded in Book 2-D, at Page 367, and Book 2-E, at Page 49, Scotland County Registry, reference to the same being hereby made for a description of greater certainty.

(b)That said Airbase lands owned jointly by the City of Laurinburg and the Town of Maxton are maintained, controlled and operated by the Laurinburg-Maxton Airport Commission, an administrative agency created by the joint ordinance of the City of Laurinburg and the Town of Maxton. After negotiation, the Commission has received from Scotland County Economic Development Corporation, an offer to purchase said tract of land consisting of 322.24 acres, more or less, for a total price of ONE MILLION TWO HUNDRED NINETY THOUSAND AND 00/100 DOLLARS ($1,290,000.00), in cash, payable

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upon delivery of the deed. The Commission has recommended that the offer of sale under these terms be accepted.

(c) This airport property was originally acquired for the purpose of developing the same as an industrial area which would greatly benefit this section of the State, including the City of Laurinburg and the Town of Maxton. It was not required, nor has it been used, for governmental use of either of the municipalities; that the said tract of land totaling 322.24 acres is now not necessary for such use.

(d) The offer for the property is a full, fair and adequate market value thereof; and that the best interest of each municipality will be served and promoted by the acceptance of this offer under the terms of the payment of above stated.

(e) The Laurinburg-Maxton Airport Commission has recommended that the property be conveyed to Scotland County Economic Development Corporation upon cash payment upon delivery of the deed and this recommendation is hereby approved by this governing body.

(f) By Chapter 36 of the 1961 Sessions Laws of the State of North Carolina, duly ratified by the General Assembly on March 14, 1961, the governing bodies of the City of Laurinburg and the Town of Maxton are specifically authorized and empowered, by their joint action, to dispose of any part of the airport property, including the 322.24 acres, at private sale, without advertisement, and to convey the same by deeds or other property instruments.

Second. That the plat of 322.24 acres, more or less, by D. Wayne Sullivan, Professional Land Surveyor, and the proposed deed to Scotland County Economic Development Corporation have been submitted to and examined by this governing body; that the municipal attorney has certified that the deed is in proper form; and that the deed is hereby approved.

Third. That upon the payment of ONE MILLION TWO HUNDRED NINETY THOUSAND AND 00/100 DOLLARS ($1,290,000.00) to the Laurinburg-Maxton Airport Commission, the Mayor and Clerk, in their official capacities, are hereby authorized and directed to execute and deliver said deed in the name of

**And on behalf of said municipality and the Municipal Clerk, in the clerk’s official capacity, is hereby authorized and directed to attest the execution thereof and to affix thereto the corporate seal of said municipality.**

**Introduced: -------- Adopted :-------- Ayes: Nays: ------- Absent: ------- Abstaining: ------**

**We, Emmett Morton, Mayor of the Town of Maxton, and Jacqueline M. Johnson, Town Clerk of the Town of Maxton, do hereby certify that the foregoing Resolution entitled “RESOLUTION FOR THE SALE OF 322.24 ACRES, MORE OR LESS, AT LAURINBURG/MAXTON AIRPORT TO SCOTLAND COUNTY ECONOMIC DEVELOPMENT CORPORATION”, was duly adopted by the Board of Commissioners of the Town of Maxton, on the \_\_\_\_\_\_ day of \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, 2017.**

**Emmett Morton, Mayor**

**Jacqueline M. Johnson, Town Clerk**

1. **Laurinburg/Maxton Airport Commission Lease**

Mayor Morton requested a motion to approve the Laurinburg Maxton Airport Commission to lease property to Charlotte Aircraft Corporation. Commissioner Gilmore moved that the Resolution to sell the land be approved, Mayor Pro Tem Hutchinson seconded the motion, and the motion was unanimously approved.

**PREPARED BY MOSER AND BRUNER, P.A.**

**STATE OF NORTH CAROLINA,**

**COUNTY OF SCOTLAND.**

**THIS LEASE, made and entered into this the 1st day of December, 2016,**

**January 17, 2017**

**By and between the CITY OF LAURINBURG and the TOWN OF MAXTON, each of**

**which is a municipal corporation duly chartered and existing under various Acts of the**

**General Assembly of the State of North Carolina, parties of the first part, hereinafter**

**Called “LESSOR”; and CHARLOTTE AIRCRAFT CORPORATION, a North Carolina corporation organized and existing under and by virtue of the laws of the State of North Carolina, party of the second part, hereinafter**

**Called “LESSEE”;**

**W I T N E S S E T H:**

**The Lessor hereby leases unto the Lessee the property hereinafter described or identified, subject to the terms and conditions stated below, said Lessee accepting the lease and covenanting to observe such terms and conditions.**

**1. DEMISED PREMISES**

**The property leased is described on the attached Schedule “A”.**

**2. INITIAL TERM The initial term of this lease is for a period of ten (10) years commencing on the 1st day of December, 2016, and expiring on the 30th day of November, 2026**

1. **Planning & Zoning Board Appointment (1) Seat (Scotland County Side)**

Mayor Morton requested a motion to reappoint Ruthie McDowell to fill the expired seat on the planning and zoning board. Commissioner Gilmore moved that Ruthie McDowell be reappointed to fill the vacant seat on the Scotland County Side, Commissioner McDougald seconded the motion, and the motion was unanimously approved.

1. **Library Board Appointment (3) Seats**

Mayor Morton requested a motion to reappoint Aggie Deese, Vivian Morrison, and Annie Hager to fill their expired seats on the Library Board. Commissioner Gilmore moved that above three said names be reappointed to fill the vacant seat on the Scotland County Side, Commissioner McDougald seconded the motion, and the motion was unanimously approved.

1. **Choose a date in March or early April for Budget Workshop**

Mayor Morton and the Board briefly discussed the dates for the budget workshop, and it was agreed both dates on Saturday March 18, 2017 and April 8, 2017 at 9:00 a.m. in the Board Chambers. February meeting will be recessed and continued on March 18, 2017 at 9:00 a.m.

1. **Nominate a Commissioner for LRCOG Transportation Advisory Committee**

Mayor Morton nominated Commissioner Gilmore for the Lumber River Council of Government Transportation Advisory Committee which the nominations will be chosen at the Robeson County Municipal Association meeting on January 26, 2017 at Pier 41 in Lumberton NC.

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**REPORTS**

**Town Police Chief**

* Chief Deese briefly discussed an incident on January 4th at the Dollar General Store which was an armed robbery and the Maxton Police Department is currently investigating all leads to the case.
* Chief Deese briefly discussed that the Maxton Police Officer found there have been a break-in at the Yogurt Shop owned by Jean Teeters on December 26th 2016. Owner Teeters reported $36,940.00 in merchandise stolen.
* She informed the Board that Maxton resident Tony Amerson was killed on January 10, 2016 after going around the crossing gates and colliding with the train.

* She informed the Board that on December 20, 2016 the Maxton Police took 18 children to shop with a cop with the $1,300.00 that was provided by a Walmart grant. A member of the police department provided an additional $400.00, and Mayor “Chip” Morton gave $100.00 to help with the cause. The children were also taken to Pizza Hut at the end of the day.
* Chief Deese also mentioned the next Community Watch meeting will be held on February 14th at 6:30 p.m. at the Maxton Courthouse.

**Town Manager**

* Town Manager Bordeaux shared that the Robeson County Municipal Association Meeting has be rescheduled for January 26, at 7:00 p.m. at Pier 41 Seafood Restaurant in Lumberton NC. The guest speaker will be from FEMA.
* Under Rail Road Crossing Safety Manager Bordeaux shared the following:
* Highway–rail crossing safety is a priority of the Town of Maxton.
* She reported that she has been communicating with the North Carolina Department of Rail Division and last month identified State funds for short-term initiative to provide one-time assist to municipalities in North Carolina by updating advance warning signs and pavement markings at “cross bucks “, crossings with no flashing lights, bells, or gates along the municipal streets.
* The cost of this work is 100% funded and administered by the NC Rail Division, and the work will be completed by an NCDOT contractor.
* No TOWN funding match required.
* Once completed the maintenance of the new signs and pavement markings as well as ensuring compliance of traffic control devices with federally mandated standards will remain the responsibility of the Town of Maxton, as they are now under NC General Statutes.
* She spoke briefly on the schedule for trash pick-up and to avoid miss pick-up trash, the can must be out the night before your day of pick-up. The Southside is on Wednesday and the Northside has been changed back to Fridays.

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* The Public Works Department has been picking up brown and white goods at several locations and the citizens are not paying for the extra pick up fee for the items that have been taken to the land field. Citizens who are not paying the fee charged will see the fee on their water bill as a one-time charge.
* Liter seems to be a major problem in the Town. The Manger requested that the Police Department try to catch people littering.
* She also shared some information from Francine McLaurin (the local heath coordinator with St. Matthew Church and the Robeson County NC Cooperative Extension) that classes to help citizens with healthy eating will be at a workshop (Dated -----)

**Commissioners**

* Commissioner McDougald is working with Mr. Hipp who is interested in the old Food Folks building to open a Bargin Barn which will consist of selling appliances.
* He has been talking with the Hamlet Credit Union on their interest of opening a Credit Union at one of two locations that’s available in the Town of Maxton. The two locations that he cited are the old Burns garage and one of the vacant buildings on Main Street.
* Lastly, he mention that the Gym located at the old Family Dollar will be open soon. Mr. Dallas Everett will be operating the gym and will have a few job openings.

Mayor Morton briefly mentioned several events that had taking place in the month of December.

* The Maxton Annual Christmas Parade was on December 10, 2016. He applauded Mr. Davis McEachin and the 10 member committee for one of the best parade. It was Maxton’s 20th Christmas Parade. The Mayor asked Mr. McEachin to come before the Board and briefly speak on behalf of the committee. Mr. McEachin spoke on how much time and effort each member put in to making the parade a successful event. He further stated that from beginning to the end, each member has a job to do from planning the breakfast, arrangement for the Limo to pick up the seniors to take to the grandstand, placing the stakes and design the line-up, taking the entry information, float judging, and contacting the schools for the bands. Five bands participated in the parade, ROTC, and a host of other entertainment. He also thanked the Town and everyone that helped to make the Maxton 20th Parade a great event.
* The Maxton Annual Senior Dinner which was held on December 17, 2016 at the Que Hill Fire Station at 2:00 p.m. also was a successful event. The Mayor thanked to the Recreation Committee. The seniors were served good food and Christmas cheers from different merchants throughout the town and entertainment.
* Lastly, he thanked everyone for attending the meeting, and commended Town Manager Bordeaux for doing a good job for the length of times she has been with the Town of Maxton.

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**Adjourn**

Mayor Morton requested a motion to adjourn the meeting. Commissioner McDougald moved to adjourn, Commissioner Gilmore seconded the motion, and the motion was unanimous approved.

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Emmett Morton, Mayor Jacqueline Johnson, Town Clerk