

**Board of Commissioners Meeting
Work Session - 7:00 PM**

Present: Mayor Lillie A. McKoy; Commissioners: Dean, McLean, Hamer, Oxendine and Mayor Pro Tem McLaurin

Absent: None

Staff Present: Town Manager Tatum, Town Clerk Roberson, Acting Finance Clerk Tyndall and Town Attorney Grady Hunt.

Mayor Lillie A. McKoy called the August 14, 2007 work session of the Town of Maxton Board of Commissioner to order at 7:00 p.m.

Invocation was given by Mayor Pro Tem McLaurin.

WORK SESSION

Town Manager Tatum presented the following:

1. Conditional Use Permit Application – #07-02 - Mr. Purnell McQueen

Mr. Purnell McQueen applied for a conditional use permit on June 26, 2007 to operate a Pre-school on the vacant lot adjacent to 109 Marada Road, (109 Marada Road is improved with a home and a daycare facility.) The Public Hearing for the Planning Board review was held July 24, 2007. Five adjacent property owners came to the hearing to voice their objection to the construction of the facility. The complaints were that the existing facility was causing the following problems and they didn't want the new facility built because they felt the same problems would be experienced:

- a. Cars on the street speed.
- b. Too much noise.
- c. Not enough parking.
- d. Too many shifts – Cars going and coming 24-7
- e. Too much trash
- f. Too many children

They also asked if Mr. McQueen could be forced to build a privacy fence around the entire complex, the existing portion of which was approved under a previously approved condition use application (no conditions were placed while under consideration). Staff advised the Planning Board that conditions could only be placed on the existing conditional use application, not on property previously approved without conditions at another time. The meeting was tabled to get a legal opinion. The Town's attorney concurred with staff. However, staff met with Mr. McQueen and requested that he voluntarily place a privacy fence around the entire complex. The resulting agreement is attached for your review. With the exception of parking, the other complaints do not

actually concern land use under the concept of building construction and zoning and are covered under other town ordinances. There is sufficient parking for the requested use. The Conditional Use Application was approved by the Planning Board at the July 24th meeting with the condition that a privacy fence be erected in accordance with the agreement between Mr. McQueen and the Planning Board. See attached documents for complete history.

2. Givens Performing Arts Center – Corporate Sponsorship Request - \$1,500

Once again GPAC staff has set the schedule for upcoming events, speakers and plays. Last year the Town elected to secure a Corporate Sponsorship of \$1,500. The benefits differ slightly in that the number of free tickets given has changed. The following benefits are effective this year:

1. Association as a Corporate Sponsor with the performance of the sponsor's choice.
2. Identification as a Corporate Sponsor in all print advertising for the performance of sponsor's choice.
3. Corporate Sponsorship credit in all press releases and publicity for the performance of sponsor's choice.
4. ¼ Page ad in all show bill programs for the 2007-2008 Season.
5. Company name listed on sponsors' page in all 2007-2008.
6. Company name on any direct mail pieces, performance posters, flyers, etc for the performance of sponsors' choice.
7. Two tickets to all Broadway and More, Nostalgia and Distinguished Speaker events –
Note: The number of tickets offered is reduced by half because there are approx. 50% more events.

Should the Town decide to become a Corporate Sponsor, note that you are also being asked to decide which show you would like to sponsor. Please note that the African Footprint show has been put on for Nelson Mandela, Bill Clinton and Prince Charles at their request and is world wide in notoriety. Other events of interest include Hairspray, Evita, The Beatles Show, Tony Orlando and others. Packets are available for review.

3. Project Budget Ordinances – NCHFA Urgent Repair, Rural Center Freight Building Grant, North Carolina Department of Juvenile Justice and Delinquency-PALS, North Carolina Governor's Highway Safety Program

One of the criticisms of the Local Government Commission was the lack of fiscal responsibility in spending through the creation of Project Ordinances which are intended to control spending and provide authority for the fiscal management process when dealing with capital projects. In creating these budget ordinances, management will be required to return to the Board prior to exceeding the budgets depicted in the ordinances.

4. Maxton Freight Building – Selection of Restaurateur

To assist Council in the Restaurateur selection process, it was requested that Abigail's and San Ariel provide additional data. Their responses are attached.

1. Summary: Abigail's (Something New at Abigail's II) Financial projections and management organization):

Financial Data: Monthly Projections: Operational Costs - \$30,000, Projected Gross Income \$90,000

Start Up Cost: \$60,000 (Mrs. Bowden-Powell is prepared to have her financial institution certify the availability of funds for start up.)

Management Organization and Personnel - Mrs. Bowden-Powell (Generally oversight), Stella Sanders will function as the onsite manager (25 years experience as a cafeteria manager), and a kitchen manager and additional personnel will be hired from the Maxton area.

2. Summary: San Ariels (List of catered functions and customers are attached):

San Ariels has provided a list of customers. Please note that Mr. Locklear has catered weddings, office parties, private parties, meetings, and receptions, reunions, etc.

5. Voluntary Satellite Annexation – Effie N. McEachin

Individuals or groups may upon petition to the Governing Board request annexation into the city limits any area whose boundary does not at any point touch its primary corporate limits. Any municipality may receive such property(s) except those that do not receive a gasoline tax. Although the property owned by Mrs. McEachin appears to meets all requirements for satellite annexation as listed below, the statute calls for the clerk to investigation for sufficiency:

1. The nearest point on the satellite area must not be more that 3 miles from the primary limits of the annexing municipality.
2. No point on the satellite area may be closer to the primary limits of another municipality than the primary limits of the annexing municipality.
3. The area proposed for annexation must be so situated that the municipality will be able to provide the same services within the satellite area that it provides within the primary limits.
4. If the area proposed for annexation, or any portion thereof, is a subdivision area, as defined in GS 160A-376, all the subdivision must be included.
5. The area within the proposed satellite limits plus the area within all other satellite corporate limits may not exceed 10% of the total land area within primary corporate limits of the annexing municipality.

When the petition is received, the Governing Body must direct the Clerk to investigate the sufficiency thereof and certify the results to the governing body. The public hearing can be set during the next meeting provided the clerk's sufficiency and certification documents are complete. Supporting documents are in your packets for review. Ms. Tatum addressed the following concerns by Council members on annexation: 1. The requested annexation is in the county and the county does received the gasoline tax. 2. The restaurant where H & H Restaurant is now located is a non-contiguous annexation. 3. The petition for annexation does not have to go before the Planning and Zoning Board. 4. The annexation can go three miles from the current primary limits. 5. In order for any area/residence to be considered for annexation, it would have to meet the sufficiency test. 6. The Town Clerk has to be directed by the Town Board to certify the

sufficiency of the petition. Ms. Tatum stated that with any annexation, if there are services that can't be provided, staff will research the issues. Ms. Tatum went on to say that annexations have to be sent to the Department of Justice.

6. Urgent Repair Procurement Policy – The attached procurement policy which is required under program guidelines. This policy must be put in place prior to contracting for rehabilitation of selected homes to establish a process for procurement and disbursement of funds.

7. Smart Choices Expenditures –The expenditures incurred during the administration of the Smart Choices Program are attached. These expenditures were requested for review by the Board during the July meeting and include operating years 2004, 2005 and 2006.

8. Resolution – Designation of Fall Clean Up Weeks

Robeson County has designated September 15-29, 2007 as the fall clean up period. A resolution designating these weeks as the fall clean up period for the Town of Maxton is attached for your review. The residents should be mindful that clean up items do not include the following: Toxic chemicals, commercial or contractor's debris, brick, block or concrete. Ms. Tatum stated that this is an opportunity for citizens to get things picked up at no cost.

AGENDA
Regular Meeting
Welcome by Mayor Lillie McKoy

Mayor Lillie A. McKoy called the August 14, 2007 regular session of the Town of Maxton Board of Commissioner to order at 7:35 p.m.

Present: Mayor Lillie A. McKoy; Commissioners: Dean, McLean, Hamer, Oxendine and Mayor Pro Tem McLaurin. **Absent:** None

Staff Present: Town Manager Tatum, Town Clerk Roberson, Acting Finance Clerk Tyndall and Town Attorney Grady Hunt.

Invocation was given by Commissioner Morton.

Consent Agenda

1. Minutes:
 - Regular Meeting: July 17, 2007
 - Special Meeting: August 7, 2007
2. August Tax Adjustments
3. NCHFA Urgent Repair Project Ordinance
4. Rural Center Freight Building Grant Project Ordinance
5. North Carolina Department of Juvenile Justice and Delinquency-PALS Project Ordinance
6. North Carolina Governor's Highway Safety Program Project Ordinance
7. Urgent Repair Procurement Policy
8. Resolution – Designation of Fall Clean Up Weeks

Commissioner Dean motioned to approve the Consent Agenda as presented. Commissioner Morton seconded. The vote was unanimous.

Special Presentation
Distinguished Service Award – Patsy Hamer

Mayor McKoy presented the Distinguished Service Award to Former Commissioner Patsy Hamer. Mayor McKoy stated the Ms. Hamer is someone who has given so much to the Town of Maxton. Ms. Hamer thanked the Board for the award. She went on to cite achievements she made during her tenure as Commissioner of the Town of Maxton. In closing, Ms. Hamer stated, "It's best to work in unity for the Town of Maxton".

Amendment to the Agenda

Commissioner Morton motioned to add Certificate of Excellence Award for Brittney Jones to Special Presentation and to add Disclosure URP Recipient-Lillie Ruth Graham

Galbreath as item number 5 in New Business. Commissioner Dean seconded. The vote was: 4-Favor – Commissioners Oxendine, McLean, Morton and Dean. 1-Abstained: Mayor Pro Tem McLaurin due to Conflict of Interest.

Special Presentation
Certificate of Excellence Award – Brittany Jones

Mayor McKoy presented the Certificate of Excellence Award to Brittney Jones for being the recipient of the 2007 National Conference of Black Mayor, Inc. (NCBM) Scholarship in the amount of \$1,000. Brittney's 1,000 word essay was chosen above many gifted and talented students across the nation. The NCBM recognizes Brittney for academic excellence and great potential for leadership in the future. The Mayor and Board of Commissioners recognizes Brittney as being an intellectually gifted Maxton area resident.

Mayor McKoy invited Board members and citizens to submit names of students they know for that may be eligible to other awards for school. A past recipient of the Hema Shema Award (a full scholarship award) was the daughter of Mr. and Mrs. James Panky of 710 McCaskill Avenue.

Introduction of New Staff

1. Matthew Lassiter – Recently graduation BLET – Maxton is first assignment.
2. Santonia Lee Robinson – Formerly Auxiliary Officer with Richmond County Sheriff's Office.

Ms. Tatum informed the Board that staff has heard positive comments on both officers.

New Business

1. Conditional Use Permit - Application – #07-02 - Mr. Purnell McQueen

Mayor Pro Tem McLaurin motion approval of Conditional Use Permit #07-02 – Purnell McQueen with the condition that a privacy fence be erected around the entire complex as agreed by Mr. McQueen. Commissioner McLean seconded. The vote was unanimous.

2. Givens Performing Arts Center – Corporate Sponsorship Request - \$1,500

No action was taken on the Givens Performing Arts Center-Corporate Sponsorship Request for \$1,500.

3. Maxton Freight Building – Selection of Restaurateur

Staff recommendation was that action be determined by the Board – Motion should identify the selected restaurateur and direct staff to draft a contract for execution by the Mayor under the conditions outlined in the RFP. Commissioner Morton motioned to table this item to allow himself as new appointed Commissioner to review the proposals. Mayor Pro Tem McLaurin seconded. The vote was unanimous.

4. Voluntary Satellite Annexation – Effie N. McEachin

Commissioner Morton motioned to direct Clerk to proceed with a sufficiency review and certify the results of the review as prescribed by the NC General Statute. Commissioner McLean seconded. The vote was unanimous. Commissioner Morton motioned to set the date for public hearing for September 11, 2007. Commissioner Dean seconded. The vote was unanimous.

5. Disclosure URP Recipient – Lillie Ruth Graham Galbreath

This disclosure provides that the mother of Mayor Pro Tem McLaurin, Mrs. Lillie Ruth Graham Galbreath, located at Lot 13, Suburban Trailer Park, has applied and does qualify under the program guidelines for benefits under the North Carolina Housing Finance Agency Urgent Repair Program. It is also disclosed that Mayor Pro Tem McLaurin in no way participated in the selection process. This public disclosure is made to satisfy the Conflict of Interest requirements of this program. No motion is required. No one wished to comment on this disclosure.

Reports

1. Manager's Report

A. NC STEP – No meetings have been held since last report.

B. SMALL TOWN MAIN STREET APPLICATION

Staff received notice that the Small Town Main Street Application was not funded. We were encouraged to reapply.

C. URGENT REPAIR PROGRAM

Seven applications have been sent to the Wooten Company for consideration in the Urgent Repair Program. Ms. Tatum stated that citizens who know of some one who may benefit from the program to give their names to staff. The grant is 100% free and there is no lien on the property.

D. BUDGET

John Masters will be here August 22, 2007 to begin finalizing the 2006-2007 audit process. The work will be concluded early this year.

E. PUBLIC WORKS EQUIPMENT: STREET SWEEPER

Staff looked at three different street sweepers. Bids have been received for the street sweepers. The Prices range from \$108,000 for a small sweeper to \$170,000 for a large sweeper. We are also monitoring a bid for a 2003 sweeper on Gov.com. Staff has since spoken with a gentleman from Illinois who has a 2000 Johnson Sweeper and we will only have to add about \$10,000 worth of amenities. Commissioner Dean asked if that sweeper will come with a warranty. Ms. Tatum replied that it will not come with a warranty, but Johnson Sweepers have parts that come with a lifetime warranty and the warranty will be the same after one year.

F. WATER/WASTEWATER – DE-CHLORINATION GRANT:

The De-chlorination unit bid opening was held August 9, 2007. Only one bid was received and must be re-bid. The grant has been extended. It may be re-bided.

2. Commissioner's Reports

A. Commissioner Dean reported that a Collard Festival meeting will be held on Monday, August 27, 2007 at 6:30 p.m. at the Resource Center.

B. Commissioner Dean reported that the RCTS/R.B. Dean Alumni Association will hold their biennial reunion August 31, 2007 – September 2, 2007.

C. Mayor Pro Tem McLaurin reported that Holy Ground Church, 702 E. Martin Luther King, Jr. Dr. will host a Back to School outing on August 22, 2007 at 5:00 p.m.

3. Police Report

Police Chief Paul McDowell stated that the police reports were in the packets. He reported that the National Night Out was held on last week and that the program needs revamping. He stated the Neighborhood Watch Zones sponsors areas. The Safety Team met with a representative of the Greensboro Police Department Crime Stoppers Program. He also reported that staff is looking at the Loitering Ordinance. Ms. Tatum stated that staff is also working on a Nuisance House Ordinance. Commissioner Dean questioned the line item in the Activity Log titled other. Chief McDowell stated that the line item "Other" is generally what does not fit into other categories. Mayor McKoy stated that she would like to see extra patrol on Third Street, Fourth Street and Central Street. Ms. Tatum stated that a group of about ten or fifteen young boys have been playing in the park at night.

Announcements

- 1. GPAC – Promotion for "Hair Spray" play.** Roots in the integration effort. Dance Competition at Biggs Park Mall on September 1, 2007, from 11:00-2:00. Will also be doing hair competitions (big hair, comb overs). Call GPAC @ 521-6634 to register. There will also be dance competitions.
- 2. Homeownership Workshop – "Making Homeownership a Reality," Tuesday, August 28, 2007, The Hilton, Greenville, North Carolina, 8:30 am – 12:30 pm.** This workshop is an initiative brought to you by US Senator Elizabeth Dole and others. Registration is required due to limited space.
- 3. Lumber River Council of Governments – Federal Funding Process meeting –** August 21, 2007 @ 2:30 pm at the LRCOG large conference room. Co-hosted by Senator Elizabeth Dole.
- 4. Managing Conflict: Strategies for Elected Officials Workshop –** September 19, 2007 at the School of Governments – UNC Chapel Hill. Must register by August 17, 2007.
- 5. NC STEP Leadership Team Meeting –** August 16, 2007 @7:00 pm. Jean Crews Klein will be presenting an Infrastructure Workshop.
- 6. 2007 North Carolina League of Municipalities Annual Conference – October 13-16, 2007, Crown Expo Center, Fayetteville, NC,** Pre-Conference Workshops will be scheduled throughout the expo and required pre-registration to attend. Each workshop individually priced. – Starts at 1:30 on the 13th with activities through the 16th.
- 7. No RCMA meeting for the months of July or August.** Pembroke is the administrative entity for planning and will give notice for the next meeting.
- 8. Saturday, September 18, 2007 at the Resource Center – Representative Garland Pierce and the Rising Sun Chapter #552** will host a forum for students and parents of students who have been suspended for ten or more days. The time will be from 9:00 a.m. – 12:00 Noon.

Public Forum

- 1. Vivian Brown Morrison – 249 North First Street** - Mrs. Morrison stated that her house was attacked a few weeks ago. Bottles were thrown through her bedroom window. She has since repaired the window. Prior to that incident her fence was painted with graffiti. She stated that hopefully increased patrol will help.
- 2. Jane Hersch – North Patterson Street** - Ms. Hersch stated that at 3:00/4:30 a.m. she hears kids in the street, in the wee hours of the morning. She stated that Highway 71 is a busy street. She asked Chief McDowell if he can put patrol in the area. Her concern is that children will get hurt.

Closed Session - Personnel

Mayor Pro Tem McLaurin motioned to enter into Closed Session pursuant to North Carolina General Statute 143.318.11(a)(6). Commissioner Dean seconded. The vote was unanimous. The purpose of this Closed Session was to discuss personnel issues. Discussion. Commissioner McLean motioned to come out of Closed Session and return to Regular Session. Commissioner Oxendine seconded. The vote was unanimous.

Regular Session

Commissioner Morton motioned to start Town Manager Tatum’s salary at \$53,300 plus a 2.5% cola with no probation period on the manager as an exempt employee. Mayor Pro Tem McLaurin seconded. The vote was unanimous.

Adjournment

Mayor McKoy entertained the motion to adjourn. Commissioner Dean motioned to adjourn. Commissioner Morton seconded. The vote was unanimous. Meeting adjourned at 9:45 p.m.

Mayor Lillie McKoy

Town Clerk Jacqueline Roberson, CMC