

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

Present: Mayor Lillie A. McKoy; Commissioners: Dean, McLean, Morton, 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 (arrived at 7:30 p.m.).

Mayor Lillie A. McKoy called the September 18, 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. Maxton Freight Building – Selection of Restaurateur

This item was tabled at last month's meeting. The information given at the August 14, 2007 board meeting is repeated below in order to assist in the Restaurateur selection process. Ms. Tatum stated that she has since spoken with Restaurant Association and they state that experience is always a preferred quality.

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.

Commissioner Morton asked if staff has any indication from either party as to when they will start in the building if they get the contract. Ms. Tatum stated that originally they said around September, but it could be any where from thirty to ninety days. Commissioner Oxendine asked if a timeframe could be included in the lease. Ms. Tatum stated that would be up to the Board. There are timeframes to commence work specified in the zoning permit. Mayor Pro Tem McLaurin stated that with the holiday season coming up they may push to set up earlier.

2. Voluntary Satellite Annexation – Effie N. McEachin

The property owned by Mrs. McEachin does meet all requirements for satellite annexation as listed below and the clerk has completed the sufficiency investigation:

1. The nearest point on the satellite area is not more that 3 miles from the primary limits of the annexing municipality.
2. No point on the satellite area is closer to the primary limits of another municipality than the primary limits of the annexing municipality.
3. The area proposed for annexation is so situated that the municipality will be able to provide the same services within the satellite area that it provides within the primary limits. Note that the McEachin household already receives town services.
4. The area proposed for annexation in not a part of a subdivision as defined in GS 160A-376, therefore no other properties are required to be considered.
5. The area within the proposed satellite limits plus the area within all other satellite corporate limits does not exceed 10% of the total land area within primary corporate limits of the annexing municipality.

The clerk has investigated the sufficiency of the proposed satellite annexation as directed by the Governing Board and a copy of the Certification of Sufficiency is attached for your review. The public hearing originally scheduled for September 11, 2007 must be rescheduled due to the change in the regular meeting date. Staff is requesting that the Board set October 9, 2007 as the rescheduled public hearing date. Because the public hearing date had to be changed, a revised resolution is submitted for your approval.

3. Contractor Selection – Wastewater Treatment Plant Chemical Feed Modifications.

The Wastewater Treatment Plant Chemical Feed Modifications (De-Chlorination Unit) RFP was reissued. The bid opening was held August 30, 2007 at 2:00 pm. Five contractors responded to the RFP; Turner Murphy Co. (\$89,371.86), Inc., Laughlin & Sutton (\$80,085), Republic Contracting (\$97,700), Seaside Environmental (\$161,400) and S.L. Wilson (\$69,240). Mark Lacy, Project Manager with Hobbs, Upchurch and Associates has reviewed the bid submitted from the lowest bidder, S.L. Wilson, found it to be responsive, has knowledge of the contractor's work epic and therefore recommends that the Board accept S.L. Wilson to perform the services needed. In addition, Mr. Lacy has asked the grant office if we can modify the scope to include relocation of the current chlorine feed. In its present location it poses a danger to staff and if relocated would make it easier to feed the chlorine gas and greatly reduce the danger. Ms. Tatum stated that the only contractor attending the bid opening was Seaside Environmental. Ms.

Tatum also informed the Board the bid amount will not be \$69,240, because there will be a change order to include the relocation of the chlorine feed.

Ms. Tatum informed that Board that the sidewalks in the beautification project has a projected start date of sixty days. Commissioner Dean and Commissioner Oxendine expressed concern about the landscaping outside of the Town Office. Ms. Tatum stated that she asked the contractor to do the entrances first.

AGENDA
Regular Meeting
Welcome by Mayor Lillie McKoy

Mayor Lillie A. McKoy called the September 18, 2007 regular session of the Town of Maxton Board of Commissioner to order at 7:30 p.m.

Present: Mayor Lillie A. McKoy; Commissioners: Dean, McLean, Morton, 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 Oxendine.

Consent Agenda

1. Minutes:

Regular Meeting: August 14, 2007

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

Special Presentation
None

Introduction of New Staff
None

Old Business

1. Maxton Freight Building – Selection of Restaurateur

Mayor Pro Tem McLaurin motioned to approve Abigail's (Something New at Abigail's II) as the selected restaurateur and direct staff to draft a contract for execution by the Mayor under the conditions outlined in the RFP. Commissioner Morton seconded. The vote was: Favor – 4: Mayor Pro Tem McLaurin, Commissioner Dean, Commissioner Morton and Commissioner Oxendine. Oppose – 1: Commissioner McLean.

2. Voluntary Satellite Annexation – Effie N. McEachin

Commissioner Dean motioned approval of Resolution 2007-09-01 – Resolution Fixing Date of Public Hearing on Question of Annexation Pursuant to G.S. 160A-58.2 and to set the date of the public hearing for October 9, 2007. Commissioner Morton seconded. The vote was unanimous.

New Business

Contractor Selection – Wastewater Treatment Plant Chemical Feed Modification

Mayor Pro Tem McLaurin motioned approval to authorize execution of a contract in the amount of \$69,240 with S. L. Wilson to complete all work associated with the Wastewater Treatment Plant Chemical Feed Modifications and to come back to the Board with a change order for the relocation of the chlorine feed. Commissioner McLean seconded. The vote unanimous.

Reports

1. Commissioner's Reports

A. Commissioner Dean reported that the Collard Festival meeting will be held on Thursday, September 20, 2007 at 6:30 p.m. Mayor Pro Tem McLaurin stated that she will be glad to help with the Collard Festival, though she will not be able to help in the same capacity as last year.

B. Commissioner McLean reported that the Candidate's Forum held on Monday night was very informative. The attendance was nice and she would like to see more of these held in Maxton. Mayor Pro Tem apologized for not attending due to a previous commitment.

C. Mayor McKoy reported that the Robeson County Municipal Association meeting will be hosted by the Town of Rowland on Tuesday, September 25, 2007 at 7:00 p.m. The meeting will be held at the Donald Bonner Library located on West Main Street in Rowland. The guest speaker will be Senator David Weinstein. Mayor McKoy, Commissioner McLean and Town Manager Tatum have committed to attend the Lumber River Workforce Development's Recognition Banquet to be held on that same night at 6:30 p.m. at the Southeastern NC Agricultural Center.

2. Manager's Report

A. NC STEP – Leadership team monthly meetings were held on August 17th and September 6th. Jean Crews Klein was the guest speaker at the August meeting. Ms. Klein has since sent a survey to be completed. Most groups have completed the nominal group process to identify priorities and the Leadership Team reviewed a list of Threats, Strengths, Weaknesses and Opportunities, some of which were previously identified by the Town Board. Misty Herget, the Small Towns Project Coordinator at the N.C. Rural Economic Development Center attended the meeting with David McEachin, Vivian Morrison, Brenda Wright, Cynthia Johnson, Jane Hersch and Town Clerk Jacqueline Roberson to ascertain the group's progress and get feedback from committee members at 3:00 p.m. August 17th. She also attended the monthly meeting. The Leadership team is also working on the Vision Statement, Over-Arching Economic Development Strategy, Goals, Objectives, and Basic Strategies. The Leadership Team is attempting to build participation among the entire community and would like to ask the Board of Commissioners for assistance with this endeavor.

B. The Occupational Safety and Health Administration made a spot check visit to the Public Work complex September 13, 2007. Several violations were cited. Staff has taken steps to correct most of the violations, while others required more in depth attention. The town will be fined about \$750.00 for the violations. Ms. Tatum stated that

due to corrective steps being taken over the last six months, more serious violations like the non-functional overhead doors were corrected prior to the visit.

C. URGENT REPAIR PROGRAM

Eight applications have been sent to the Wooten Company for consideration in the Urgent Repair Program. An addition eight applicants are being processed. Ms. Tatum also added the importance of applicants being honest on the information that is submitted on the application.

D. BUDGET

John Masters has completed all research to prepare the 2006-2007 audit report and has found no issues thus far. A draft report should be completed by the second or third week in October and the final report should be ready for presentation to the Board on November 13, 2007.

E. PUBLIC WORKS EQUIPMENT: STREET SWEEPER

We have purchased a 2003 Johnston Street Sweeper from the Village of Glenview in Illinois for \$40,000. A 2003 sweeper of this size would normally sell in excess of \$80,000. Staff examined the sweeper, tested all components and found it to be in excellent condition. An agreement has been reached with Fries Automotive Services to transport the sweeper for \$4,000.

F. PRELIMINARY 2006 MUNICIPAL POPULATION ESTIMATES

The preliminary 2006 municipal population estimates have been released by Bill Tillman, the State Demographer for the Office of State Budget and Management showing a reduction of 23 people. The new July 1, 2006 certified estimates are Robeson 2353 and Scotland 185. Estimates are based on births and deaths. Please keep in mind that the 2007-2008 projected incomes based on population will more than likely decrease rather than increase as projected by the state as a result of the reduction in population.

G. REMINDER CLEAN-UP PERIOD – SEPT. 14-29, 2007

If you have not already taken advantage of clean up privileges please do so. Take this time to do a thorough cleaning of your homes, attics, storage facilities, and yards. Remember that the public works staff will pick up just about anything except construction debris. Staff reminded the Board and citizens that there is still have a week and a half left to put items out at curbside. Ms. Tatum stated that this service is free to contractors as well, but they will have to take their own items to the landfill.

H. FLOOD INSURANCE PROGRAM

A letter was received from the State Treasurer's Office asking why that town feels that National Flood Insurance is not needed and warning us that without insurance, we can not be assured of state funding in case of a disaster. In researching the status of Maxton's compliance with NFIP mandates issued in 2005, I found that the compliance process was never completed. The documents were submitted by Maxton staff to the Robeson County Inspections Department on 5/25/05 in compliance with the National Flood Insurance Program mandates. However, the data on the reports was incorrect and the documents have been returned for revision. Staff is currently correcting the documents to reflect that three flood areas exist in our jurisdiction in an effort to fast tract insurance approval. Staff previously reported no flood areas.

I. TAX ADJUSTEMENTS

The September Tax Adjustments will be submitted in October due to illness of Tax Collector.

J. SATELLITE ANNEXATION

John L. Wilkerson is requesting that his commercial property, located on Hwy 130 (71 Quick Stop) be satellite annexed. The owner has been informed that additional information is needed. In addition, since no water and sewer is presently available to the site, costs estimates are being secured to determine annexation feasibility. Mayor McKoy stated that the availability is on the other side of the road and in order to do the connection the road will have to be cut.

3. Police Report

A. Ms. Tatum stated that Police Chief McDowell had a previous engagement prior to the change in the meeting date. The Activity Log Event Summary (Cumulative Totals) for the month of August 2007 and the August Monthly Gun report is included in the packets. She reported that there has been a reduction in the number of fights from previous months, an arrest has been made on the broken windows and the department is preparing to hire two more officers. Mayor McKoy asked Ms. Tatum to talk with Chief McDowell about asking Carrie Hester to place No Loitering signs at her establishment because it is being used as gathering place at night.

4. Public Works Report

A. Ms. Tatum reported that Public Works has been working on a number of breaks in the lines. Much of their focus has been on repairing the lines which means that they are behind in some of their others duties. She asked that the citizens bear with them in the meantime. Mayor McKoy asked if the fire hydrant on McCaskill has been repaired. Ms. Tatum stated that it is on order. Mayor Pro Tem McLaurin stated that one of her neighbors had contacted her about rusty water. Others in the area did not complain of rusty water. Ms. Tatum stated that usually if there are no other breaks in the area, many times it may be the hot water heater.

Announcements

- 1.** Managing Conflict: Strategies for Elected Officials Workshop – September 19, 2007 at the School of Governments – UNC Chapel Hill. Must register by August 17, 2007.
- 2.** NC STEP Leadership Team Meeting – October 4, 2007.
- 3.** The Workforce Development Recognition Banquet is scheduled for September 25, 2007.
- 4.** The Robeson County Municipal Association meeting will be hosted by the Town of Rowland on Tuesday, September 25, 2007 at 7:00 p.m. The meeting will be held at the Donald Bonner Library located on West Main Street in Rowland. The guest speaker will be Senator David Weinstein.
- 5.** North Carolina League of Municipalities Annual Conference is scheduled for October 14-16, 2007, at the Fayetteville Crown Expo Center.
- 6.** The Lumber River Council of Governments, 35th Annual Dinner Meeting is scheduled for October 18, 2007 @ 6:00pm, at the Southeastern Agricultural Center. They are planning a “1960”s Theme Party for this year’s celebration. The event will begin with a social hour at 6:00 p.m. Dinner will be served at 7:00 p.m., followed by a short program. The cost is \$18.00 per person. Board members and staff are responsible for paying for your spouses and guests.

7. The North Carolina Rural Communities Assistance Project, Inc. is sponsoring Water and Wastewater Projects: Getting to Success with your Consulting Engineer.

Participants will hear a variety of perspectives about working with paid consultants to get the services your community needs. Presentations will include effective development and use of requests for proposals, contract negotiation, capital improvement planning and ongoing project evaluation. Funders will also provide an update on available programs. Attendance at this workshop by a local official will make the unit of local government eligible to receive 10 points on applications to Rural Center Infrastructure grant programs offered in FY 07-08. There will be several workshops. Maxton participants will attend the workshop on November 14, 2007 in Kenansville.

8. North Carolina League of Municipalities Municipal Board Training: The Council-Manager and Mayor-Council Municipalities training will be held November 27, 2007 at Western Carolina University, Outreach Center, 138 Camp Building, Cullowhee from 9:00am to 4:00pm. The Council-Manager Municipalities training will be held at the Local Government Credit Union Conference Center at the Quorum Center, 323 West Jones Street, Raleigh.

9. The Annual Collard Festival is scheduled for November 10, 2007. Times and particulars are being finalized. Competition and Vendor applications are available at Town Hall.

10. Laptops

Ms. Tatum asked the Board to leave their laptops so that their virus protection can be updated.

Public Forum – No One Wished to Speak

Closed Session - Personnel

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

Regular Session Resumed

Adjournment

Mayor McKoy entertained the motion to adjourn. Commissioner Morton motioned to adjourn. Commissioner McLean seconded. The vote was unanimous. Meeting adjourned at 8:45 p.m.

Mayor Lillie McKoy

Town Clerk Jacqueline Roberson, CMC