

The Maxton Board of Commissioners met with the following members present:

Mayor Lillie McKoy
Mayor Pro Tem Geraldine McLaurin
Commissioner Gladys Dean
Commissioner Patsy Hamer
Commissioner Sallie McLean
Commissioner Ray Oxendine

Staff present: Interim Town Manager Katrina Tatum, Interim Clerk Jacqueline Roberson, Angela Pitchford and Town Attorney Jessica Locklear.

CALL TO ORDER

Mayor Lillie McKoy called the May 8, 2007 work session meeting of the Board of Commissioners to order at 7:00 p.m. Commissioner Dean gave the invocation.

WORK SESSION

1. Proclamation – National Police Week

Interim Manager Tatum reported that a proclamation to recognize National Police Week 2007 and honor the service and sacrifice of those law enforcement officers killed in the line of duty while protecting our communities and safeguarding our democracy is attached for Board review. This item will be placed in the consent agenda.

2. 2005-2006 Budget Amendments - Request to Prepare 2006-2007 Budget Amendments - Set Dates for Budget Hearings

Interim Manager Tatum reported that the 2005-2006 Budget Amendments are enclosed for your review. She is requesting that staff be granted permission to prepare the 2006-2007 amendments which will be submitted for your review during the second budget hearing. In addition, she recommended three budget hearings prior to June 30, 2007. She also stated that it is up to the Board how many hearings they will require prior to approving a 2007-2008 budget.

3. Privilege License Ordinance – Set Gross Receipts Tax Rate

Interim Manager Tatum reported that it was mentioned in the Commissioner's Retreat, the Town of Maxton has been assessing flat rates for determining Privilege License tax rates. The North Carolina General Statute allows municipalities to charge according to Gross Receipts. The relevant statutes are General Statute 160A-211 and 105.41-128.10. According to William F. Bell, author of the North Carolina City and County Privilege License Tax Book, Local Governments "have found that a privilege license tax measured by gross receipts produces a substantial amount of revenue, and such a tax is valid if it is imposed on an activity not limited by the provisions of G.S. 160A-211 or current Schedule B, or is limited by the maximum amounts authorized by those provisions. Attached is a proposed ordinance without citation numbers for Board review and approval. Ms. Tatum also proposed that a base rate of \$25.00 for the first \$200,000 of gross receipt and .125 per thousand thereafter be set. Examples follow:

Gross Receipts Tax Calculations

Examples:

Gross Receipts of \$300,000 = \$300,000 - \$200,000 = \$100,000 / \$1,000 = \$100 X .125 = \$12.50 + \$25.00 = \$37.50 Privilege Tax Charge

Gross Receipts of \$1,000,000 = \$1,000,000 - \$200,000 = \$800,000 / \$1,000 = \$800 X .125 = \$100.00 + \$25.00 = \$125.00 Privilege Tax Charge

Gross Receipts of \$10,000,000 = \$10,000,000 - \$200,000 = \$9,800,000 / \$1,000 = \$9,800 X .125 = \$1,225 + \$25.00 = \$1,150.00 Privilege Tax Charge

4. Tax Collector Position Description

Pursuant to Article V. Town Manager, Sec. 6.2. Town Tax Collector, which states, "The town manager may appoint a town tax collector to collect all taxes, licenses, fees and other moneys belonging to the town, subject to the provisions of this Charter and the ordinances of the town, and he shall diligently comply with and enforce all the general laws of North Carolina relating to the collection, sale, and foreclosure of taxes by municipalities. Ms. Tatum stated that the position was delegated to an employee without pay. Ms. Tatum offered the attached job description for approval. Salaries will be researched along with other positions to ascertain a salary range.

5. NC STEP Business Development Committee – Restaurateur Selection Process

Interim Manager Tatum reported that Mr. Gary Gallman and Mr. James McDougald have requested that the Business Development Committee has requested that they be involved in the review of applications and discussions with potential restaurateurs. Their letter is attached for review. Commissioner Dean stated that she felt they should not be involved. Mayor McKoy stated that even with representation they could on listen and that they are welcome to sit in.

6. North Carolina General Assembly – Renaming of I-74

Interim Manager Tatum reported that Representatives Ron Sutton, Doug Yongue, and Garland Pierce along with Senator David Weinstein have requested the support of the Board of Commissioners to assist in efforts to rename that portion of I-74 that passes east-west through Robeson County the "American Indian Freeway." The proposed name will only apply to that portion of I-74 from the Scotland County Line to the Columbus County line. Mayor McKoy stated that this item came up at the Robeson County Municipal Association meeting. She stated that it had not previously come before that Board before the vote, but that it did get voted on at the meeting. Commissioner Dean asked Mayor McKoy if she spoke to Representative Pierce. Commissioner McLean replied stating that she spoke to Representative Pierce. The letter came from Representative Sutton, he voted that way because the other constituents voted for it. Mayor McKoy stated that the letter said that it would not affect Andrew Jackson Highway and she replied that it would not because it would be a new highway. Commissioner McLean stated that the municipalities will have a say in the long run. Mayor McKoy expressed concern about a public hearing on the naming of the highway. Commissioner Oxendine stated we will only make recommendations; the state highway will make the decision.

7. Housing Authority Appointment

Interim Manager Tatum reported that Mr. Clarence Woods, Jr., 104 W. Cottingham Street, Maxton, NC 28364 has requested that he be considered for appointment to the Housing Authority Board replacing his father Clarence W. Woods, Sr.

8. Resolution of Support for the Clean Water Act of 2007

Interim Manager Tatum reported that it is essential that the state's efforts to protect our water sources be continued with support from the local municipalities. Since North Carolina is expected to grow by 3.5 million within the next 22 years these efforts become more critical. The North Carolina Clean Water Trust Fund is asking that each municipality render a resolution of support for the Clean Water Act of 2007 to express their concern for this worthy effort. The resolution is attached for review.

9. Lease Airport Property to Laurinburg Chamber of Commerce

After a brief discussion, it was the consensus of the Board to hold a Special Meeting on May 15, 2007 at 11:00 a.m. to discuss the Lease Agreement with Laurinburg Chamber of Commerce. It was stated that the Airport Board meets on May 14, 2007.

REGULAR MEETING – May 8, 2007 - 7:30 P.M.

Welcome by Mayor Lillie McKoy

The Maxton Board of Commissioners met with the following members present:

Mayor Lillie McKoy
Mayor Pro Tem Geraldine McLaurin
Commissioner Gladys Dean
Commissioner Patsy Hamer
Commissioner Sallie McLean
Commissioner Ray Oxendine

Staff present: Interim Town Manager Katrina Tatum, Interim Clerk Jacqueline Roberson, Police Chief Paul McDowell, Angela Pitchford and Town Attorney Jessica Locklear.

Invocation – Commissioner Oxendine gave the invocation.

Introduction of New Staff Members

1. Phorcia Chavis – Patrol Officer
2. Kionna Watkins – Patrol Officer
3. Jacqueline B. Robeson, CMC – Town Clerk

CONSENT AGENDA

1. Board Minutes
Regular Board Meeting: April 10, 2007
2. Proclamation – National Police Week
3. Housing Authority Appointment
4. Resolution of Support for the Clean Water Act of 2007

Due to Mayor McKoy's absence to take an emergency phone call Mayor Pro Tem McLaurin entertained a motion to approve the Consent Agenda. Commissioner Oxendine motioned to approve the Consent Agenda. Commissioner McLean seconded. The vote was unanimous. Mayor McKoy returns.

PROCLAMATION

Mayor McKoy asked family members and friends of Mr. Ikner to come forward prior to reading the following proclamation:

**PROCLAMATION
FOR
WILLIAM IKNER**

WHEREAS, our Divine Savior in his omnipotent wisdom saw fit to remove from our midst our friend and faithful servant, William Ikner, bringing to an end, a life with wisdom and kindness after faithfully serving the citizens of Maxton as a Town Commissioner from December 1987 until December 1991; and

WHEREAS, William Ikner served the community for numerous years earning the respect, admiration and high regard of all those with whom he came into contact; and

WHEREAS, William Ikner faithfully served as member of American Legion Post # 117; and

WHEREAS, the citizens of Maxton have benefited from William Ikner's knowledge, leadership and concern for his fellow citizens and his contributions will forever serve as an example of untiring and dedicated public service; and

WHEREAS, during his numerous years of admirable service, William Ikner worked diligently toward meeting the needs of the citizens of Maxton and exercised his leadership and benevolence on their behalf through his service to the Town; and

WHEREAS, William Ikner will be missed by all those whose lives he touched, especially those who saw him as a friend, mentor, peacemaker, and a father figure.

NOW, THEREFORE BE IT PROCLAIMED, that the Town of Maxton Board of Commissioners takes this opportunity to express its appreciation, and the appreciation of the entire Town, for the work and life of former Town of Maxton Commissioner William Ikner.

This, the 8th day of May, 2007

Lillie A. McKoy, Mayor

William Ikner, Jr. thanked that Town and all the commissioners for the recognition given to the family on behalf of his father. Pictures of taken of the family and the Legionnaires.

NEW BUSINESS

1. 2005-2006 Budget Amendments - Request to Prepare 2006-2007 Budget Amendments - Set Dates for Budget Hearings. **Commissioner Dean motioned approval of 2005-2006 Budget Amendments, Approval of request to prepare 2006-2007 Budget Amendments and approval to set dates for the Budget Hearings. Commissioner Oxendine seconded. The motion carried.** It was the consensus of the Board of Commissioners to set the first budget hearing for Tuesday, May 15, 2007 immediately after the Lease Airport Property to Laurinburg Chamber of Commerce.
2. Privilege License Ordinance – Set Gross Receipts Tax Rate: **Commissioner Dean motioned to approve the Privilege License Ordinance and the approval of Recommended Gross Receipts Tax Rate of \$25.00 for the first \$200,000 of Gross Receipts and .125 Per Thousand Thereafter. Commissioner McLean seconded. The motion carried.**
3. Approval of Tax Collector Position Description: **Mayor Pro Tem McLaurin motioned approval of the Tax Collector Position Description. Commissioner McLean seconded. The motion carried.**
4. Letter from NC STEP Business Development Committee: It was the consensus of the Board of Commissioners that they had no problem with the Business Development Committee attending the Restaurateur Process, as it is a public meeting. No action required.
5. North Carolina General Assembly – Renaming of I-74: Commissioner Dean recommended designing a resolution that outlines the renaming of that section that goes through Pembroke. Interim Manager Tatum stated that the Council of Governments will design one depending on the vote of the Boards. Mayor Pro Tem McLaurin asked for clarity, wanting to know if Commissioner Dean was talking about the same area. Commissioner Dean stated that she was referring to the same issue but not the same distance. After a brief discussion, **Commissioner Oxendine motioned to approve the renaming of that portion of I-74 that passes east-west through Robeson County the “American Indian Freeway”, from the Scotland County line to the Columbus County line. Commissioner Hamer seconded. Votes were 3-for: Commissioner Oxendine, Commissioner Hamer and Mayor Pro Tem McLaurin; 2-against: Commissioner Dean and Commissioner McLean. The motion carried.**
6. James McEachin, Chairman of the Maxton NC STEP requested to come before the Board to discuss strengthening the relationship between the NC STEP Program participants and the Town Board of Commissioners. Mr. McEachin stated that he is present to request a joint meeting with Town Council and staff. He said that it is important to stay in touch and that Roger Sheats, our coach is impressed with the Leadership in Maxton. Together we can make great strides. It was the consensus of the Board to joint them at their next meeting scheduled for June 7, 2007 at 7:00 p.m. at the Resource Center.

Vivian Morrison is chairing the 2nd Annual NC STEP Program Celebration to be held on Saturday, June 30, 2007 at 4:00 – 9:30 p.m. at Beacham Park. Ms. Morrison stated that it is a Town of Maxton’s event and everyone’s support is needed to make this a success. Fireworks and other activities will be held.

7. Lease Airport Property to Laurinburg Chamber of Commerce: **Commissioner Dean motioned to hold a special meeting on Tuesday, May 15, 2007 at 11:00 a.m. at Town Hall to discuss Lease of Airport Property to Laurinburg Chamber of Commerce. Mayor Pro Tem McLaurin seconded. The motion carried.**
8. **Mayor Pro Tem McLaurin motioned to amend the agenda to allow Willie Hailey, Jr. of H & H Restaurant to speak. Commissioner McLean seconded. The motion carried.** Mr. Hailey

extended an invitation to the Board and the citizens to attend the Ribbon Cutting at their present location of 1401 E. Martin Luther King, Jr. Dr. on Saturday, May 19, 2007 from 12:00 Noon – 4:00 p.m. His business at the old location of 32 years was destroyed by fire. He informed the Board of the fundraising drive “Contribution for the Restoration of H&H Drive-In, Inc.”. This drive started by friends and family members consists of a plague that will be posted listing the following tiers; Platinum-\$1,000, Gold-\$500; Silver-\$250, Bronze-\$100, Patron-any amount.

OLD BUSINESS

There was no Old Business.

REPORTS

1. Commissioner’s Reports

A. Commissioner Dean asked about the retreat and the discussion of the goals. Consensus of the Board to discuss those items at one of the planning meetings. The first meeting will be held on May 15, 2007 at 11:00 a.m. Commissioner Dean asked about the Curfew Ordinance. Interim Manager Tatum stated that we hope to have it drafted in June. Mayor Pro Tem McLaurin said that it was her understanding that we holding off to see if the age could be changed to 18 years of age. Attorney Jessica Locklear stated that 18 years of age is considered as an adult. Police Chief McDowell stated that there is a bill in the General Assembly to get the age of juveniles up to age 18. Mayor McKoy asked Attorney Locklear about the information that she was changing on the ordinance. Attorney Locklear stated that she only has the Grease Ordinance. Mayor McKoy stated that the information was about “disturbing the peace”.

B. Commissioner Hamer mentioned the Senior Program. Interim Manager Tatum replied, the program is through the Cumberland County Senior Aid (CCSA) and it is progressing, all of the seniors are not in place yet. Commissioner McLean stated that Eastern NC Worker Justice Program is also placing some seniors through that program. They will be paid \$6.15 per hour for up to 20-25 hours per week. Commissioner Hamer asked about worker’s compensation. Interim Manager Tatum replied, they are covered under the CCSA program. The Lumber River Council of Governments had a similar program. CCSA has the same program. We have four people for the Beautification Team and anyone interested is asked to apply. Our first participant is Mr. Milton Malloy from Maxton. We are also seeking someone for the Town Hall. Commissioner McLean stated that we will also have people working in the community. Mayor McKoy asked that we see that the “Meals on Wheels” program gets some applications.

C. Commissioner Oxendine asked about Little League Baseball and who controls that activity. That activity is controlled by the county. Commissioner Oxendine expressed concern about night lights on poles at the park on Rockingham Road. Mayor Pro Tem McLaurin stated that the county owns that park. Commissioner Hamer stated that she contacted Commissioner Woods but he has not gotten back with her. Mayor McKoy stated that she talked with county representatives on Friday. They will be speaking with the County Manager about adding lights to the poles. Commissioner Hamer asked why the park was not being use this summer. Mayor Pro Tem McLaurin replied, there are more parks now. Mayor McKoy stated that the details of use of the park needs to be explained because there was a team here to use the park last week and they were locked out.

2. Manager’s Report

A. NC STEP: The regular NC Step full session meeting was held May 2, 2007. All committee reports were represented except the Youth and Senior Citizen Committees. The Interim Housing

Committee Chair, Katrina Tatum reported on Infrastructure and Housing and announced a May 7, 2007 meeting @ 6:00 pm. The Education Committee met on April 9, 2007, Mrs. Morrison reviewed committee progress and announced the next meeting to be held on May 14, 2007 @ 6:30, guest speaker will be JoAnn Woodard from a Rocky Mount Charter School. The Business Development Committee gave an update toward goals stating that the primary focus is Downtown Revitalization. He had discussions with Mr. Veleer of Campbell Soup. Campbell Soup will be sending a representative to be on the Business Development Committee. The next meeting will be held on Thursday, May 10, 2007 at the Resource Center at 7:00 pm. Security Committee report was given by Chairman Paul McDowell. Chief McDowell reported on the Prayer Vigil to be held on Graham Street on Friday May 4th at 6:00 p.m. The NC STEP Leadership team voted to have the July 4th celebration on Saturday, June 30, 2007. The next mass meeting will be held May 15, 2007. The revised budget is under the Manager's Report section of the attachments. Ms. Tatum added that the Prayer vigil was held in observance of National Prayer Day and there were thirty to forty people in attendance.

B. Article 11 - Outdoor Advertising Control Act. – Sections 136-126: The General Assembly recognizes that outdoor advertising is a legitimate commercial use of private property but not the adjacent roads and highways. Therefore legislature has been developed to control this activity. The state authorities have asked that we provide this act to all elected officials and those who announce candidacy for office. They are hopeful that such activity will be greatly reduced. The act in its entirety is included in the Manager's Report section of your packets. Violators of this act will be fined.

C. URGENT REPAIR PROGRAM: The Post Approval Documents were reviewed by NCHFA and contracts were signed by the Mayor. We are awaiting Funding Approval and receipt of the \$37,500 draw. An advertisement has been placed in the Robesonian regarding eligibility and grant approval.

D. INDUSTRY: Interim Manager Tatum reported that she and Mayor McKoy met with the American Products Group on May 5, 2007 at 9:00 am. Discussions centered on the non-profit's activities with respect to citizen needs.

E. BUDGET: S. Preston Douglas and Associates has been actively reviewing documents for the 2005-2006 audit report and expects a draft to be submitted to the board by June 1, 2007. By June 13, 2007 he will be performing a preliminary review of the 2006-2007 Budget. If there are no unforeseen issues, the 2006-2007 Budget will be submitted to the Local Government Commission on time.

F. FREIGHT BUILDING: The gross receipts clauses are being added to the RFP. Interim Manager Tatum expects to send out the first packages during the week of May 7, 2007. Interim Manager Tatum reported the contracts have been received from USDA and we are awaiting the funding approval.

G. ZONING ORDINANCE: The Department of Commerce expected to complete the new Zoning Ordinance by May 1, 2007. They will be meeting with staff during the week of May 14, 2007 to go over the draft ordinance if no issues arise. Interim Manager Tatum reported that the Department of Commerce stated that a complete revamp of the ordinances need to be done. We need to send them all zoning amendments since 1996.

3. Police Report

Chief McDowell informed the Board of the reports in their packets. He reported that the department is arresting individuals with drug warrants. They have served six so far and still looking for others that they

have warrants on. Chief McDowell reported that he is presently the President of the Robeson County Law Enforcement Association. A memorial service will be held on May 17, 2007 at 10:00 a.m. at Robeson Community College. The PALS Program will sponsor a basketball tournament in Rob Henderson Park on May 12, 2007 at 9:00 a.m. Participants will be the Police Athletic League members. They will hold a softball tournament later. On May 19, 2007 at 2:00 p.m. at Beacham Park they will have a fun day. Activities will include kickball, soccer, racing and other activities. The PALS Program is trying to present a presence in the community. Chief McDowell reported there were approximately seven or eight drain covers stolen. All have been recovered. They are getting warrants to charge the individuals and the people they recovered them from.

4. Water/Wastewater/Public Works Reports – No report was given.

ANNOUNCEMENTS

- 1. Town Hall Day** – A legislative action day – May 9, 2007 – Quorum Center – 323 W. Jones Street, Raleigh, North Carolina.
- 2. Tuscarora Nation of North Carolina** – 27th Annual Festival and Pow Wow, May 18, 19, 20, 2007, Tuscarora Reservation, Maxton, NC.
- 3. Building Entrepreneurial Communities: Why, How and What Role for Local Leaders**, Greenville Hilton, May 17, 2007, 9:00 am to 4:30 pm.
- 4. The Robeson County Law Enforcement Association Police Memorial Day**, May 17, 2007 @ 10:00 am @ Robeson Community College – In front of the Emergency Services Building.
- 5. The Lumber River Council of Governments is sponsoring an Ethical Issue in Local Government workshop** to be presented by Fleming Bell and Norma Mills on Thursday, May 31, 2007 from 9:30 am to 3:30 pm at the LRCOG headquarters at 4721 Fayetteville Rd, Lumberton, NC 28358.

PUBLIC FORUM

1. Laura Sanders – 405 S. Elm Street – 844-3989 had a concern about the curfew. She asked if there is anything that can be done about the twenty (20) year olds. She was told not unless there was a disaster.
2. Mayor Pro Tem McLaurin stated that Holy Ground Church will be holding a plate sale.

CLOSED SESSION

No Closed Session

ADJOURNMENT

Mayor McKoy entertained a motion to adjourn at 8.35 p.m. So moved by Commissioner Dean, seconded by Commissioner Hamer. The vote was unanimous.

Mayor Lillie A. McKoy

Jacqueline B. Roberson, Interim Town Clerk