

**Town of Eastover - Town Council Meeting
Tuesday, October 7, 2008, 6:00 p.m.
Eastover Community Center**

Mayor Charles G. McLaurin, Presiding Council Members: Lawrence Buffaloe, Willie Geddie, Cheryl Hudson, Donald Hudson, Benny Pearce, and Sara Piland

MINUTES OF MEETING – October 7, 2008

Mayor Charles G. McLaurin, Council Members Cheryl Hudson, Lawrence Buffaloe, Donald Hudson, Sara Piland, Willie Geddie, and Benny Pearce were in attendance at the October 7, 2008 Eastover Town Council Meeting. A quorum was present at the Town Council Meeting. Attorney John Jackson town attorney, and Mr. Matt Rooney of the Cumberland County Joint Planning & Inspections Department were also in attendance.

I. Call to Order: Mayor Charles McLaurin called the October 7, 2008 meeting of the Eastover Town Council to order at 6:00 p.m., and welcomed all in attendance.

II. Invocation / Pledge of Allegiance: Mayor Charles McLaurin gave the invocation and led the attendees in The Pledge of Allegiance.

III. Public Comments: There were no public comments.

IV. Approval of Agenda: Council Member Sara Piland made a motion to approve the Agenda as presented. The motion was 2nd by Council Member Cheryl Hudson. The motion was carried unanimously.

V. Consent Agenda: Council Member Sara Piland made a motion to approve the September 2, 2008 Minutes and the September 16, 2008 Special Meeting Minutes. The motion was 2nd by Council Member Donald Hudson. The motion was carried unanimously.

VI. Discussion Agenda:

Agenda Item # 1:

Mr. Hartwell Wright from the North Carolina League of Municipalities (NCLM), and Human Resource Department gave the Mayor and Town Council a briefing concerning hiring a Town Manager. Mr. Wright stated that he would have to start at the basic level and would need to ask questions of the Mayor and the Town Council Members. He stated that it was his understanding

that Eastover choose a “Council Member Form of Government”, therefore we must have an Interim Town Manager. He stated that we do have a Town Clerk and an Attorney. Mr. Wright stated that there is a 10% vacancy rate of 400 positions around the state. Mr. Wright informed the Town Council what a Town Manager does, such as hiring and firing of employees, must produce a balanced budget, writes grants, and anything the Town Council wants them to do. The Town Manager has Statuary Authority to hire and fire employees and produce a balanced budget. He stated that the NC League of Municipalities couldn’t get involved with hiring a Town Manager. We should focus on three things, recruitment, assessment, and selection. We need to determine if this is going to be a confidential process, because you have a requirement to notify applicants of confidentiality. We need to determine who is going to do this work? Mr. Wright stated that hiring a Town Manager is one of the most important things you will do as a body. The Town Manager will be an Ambassador for the Town.

Mr. Wright informed the Mayor and Town Council Members that we should get together as a body and put together the requirements for the Town Manager (i.e., facilitator, determine skills, job description, full service, profile, and write grants).

Mr. Wright asked why we did not choose the “Mayor/Council Type of Government” instead of “Council Manager Form of Government” since we contract out all services? The “Mayor/Council Type of Government” only requires a forum, clerk and a Town Attorney. The “Council Manager Form of Government” does require a Town Manager. Statuary requirements under our type of government states that we are required to have a Town Manager, or an Interim Manager until we can hire one. Under our type of government a Town Manager cannot work for multiple municipalities at the same time.

Attorney Jackson stated that from a legal and statuary requirement it forbids the Town Council to act in this capacity in any way. Mr. Wright agreed with this response.

Mr. Wright stated that an Interim Town Manager could lead search for Town Manager, and establish procedures. An Interim Town Manager is limited as to number of months he can work. The Manager must be hired as an individual not as a contract. The Town Manager hires & fires all employees, and is the Budget Officer. It normally takes six months to hire a Town Manager, as they are in high demand. The Town Council can assign any duties to the Town Manager. We should provide a benefit package to get someone to work as the Town Manager. If we are going to hire a professional, it will be very competitive, and the more professional we are as a town the better chance we will have of attracting someone to come to a new town. If we are not going to hire a consultant (approximate cost of \$15,000), then we should do it as “full unit body” for screening process.

The following are some suggestions Mr. Wright gave for applicants:

- a. Use a formal application with our logo on it.
- b. Letter to acknowledge receipt of application.
- c. Take job profile to screen resume.
- d. Applicants who pass muster- send them a formal application and send supplemental questionnaire with application (Pick 3 applicants).
- e. Screen applicants down further.
- f. Do a reference check. One individual best does this action.
- g. Do a background check. Need a State and Federal investigation.
- h. Send applicant an organizational chart, draft a couple of questions, and tell them about the Town.
- i. Offer needs to come orally from the Mayor, then have attorney write an employment contract

and severance package.

Council Member Sara Piland asked if Mr. Wright would send us some sample job descriptions and an official job application. Mr. Wright stated that they would be geared more to a full service town. Mr. Wright stated that he would do so and would help us in trying to find an Interim (part-time) Town Manager. Mr. Wright again stated that the NC League of Municipalities does not officially recommend individuals to any jobs, as they may not work out for you. However, we do informally keep a list of names available of retired Town Managers that could possibly be an Interim Manager. Most of them have different times of year they want to work, or geographic areas that they would be available or willing to work. They have a lot of political turn over in Town Managers. This usually occurs every two years.

Mayor Charles McLaurin and Council Member Cheryl Hudson asked if we had the “Mayor Council Form of Government” we would not have to have a Town Manager, and all services are contracted out. Mr. Wright stated that this was correct, and that we could hire an administrator, but it is not required. The only obligation under this form of government we are required to have is an attorney and a clerk. Council Member Sara Piland stated that we do not want to change our form of government, and move this process along as soon as possible.

Mr. Wright stated that there is a lot of administrative work to be done prior to starting this process. Determine who is going to do this work. Determine who will be responsible for what. Hiring a Town Manager is one of the most important things you will do as an elected body during your term of office. The Town Manager is an Ambassador for the Town. Develop a profile as to what you are looking for in a Town Manager. The NCLM does a survey each year on salaries. The average manager in our population range is \$55,000 to 65,000 per year. The local media is the best route to go in announcing the position, however statewide newspapers can be used but are very expensive. You will most likely get resumes from everywhere. Even though you will get resumes that are not qualified you should acknowledge that person. For those that pass muster, you should send them an application. This will assist you in your process.

Mayor McLaurin thanked Mr. Wright for taking his time to come and talk with the Eastover Town Council concerning the hiring of a Town Manager.

Agenda Item # 2:

Mr. L. K. Langdon of the Division of Highways, NC Department of Transportation, was not present at the Town Council to present his briefing on signage for the Town of Eastover.

Agenda Item # 3:

Mr. Henry Bowden, President of the Eastover Ball Park gave the Town Council an update on changes and upgrades to the Eastover Ball Park. Mr. Bowden stated that they had purchased an additional 4-½ acres of land. A new soccer field and a new ball field have been added. The City/County Recreation & Parks Department will pay for the land clearing. We have put up net screens at the other ball fields to protect people from being hit by flying ball's as some of the

fields are in close proximity. There needs to be a 100-foot buffer zone. They plan to put air conditioning in the concession stand, as it gets very hot in that building. They are going to build a walking track at the ballpark and play ground equipment for pre school children.

The City/Cumberland County Parks & Recreation Department is trying to find more funds to help with the ballpark. There is a lot of money coming to the City/Cumberland County Parks & Recreation Department from people playing ball in the Eastover Ball Park that are not from our area. The Parks & Recreation Department pays for the floodlights at the ballpark. That is one of the largest expenses. We pay the concession stand light bill only. The City/Cumberland County Parks & Recreation Department sends two people out every day to cut the grass and the drag the fields during the ball seasons. They are doing a lot for Eastover. Everything we have asked for they have provided and more. We contracted to have the fields sprayed for ants, etc. at our expense.

Council Member Sara Piland asked how much of the County's budget are we getting versus what we are paying. Attorney Jackson stated that we could look at their budget to get this answer. Council Member Lawrence Buffaloe and Council Member Benny Pearce stated that they feel that we are getting our fair share and more.

Mayor McLaurin thanked Mr. Bowden for the briefing.

Agenda Item # 4:

The Town Council discussed approval of the Ordinance of Annexation. Attorney Jackson stated that an Ordinance has been prepared and upon approval, you would annex that land. Based on that annexation if you choose to do it the effective date is January 1, 2009. In the interim prior to the effective date we would have to do a pre clearance letter, and the Interlocal Agreement to get the tax money averted to us from the County until the Legislature approved it. Then we would prepare the Fire Department letter, and a pre clearance letter. Mr. Jackson asked Mr. Matt Rooney if he had done any of that. Mr. Rooney stated no he had not. Mr. Jackson stated that the Town Council should approve the Ordinance if they are going to proceed. Council Member Sara Piland asked Mr. Jackson if we could annex prior to the Legislative approval. Mr. Jackson stated that this annexation is conditional. We need to go ahead and implement it as though it had been approved and there is no one here to speak against it. We will start the collection of taxes through the Interlocal Agreement, and amend the boundaries of the Town. Council Member Sara Piland asked if we would have to give the money back if the Legislature did not approve. Mr. Jackson stated that it was not likely it would not get approved. Mr. Jackson stated that the City has approved this, and we have already had the Public Hearing.

Council Member Lawrence Buffaloe made a motion to approve the Ordinance of Annexation into the Town of Eastover. The motion was 2nd by Council Member Donald Hudson. The motion was carried unanimously.

Agenda Item # 5

Consider approval of Case No. 07-170 - Phil & Joni L. Smith property {C1(P) Site Plan & Group Development- County Zoning Ordinance}: C1(P); Total acreage: 0/34 +/-; Location: West Side of US HWY 301 (Dunn Road), North of SR 1728 (Middle Road).

Mr. Matt Rooney from the Cumberland County Planning & Inspections Department gave a

briefing to the Town Council on Case No 07-170. The developer is proposing a building for a parking garage for the storage of motor vehicles on a total of 0.34 +/- acres. The subject property is zoned C1(P) Planned Local Business and has 100.00 feet of road frontage along US HWY 301 (Dunn Road). The proposed building meets the required yard setbacks for the C1(P) zoning district and other dimensional criteria of the ordinances. The existing building was previously used as a real estate office but is currently vacant. The adjacent property along the northeast side and the rear is zoned C(P) Planned Commercial, the property to the southwest is zoned R6A Residential. Mr. Rooney showed an aerial photomap and vicinity map to the Town Council. The buffer requirements have not changed. Mr. Rooney stated that the Board recommends approval of this action.

Council Member Sara Piland made a motion to approve Case No 07-170. The motion was 2nd by Council Member Donald Hudson. The motion was carried unanimously.

Agenda Item # 6

Council Member Cheryl Hudson presented five proposals for the lease of a copier for the Town Hall to the Town Council. These proposals consisted of SYSTEL, Office Value Inc., Copier Plus Inc., COECO Office System, and U.S. Communities Contract recommended by the N.C. league of Municipalities (NCLM). The U.S. Communities Contract came in with the best price at a cost of \$165.14 plus tax per month. All the companies had the same specifications but a different cost if we exceed 2000 black & white copies per month. All proposals were for a 36-month lease. If we exceed 2000 black & white copies we pay \$0.0130 for black & white over the 2000 copies. We pay \$0.0800 for each color copy. The cost for all proposals was based on black & white copies. The cost for color copies was the same or greater on all other proposals. Council Member Cheryl Hudson recommended we go with the U.S. Communities Contract at a cost of \$165.14 plus tax, per month.

Council Member Sara Piland made a motion to accept the proposal from the U.S. Communities Contract recommended by the NCLM. The motion was 2nd by Council Member Donald Hudson. The motion was carried unanimously.

Agenda Item # 7

Council Member Sara Piland briefed the Town Council on possibly needing upgrades to our computer system. The computers were donated to the Town, and we do not know what version of software is loaded on our computer. We may need to upgrade especially when the Southern Software is loaded. We may not have enough memory space to accommodate this program. Council Member Piland asked Mr. Matt Rooney if he could check our computer and determine exactly what is loaded on this machine and how much memory we have. Mr. Rooney stated he would do so.

VII. Receive Mayor's Update:

1. Mayor Charles McLaurin read Resolution No. 6-2008 to express the Town of Eastover's appreciation and gratitude to Mt. Zion AME Zion Church for their work in our community. The Town of Eastover acknowledges the great history of the Mr. Zion AME Zion Church. In the last years of the eighteenth century a free black cobbler / Methodist Preacher, Henry Evans, arrived in Fayetteville and began a powerful ministry. He became know as the most famous Methodist Churchman in the county. Mr. Zion was formerly called "Flea Hill African Methodist Zion" Church. The church dates from 1855, and is the second documented organized African American Church in Cumberland County. Your theme "We Remember Where We Came From: We Know Where We Want To Go" is an excellent opportunity to share your wonderful history.

Mayor McLaurin asked for a motion to approve the Resolution. Council Member Sara Piland made a motion to approve Resolution No. 6-2008. The motion was 2nd by Council Member Willie Geddie. The motion was carried unanimously.

2. Mayor McLaurin asked about the Fax Line to the Town Hall. The Town Clerk stated that EMBARQ had a serviceman come out and install the new fax line. However, he did not install a new jack inside the building. The serviceman did give the clerk the new fax number. So it is up to us to figure out how to program the fax machine to the fax line. Council Member Sara Piland stated that the computer in the Town Hall does not have all the programs installed that it needs to open up different types of documents, and it is very slow. Council Member Cheryl Hudson stated that when Southern Software comes out to install the new Accounting & Payroll module, they will determine if we need a new computer and determine what software is installed on our computer. Council Member Cheryl Hudson stated that we should reserve enough funds in our budget to pay for a new system if needed. We received a Word document from the NCLM that could not be opened on the Town Hall computer, nor would this open on Council Member Cheryl Hudson's office computer. Mr. Rooney stated that he would come out and check our computer.

3. Mayor McLaurin asked Attorney John Jackson if we were covered under the same Ordinances as Cumberland County. Mayor McLaurin stated that the Deputy had told him that he could not enforce them if we had not adopted them. Attorney Jackson stated that he did not know what the Deputy was talking about but would contact the Sheriff's Office and find out exactly what needs to be done. Council Member Benny Pearce stated that he had talked with Mr. Grainger Barrett and he had told him we must adopt the Ordinances. Mr. Jackson stated that we were not covered unless we had adopted all of the County Ordinances. Council Member Sara Piland stated that we adopted the Zoning and Planning Ordinances in September 2007. There is nothing else to our knowledge except noise and dogs that is not covered by State Statue that we need to adopt. Council Member Piland said that Mr. Grainger stated we could not enforce them unless we have adopted the Ordinances. Attorney Jackson stated that he would also talk with Mr. Barrett concerning the County Ordinances.

Council Member Sara Piland asked Attorney Jackson if he would also provide us with information on Eastover getting a Town wide speed limit unless otherwise posted. Attorney Jackson stated that that would be the Department of Transportation, but would check into this.

Council Member Sara Piland asked if there was anyone present that could give us information on the sewer and Eastover Sanitary District (ESD) problems, other than what was in the newspaper. Attorney Jackson stated that he should elude any official comments on that to the ESD. I would not want to violate any Attorney-Client privilege. He stated there is on going discussions to try to resolve the problems as quickly as possible. Mr. Jackson stated that there could possibly have even been counter offers, offered today. Mr. Jackson stated that from his observation point, it is not a good position that PWC is taking on this issue. Council Member Cheryl Hudson stated that we should invite Mr. Morgan Johnson to our next Town Council Meeting. Attorney Jackson stated "Channel 14 News" aired an interview this morning concerning this issue. Council Member Benny Pearce stated that it would also be on the evening news.

4. Mayor McLaurin briefed the Town Council on the upcoming event at the Bethesda Health Care Facility. The U.S. Postal Service will have a stamp unveiling for Alzheimer patients at the Bethesda Health Care Facility on October 23, 2008 at 10:00 a.m. Mayor McLaurin will be a guest speaker at the event. All Town Council Members have been invited to attend. The Post Master General will be in attendance as well as State and local dignitaries. The Mayor and Town Council Members will be recognized at this event. Mayor McLaurin encouraged all to attend.

5. Mayor McLaurin asked Attorney Jackson about our Sales Tax Agreement with Cumberland County. Attorney Jackson approved the agreement and had three original Sales Tax Agreements present for signature and needed the Town Council's approval. The Sales Tax Agreement was signed at the Town Council Meeting, and Attorney Jackson took the three originals with him for final signatures. Our original copy will be mailed to us.

Council Member Donald Hudson made a motion to adopt the Sales Tax Agreement. The motion was 2nd by Council Member Cheryl Hudson. The motion was carried unanimously.

6. Mayor McLaurin asked if the Town Council wanted to change the date of the November Town Council Meeting as it was on Election Day. The Town Council agreed to keep the November 4, 2008 date for the meeting, but wanted to keep the meeting as brief as possible.

X. Receive Council Members Update:

There were no updates from the Council Members.

XI. Motion to Adjourn at 8:40 p.m.

Mayor Charles G. McLaurin requested a motion to adjourn. A motion to adjourn was made by Council Member Lawrence Buffaloe, and the motion was 2nd by Council Member Benny Pearce. The motion was approved unanimously.

Town of Eastover

Charles G. McLaurin, Mayor

Attest: _____, **Town Clerk**
Jane F. Faircloth