

**Town of Eastover - Town Council Meeting & Community Forum
Tuesday, March 3, 2009, 7:00 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 – March 3, 2009

Mayor Charles G. McLaurin, Council Members Lawrence Buffaloe, Donald Hudson, Sara Piland, Willie Geddie, Cheryl Hudson and Benny Pearce were in attendance at the March 3, 2009 Eastover Town Council Meeting. A quorum was present at the Town Council Meeting. Also in attendance was Mr. Matt Rooney from the Cumberland County Joint Planning & Inspections Department, Mr. John Jackson, town attorney, Mr. Thomas Taylor, Interim Town Manager, and Jane Faircloth, town clerk.

I. Call to Order:

Mayor Charles McLaurin called the March 3, 2009 meeting of the Eastover Town Council to order at 7:00 p.m., and welcomed all in attendance.

II. Invocation / Pledge of Allegiance:

Council Member Lawrence Buffaloe gave the invocation and led the attendees in The Pledge of Allegiance.

III. Public Comments:

Two individuals (Mr. Morgan Johnson, Eastover Sanitary District and Mr. David Singla, Developer) signed up to speak.

1. Mr. Morgan Johnson from the Eastover Sanitary District gave the Town Council a brief update on the Sanitary District. Mr. Johnson stated that Phase I, Sewer Project is essentially complete. The Eastover Sanitary District has a signed contract with PWC to accept and put into service. Residents should have received letters last week, and the clock starts on March 1, 2009 with the early sign up rate of \$128.00. The residents have until August 31, 2009 to connect to the system. He stated that there is quite an incentive to sign-up and pay the reduced rate of \$128.00, and have hook-up completed by August 31, 2009, if not the reduced rate will cease and the rate will be \$1,868.00. The folks that received letters can now hook up anytime, as it is operational and ready for hook-up.

We have modified the construction contract to include Gilbert McLaurin Road that runs parallel to Ball Park Road. It has not been finished because of the weather. As part of this

project we are working with the Department of Transportation (DOT) to have three roads that are currently private roads, turned over to the DOT for ownership and maintenance. These three roads are School Road, Destiny Road, and Oak Hill Drive. Destiny Road and Oak Hill Drive are only sandy paths at this time. The DOT will have the right-of-way. Mr. Johnson stated that this does not mean DOT will pave the streets, but will maintain them. This will be an improvement for the Town to have these three roads turned over to the State for maintenance.

Mr. Johnson stated as the Sanitary District has just completed Phase I, it is starting Phase II – V. If all five of these projects were finished at least 98% of the Town of Eastover would have sewer. Mr. Johnson stated that he has met with Congressional Delegation and USDA. He stated that it looks good enough to have asked the State Engineers to come meet with the Eastover Sanitary District on how we can layout the other four phases. It is going to cost about \$36 million dollars to complete the upcoming four projects for sewer. The Sanitary District may get grants and loans for each phase II-V. I also asked for \$4 million dollars in stimulus funds from the State to put in sewer.

The ESD water system East of I-95 design will go out for open bid in mid May, and then go through the bonding process. The contract should be awarded for construction by July 1, 2009. The water project is really needed.

Mr. Johnson stated that they are in the process of developing a website for the Eastover Sanitary District and have it connect to the Town's website. He stated that the Eastover Sanitary District has retained Howard Piland Jr. to do this, as he is the one that established the Town's website. Perhaps the two websites can compliment each other. The Sanitary District is waiting for our Attorney and Mr. Piland to complete the contract for this project. Mr. Johnson stated that a telephone answering system is being installed for the Eastover Sanitary District.

2. Mr. David Singla spoke to the Town Council. Mr. Singla stated that he lives in the Baywood area. He stated that he owns the property where the Day Care Center near the overpass is located and the property next to the Kangaroo Station. He is interested in purchasing the property where thrift/antique store and auto storage near the overpass is located. Mr. Singla stated that he had called Raleigh concerning a post office for Eastover but had no success; also he is willing to build. Mr. Singla stated that he is willing to build whatever Eastover wants, restaurants, etc. He stated that he understood that Eastover was looking for land to purchase for a Town Hall. He has land and will sell, if the Town wants the property. Mayor McLaurin asked Mr. Singla to leave his telephone number with the town clerk to retain on file for future use.

IV. Approval of Agenda:

Council Member Sara Piland made a motion to amend March 3, 2009, Discussion Agenda Item #6 to read as follows: "Consider the Town of Eastover being a sponsor for Heritage Day", and with this change approve the agenda as stated. The motion was 2nd by Council Member Donald Hudson. The motion was carried unanimously.

V. Consent Agenda:

Consider approval of the February 3, 2009 minutes.

Council Member Sara Piland made a motion to approve the Consent Agenda as stated. The motion was 2nd by Council Member Willie Geddie. The motion was carried unanimously.

VI. Public Hearing.

Mayor McLaurin made a motion to **open Public Hearing Case No. P09-04.** The motion was 2nd by Council Member Sara Piland. The motion was carried unanimously.

Public Hearing Case No. P09-04: Initial Zoning of 5.94 +/- acres to a more Restrictive Zoning District, Located on the North End of Willowbrae Drive and Northeast of Furlong Place, submitted by the Town of Eastover, Owned by Estate Builders, LLC. (Eastover)

There were no speakers for or against Case No. P09-04.

Mr. Matt Rooney briefed the Town Council concerning Case No. P09-04. Mr. Rooney stated that this is the Town of Eastover annexation effective January 1, 2009. The property owner petitioned for annexation early last year. He stated that the staff recommends approval of the initial zoning request of R40 Residential district. He stated that the request is consistent with the Eastover Area Detailed Land Use Plan, which calls for one-acre residential lots at this location. There are no other suitable zoning districts to be considered for this request.

Council Member Lawrence Buffaloe made a motion to **approve the Public Hearing Case P09-04** with the zoning of R40 Residential. The motion was 2nd by Council Member Sara Piland. The motion was carried unanimously.

Council Member Sara Piland made a motion to **close the Public Hearing on Case P09-04.** The motion was 2nd by Council Member Cheryl Hudson. The motion was carried unanimously.

VII. Discussion Agenda:

Agenda Item #1:

Consider quote/estimate for purchase of two Laptops Computers for the Town Hall.

Council Member Sara Piland stated that she requested to abstain from discussion and/or vote on Discussion Agenda Items #1 and #5 due to the relationship with the individual. Council Member Cheryl Hudson made a motion to allow Council Member Sara Piland to abstain from Items #1 and #5. The motion was 2nd by Council Member Benny Pearce. The motion was carried unanimously.

Council Member Cheryl Hudson stated that the only question she had concerning the proposed laptop computers (Windows Vista), is it compatible with the Southern Software (CitiPak)? We would have to contact Mr. Patrick Pusser at Southern Software to determine if Windows Vista is in fact compatible. The Town Manager Mr. Tom Taylor stated that he was concerned that we did not have enough memory on our computers, and recommended to purchase the computers with more memory. He stated this would increase the cost, and request the Town Council to authorize up to \$3,500.00 to purchase the computers with more memory.

Council Member Donald Hudson made a motion to authorize the Town Manager to spend up to \$3,500.00 for the laptop computers for the Town Hall. The motion was 2nd by Council Member Benny Pearce. Council Member Sara Piland was granted abstention from discussion and voting on this issue. The motion was carried unanimously.

Agenda Item #2:

Consider changing from Semi-Monthly to Bi-Weekly Payroll.

Council Member Cheryl Hudson stated that we currently pay on the 15th and the end of month. She stated that we are at the end of month and this would be a good time to change. One weeks pay will be held back and this will give the Financial Officer time to prepare the checks, instead of the day of payroll. Work period February 28 through March 13, 2009 will be paid on pay period March 19, 2009.

Council Member Cheryl Hudson made a motion to change the semi-monthly payroll to bi-weekly effective February 28, 2009. The motion was 2nd by Council Member Sara Piland. The motion was carried unanimously.

Agenda Item # 3:

Presentation of the February 2009 Financial Report.

Council Member Cheryl Hudson and Finance Officer briefed the Town Council on the status of funds as of February 20, 2009. She stated that it is very hard to give you the end of month without a bank statement and our meetings are so close to the end of the month. You will see this report again which will reflect the end of the month. She stated that the beginning bank balance as of July 1, 2008 was \$133,285.29. Deposits were \$864,238.07 less disbursements of \$572,553.93, leaving a balance of \$424,969.43. Accounts payables were in the amount of \$50,417.77 leaving \$374,551.66 in funds available. Mayor McLaurin and the Town Council Members thanked Council Member Cheryl Hudson for her hard work. No vote was required on this item.

Agenda Item #4:

Presentation from Council Member Cheryl Hudson concerning recycling canisters for Cape Fear High School.

Mr. Walter White gave the Town Council a briefing on a project for Cape Fear High School. Mr. White stated that Cape Fear High School is the only "Green School" in Cumberland County.

Recycling is part of the project for the Sandhills Region. Cape Fear High School has recycling canisters in 42 of the 90 classrooms. Companies, private individuals and fund raising by the students have purchased the canisters they have now. The cost of the canisters is \$75.00 per set. A set consists of 10 canisters.

Council Member Cheryl Hudson recommended that the Town purchase 10 sets of canisters at a cost of \$75.00 per set, with a total of cost of \$750.00 for Cape Fear High School. Attorney Jackson stated that government funds can be used for another public identity and the School System would come under that category. Mr. Jackson asked who would own the canisters. Mr. White stated the school would own the canisters. He stated that the students manage the “Green Program” but the school owns the property.

Mr. Jackson asked if Mr. White or Council Member Cheryl Hudson had the approval of the Board of Education. They both stated they did not, and did not know they had to have the Boards and School’s approval. Council Member Sara Piland asked if the School Board is aware of the program. Mr. White stated that his son Cam White (a student at Cape Fear High School) would go to the Board next week, and give them the same presentation that was given to the Eastover Civic Club. Council Member Sara Piland stated that was a wonderful ideal, as this will teach our children to be concerned about “Green”, and other schools may want to do this same program.

Mayor McLaurin stated that he would like for the students at Cape Fear High School to set up a booth on Heritage Day on May 2, 2009 concerning the “Green Program”.

Council Member Cheryl Hudson made a motion to purchase the ten sets of canisters for Cape Fear High School in the amount of \$750.00 for ten sets. Council Member Sara Piland stated that she felt we should state donate funds, instead of purchase the canisters.

Council Members Pearce and Buffaloe raised concerns about donations, as we could be opening ourselves up to lots of requests.

Council Member Cheryl Hudson stated that she would call the Board of Education and determine if this is appropriate, and would get their approval concerning the donation of funds for canisters to Cape Fear High School.

Council Member Cheryl Hudson restated her motion from “purchase to donate”, and made a motion to withdraw the motion to donate funds to Cape Fear High School for the canisters until the Board of Education approves this action. The motion was 2nd by Council Member Sara Piland.

Attorney Jackson stated the Item should be tabled until the proper information could be obtained.

Agenda Item # 5:

Consider proposal from Mr. Howard Piland Jr. for IT Services.

Mr. Thomas Taylor, Town Manager briefed the Town Council on the proposal for IT Services for the Town Hall from Mr. Howard Piland Jr. Mr. Taylor suggested to the Town Council that he recommends the proposal from Howard Piland Jr. for services on old and new computers at the Town Hall, subject to a contract prepared by our Attorney. Attorney Jackson stated that he recommends a contract not a proposal. He recommends to the Town Council that anytime they get a proposal, to enter into a contract not a proposal. A contract has legal verbiage that a

proposal does not, and is usually written by a proponent usually to their favor. Mr. Jackson stated he had a two page legal contract he would send to Mr. Taylor and he can cut and paste as needed. This contract will be a check and balance for the Town.

Council Member Benny Pearce made a motion to approve the IT services proposal with Howard Piland Jr., subject to a contract. The motion was 2nd by Council Member Donald Hudson. Council Member Sara Piland was granted abstention from discussion and voting on this issue. The motion was carried unanimously.

Agenda Item # 6:

Consider the Town of Eastover being a sponsor for Heritage Day.

Mayor McLaurin stated that we had planned to sponsor the mini-train, however that has already been taken care of by the Eastover Civic Club. So we are considering a donation for Heritage Day of \$400.00 to the Eastover Civic Club from the Town of Eastover.

Council Member Sara Piland made a motion for the Town to donate \$400.00 to the Eastover Civic Club for Heritage Day. The motion was 2nd by Council Member Willie Geddie. The motion was carried unanimously.

Agenda Item # 7:

Consider Town of Eastover recommendations to be considered in the Cumberland County 2030 Growth Plan.

Council Member Sara Piland stated that there is a document in your Agenda Books for you, from me. She stated that she went through the 2030 Growth Plan line by line from the perspective of what our forums and the Town of Eastover stated they wanted. I selected certain vision statements that she thought were significant. This included Parks & Recreation, open and rural character, commercial development in our Town and appearance. Council Member Piland asked the Town Council to review each item and determine what is our priority. The Growth Plan is very thick and you may want to add to or delete. She stated that in the packet is what she thought needed to be added, you may see more. Council Member Piland asked Mr. Rooney to have a meeting with us soon and lets start discussing what the Town's priorities are. The Mayor thanked Council Member Piland for her hard work.

Council Member Sara Piland made a motion to approve sending the letter in the packet concerning the 2030 Growth Plan to Mr. Tom Lloyd, Director Cumberland County Planning & Inspections Department for the Town of Eastover. The motion was 2nd by Council Member Lawrence Buffaloe. The motion was carried unanimously. Council Member Piland requested the clerk fax a copy of the signed letter to Mr. Tom Lloyd in the morning.

Agenda Item #8:

Consider closed session to discuss a property matter.

Attorney Jackson asked that Item #8 be deferred until after X. so the Board could go through

all its business, and people can leave at that time.

Council Member Sara Piland made a motion to move Item #8 to the end of the Town Council Meeting. The motion was 2nd by Council Member Donald Hudson. The motion was carried unanimously.

VIII. Town Managers Update:

1. Mr. Taylor stated he had spoken with Mr. Vencill from Progress Energy, on March 17, 2009 concerning the proposed street lighting for Eastover. The street lighting will be on alternate sides of the street from Murphy to Beard Roads. The engineers and the DOT in Raleigh are currently developing this project. He stated this would possibly take a full year to get accomplished.

2. Mr. Taylor stated that Time Warner Cable would install a Cable TV line in the Town Hall on March 9, 2009.

3. Mr. Taylor stated that he and Mayor McLaurin had a meeting with USDA on February 17, 2009, to discuss grants and loans. Mr. Taylor stated that USDA said the Town was eligible for possibly a 15% grant, and a 100% loan for a building. He stated that the Town qualifies for a 100% low interest loan. This is only, if we find the property needed and get a building started.

4. Mr. Taylor stated that has almost completed the Finance Policy, but would like to discuss one-on-one with Council Member Cheryl Hudson before he presents it to the Town Council.

5. Mr. Taylor stated that he is about ½ complete on the Personnel Policy.

6. Mr. Taylor stated that he is preparing a Travel Policy. We have not had any travel to date, but may possibly have some in the future.

7. Mr. Taylor stated that there are conferences coming up that some may want to attend. The first one is March 10, 2009 in Aberdeen, NC concerning Insurance. He stated he is planning to attend, and if any else wants to attend to let him know and he will get you registered. The second conference is sponsored by the NCLM and will be held on March 16 and April 27, 2009 in Union County. This conference is concerning "Putting Trees to Work" and will be discussing tree ordinances.

8. Mr. Taylor advised the Town Council about the Cumberland County tax revaluation increase on property. He stated that if residents call and ask about the increase, and they do not agree with the revaluation, they should go through the appeal process with Cumberland County. He stated there is a form that comes with the revaluation if a person wants to appeal. Mr. Taylor stated that Eastover would experience from 30 to 62% increase.

9. Mr. Taylor stated that we had received a letter from the State Treasury's Office concerning the Town's audit that was just completed. The letter was complimentary and, also requested that we increase our Fund Balance in accordance with other Towns our size. He stated our Fund Balance should be \$750,000. We need to save \$200,000 per year for four years to accomplish this amount. Mr. Taylor stated that this would be stated in the response letter to the State Treasury. He said all in all we had a good audit and we will response to the two items identified by the Treasury Department.

IX. Mayor's Comments:

1. Mayor McLaurin stated that the Town had received a letter from Senator Tony Rand and from Department of Transportation, Secretary Eugene Conti concerning the Middle Road Bridge. It seems that the bridge is beyond repair and must be replaced. Secretary Conti stated that work will begin in the spring and completed in the summer to replace the bridge. The bridge will be made taller than the original bridge to prevent it from being struck again.

2. Mayor McLaurin stated that March 2-8, 2009 is "Multiple Sclerosis Awareness Week" in the Town of Eastover. Council Member Lawrence Buffaloe read the "Proclamation" to the Town Council. Council Member Sara Piland stated that there is a walk for Multiple Sclerosis scheduled for April 4, 2009 in the City of Fayetteville, and it would be great to have Eastover have a team to walk in this event. Council Member Willie Geddie stated that he thinks the Kiwanis Club is sponsoring this walk, and he feels we should support this cause. Council Member Geddie stated that he has been asked to speak at this event. He stated that he is not sure of the time, but would get some particulars and let us know.

3. Mayor McLaurin stated that the Cumberland County Joint Appearance Commission has awarded the "Marquis de Lafayette 2008 Appearance Award" to the Eastover Professional Plaza. Mr. Chuck Furr is the developer, and restored this most historic building, the old Eastover School House. A ceremony will be held on March 5, 2009 at the Belmont Village House located at 1104 Hay Street, Fayetteville, NC. Mayor McLaurin will present the award to Mr. Chuck Furr, Developer. The Cumberland County Joint Appearance Committee, with Eastover winning one of the five, awarded five awards.

X. Consider "Closed Session" to discuss a property matter.

Council Member Sara Piland made a motion to **Open the "Closed Session"** to discuss a property matter. The motion was 2nd by Council Member Benny Pearce. The motion was approved unanimously.

CLOSED SESSION

Council Member Sara Piland made a motion to **Close the "Closed Session"** and return to the regular meeting. The motion was 2nd by Council Member Lawrence Buffaloe. The motion was

approved unanimously.

Mayor McLaurin called the regular meeting back to order and asked if there was anything further.

Council Member Sara Piland made a motion to instruct attorney John Jackson to present to Cumberland County School Board attorney, an Offer to Purchase the School Board Property (1.25 acres) located at 4008 School Street, and all buildings thereon in the amount of \$13,125.00 (Cumberland County tax value of the land). Council Member Lawrence Buffaloe 2nd the motion. The motion was approved unanimously.

IX. Motion to Adjourn at 9:45 p.m.

Mayor Charles G. McLaurin asked for a motion to adjourn. Council Member Cheryl Hudson made the motion to adjourn. The motion was 2nd by Council Member Donald Hudson. The motion was approved unanimously.

Town of Eastover

Charles G. McLaurin, Mayor

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