

**Town of Eastover - Town Council Meeting
Tuesday, February 9, 2016 7:00 p.m.
Eastover Community Center**

**x☐ Mayor Charles G. McLaurin, Presiding Council Members: x☐ J. Lawrence Buffaloe,
x☐ M. Stan Crumpler, x☐ Cheryl C. Hudson, x☐ Randy P. Lee,
x☐ Benny M. Pearce, and x☐ Lee P. Hedgecoe**

MINUTES OF MEETING – February 9, 2016

Mayor Charles McLaurin, Council Members: Cheryl Hudson, Lawrence Buffaloe, Stan Crumpler, Benny Pearce, Lee Hedgecoe, and Randy Lee were in attendance at the February 9, 2016, Eastover Town Council Meeting. A quorum was present at the Town Council Meeting. Also in attendance were Mr. Matt Rooney, Cumberland County Planning & Inspections Department, Attorney Neil Yarborough, Mr. Kim Nazarchyk, Town Manager, Ms. Jane Faircloth, Town Clerk, and Ms. Elizabeth Bass, Administrative Assistant.

I. Call to Order:

Mayor Charles G. McLaurin called the February 9, 2016 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 Cheryl Hudson gave the invocation and led in the Pledge of Allegiance.

III. Approval of Agenda:

Council Member Cheryl Hudson made a motion to approve the agenda. The motion was 2nd by Council Member Stan Crumpler. The vote was unanimous for approval.

IV. Public Comments:

None.

V. Consent Agenda:

1. Consider approval of the Minutes for the January 12th, 2016 Special Town Council Meeting.
2. Consider approval of the Minutes for the January 12th, 2016 Town Council Meeting.
3. Consider approval of the Minutes for the February 2nd, 2016 Special Town Council Meeting.
4. Consider approval of the December, 2015 Financial Reports.

Council Member Lawrence Buffaloe made a motion to approve the Consent Agenda as presented. The motion was 2nd by Council Member Cheryl Hudson. The vote was unanimous for approval.

VI. Discussion Agenda:

Agenda Item #1:

Public Hearing: Request to close an unpaved portion of Old Raleigh Road, North of Beard Road, Resolution #2016-01

Mayor Charles McLaurin stated **I now open the Public Hearing**. He then asked Town Manager, Kim Nazarchyk to brief the Council on the road closure. Mr. Nazarchyk stated Wingate Properties, LLC, had requested the road closure, on January 12, 2016 at the Eastover Town Council Meeting, the Council decided to hold a Public Hearing on February 9, 2016. Mr. Nazarchyk placed a legal notice about the Public Hearing in the Fayetteville Observer Newspaper on January 16th, 23rd, and 30th, 2016 and on February 6th, 2016. He also stated certified letters were mailed out to each of the adjacent landowners, per the addresses listed on current tax records. All owners received the notice but one, that one notice was returned-unable to forward, return to sender.

Mayor McLaurin then asked if there were any speakers for or against the road closure. Three people signed up to speak. Speakers For: Mr. Duane Gilliam, Attorney, 307 Person Street, Fayetteville NC 28301, and Mr. Gene Williford 102 Dunn Road Fayetteville NC 28312. Speakers Against: Ms. Faye Dorman, 4225 Final Approach Drive Eastover NC 28312.

Attorney Duane Gilliam spoke on behalf of Wingate Properties, LLC. Mr. Gilliam wanted to know if the Council had any questions he could help answer. There were no questions asked of Mr. Gilliam. Mr. Gene Williford did not speak and there were no questions asked of him.

Ms. Faye Dorman stated she was not really for or against the road closure she just wanted to have a better understanding of it. Ms. Dorman asked the Council about putting a home on the 2 ½ acre lot she owns there. Ms. Dorman stated that she wanted to be sure, if in the

future, she decided to put a home on that land then she would be able to do so. The Council informed Ms. Dorman this particular hearing was only about the road closure, and for her to put a home on the land would be another matter. Council Member Lawrence Buffaloe asked if the road closure had any effect on Ms. Dorman's issue with her wanting to put a home on the property. Mr. Nazarchyk told him no. Ms. Dorman wanted to know where the road closure was located. Mr. Nazarchyk told Ms. Dorman it was the road that runs from Mr. Williford's property to the part of the road that runs to Beard Road and will end at the property that abuts to Mr. Smiths' property. Everything North of Beard Road to Flea Hill Road will be closed. Council Member Randy Lee asked Mr. Bucky Dorman, whom was in the audience, if there was a compromising agreement between Mr. Williford, himself, and wife, Faye Dorman about the road and trees. Mr. Dorman stated Mr. Williford has agreed to help with the expenses of the road and trees. Mayor McLaurin asked if there were any more comments. There were no other comments.

Mayor McLaurin asked for a motion to **close** the Public Hearing for Resolution #2016-01. Council Member Cheryl Hudson made a motion to close the Public Hearing on the road closure as stated in Resolution #2016-01. The motion was 2nd by Council Member Randy Lee. The vote was unanimous for approval.

Mayor McLaurin asked for a motion to approve or disapprove the closure of the unpaved portion of Old Raleigh Road, North of Beard Road, Resolution #2016-01. Council Member Cheryl Hudson made a motion to approve the closure of the unpaved portion of Old Raleigh Road, North of Beard Road, Resolution #2016-01. The motion was 2nd by Council Member Randy Lee. The vote was unanimous for approval.

Agenda Item #2:

CASE NO. 16-009. CONSIDERATION OF THE RANK DEVELOPMENT, LLC PROPERTY; REQUEST FOR SUBDIVISION APPROVAL, COUNTY ZONING ORDINANCE AND EASTOVER SUPPLEMENTAL AMENDMENTS; ZONING: C(P) (CCOD); TOTAL ACREAGE: 1.93 +/-; LOCATION: 3236 DUNN ROAD (SR 1838). (EASTOVER)

Mr. Matt Rooney briefed the Council on Case No. 16-009. Mr. Rooney presented an aerial photograph of the property. He stated the lot itself is 1.9 acres in size. The proposed subdivision will create a separate lot with approximately .6 acres, on which the old demolished building existed. The subdivision will leave the existing lot with 1.3 acres. Any new building created would have to meet the previous requirements. Mr. Rooney stated the Council could make a motion to accept the subdivision as proposed subject to the conditions on the site review. Mr. Rooney stated the property owner was present. Mayor McLaurin asked the owner to speak if he so wished.

Mr. Rajan Patel, at 3276 Dunn Road, Owner of Rank Development, LLC, stated the building has been shortened so it is an empty piece of land. Mr. Patel stated Rank Development, LLC might want to put something else there in the future. Mayor McLaurin asked if there were any specific plans for that parcel of land. Mr. Patel stated right now there

were no plans for that parcel. Mr. Patel said he would be talking to a broker or realtor to see if someone would want to build on it in the future. Council Member Randy Lee asked who Rank Development, LLC was. Mr. Patel explained Rank Development, LLC is a business he developed for the Eastover Inn.

Mr. Rooney stated the property was zoned as CP in a Commercial District allowing a wide range of uses for that parcel of land. Mr. Rooney also stated anything new would be subject to the standards of the Zoning and Planning Board as well as the Town of Eastover's policies.

Mayor McLaurin asked for a motion to approve/disapprove Case No. 16-009. Council Member Lawrence Buffaloe made a motion to approve Case No. 16-009 subject to the conditions on the site plan review. Council Member Cheryl Hudson 2nd the motion. The vote was unanimous for approval.

Agenda #3

Discussion of Sales Tax Distribution Interlocal Agreement

Town Manager, Kim Nazarchyk briefed the Council. Mr. Nazarchyk stated the Sales Tax Distribution Interlocal Agreement is the same as the prior Agreement. The Agreement is between Cumberland County, the City of Fayetteville, and all other Municipalities in Cumberland County. The existing Agreement has a 3 year term that will expire June 30, 2016.

The new Agreement will extend the expiration to June 30, 2019, however there is a condition: all Municipalities and the City of Fayetteville agree to enter into a discussion about the renewal of the next agreement by January 2017. Mayor McLaurin asked if the new 3 year term can be cancelled or, was it locked for the next 3 years. Attorney Yarborough informed the Mayor it is fixed for the 3 year term, but discussion must start in January 2017 for the next Agreement.

Council Member Lawrence Buffaloe stated that all Municipalities and the City of Fayetteville must agree on the Sales Tax Distribution Agreement. Council Member Lee Hedgecoe asked what the consensus of the other Municipalities was on the new Agreement. Attorney Yarborough stated it would be up to the City of Fayetteville, because all other Municipalities are in agreement.

Mr. Nazarchyk informed the Council that at end of this new 3 year term if no agreement was met the distribution method could change. He said if this happens it could result in a loss to all Municipalities. Council Member Randy Lee stated even with the new Agreement there is no long term stability for the Town of Eastover. Attorney Yarborough said the whole situation has been very problematic as far as planning, but it could have been worse.

A motion to approve the Sales Tax Distribution Interlocal Agreement was made by Council Member Benny Pearce. The motion was 2nd by Council Member Lee Hedgecoe. The vote was unanimous for approval.

VII. Receive Mayors Update.

Mayor McLaurin stated at the February 2, 2016 Special Town Council meeting, the Council had a discussion on the drainage research. Mayor McLaurin said instead of working on the drainage situation, Eastover needed to work on things that Eastover could afford to do. Mayor McLaurin suggested the Town of Eastover focus the next 3 years on improvements that can be made in the Town. He suggested the Council set a meeting to discuss what Eastover can do for improvements, and how Eastover can save money. Mayor McLaurin stated one thing Eastover could do is get an entrance sign into the Town of Eastover. Council Member Randy Lee said we have come too far to take chances.

Mayor McLaurin stated the Eastover Community Watch meeting was held Monday February 8, 2016. He stated the meeting was a success and very informative. On March 7, 2016, the program will be presented by Lieutenant Elaine Smith with the Cumberland County Animal Control. The April 11, 2016, Eastover Community Watch meeting will be presented by Sheriff Butler, Mr. Mitchell, and Chief Deputy Wright with the Cumberland County Sheriff's Department.

VIII. Receive Town Council Update.

Mayor McLaurin asked Council Member Cheryl Hudson to brief the Council and the attendees about the Cumberland County Foundation Municipal Grant Program. Council Member Cheryl Hudson said the Cumberland County Foundation Municipal Grant Program will match any funds the community can raise up to \$10,000.00. Council Member Cheryl Hudson stated she is looking for 4 more volunteers to serve on a committee for the Cumberland County Foundation Municipal Grant Program. She then asked if anyone would like to be on the committee. No one volunteered. She stated once a committee is formed the Cumberland County Foundation Municipal Grant Program will aid the Town in setting a meeting, sending out letters, or flyers or anything the Town is in need of to help brain storm ideas. Council Member Cheryl Hudson said for all Eastover Citizens to keep in mind it is a FREE MONEY (\$10,000.00) Grant for the Town.

Council Member Lawrence Buffaloe stated the Eastover Ballpark Association will have the Eastover Ballpark paved. Town Manager Kim Nazarchyk stated the Eastover Ballpark Association has committed to paving and landscaping the ballpark before April 2016, and before the new ball season starts. Fayetteville Cumberland County Parks and Recreation made a commitment to spend about \$260,000 or \$270,000 to help Eastover Ballpark. Mayor McLaurin stated that the Town of Eastover now owns the Eastover Ballpark. Mayor McLaurin stated a good working relationship between the Town and the Eastover Ballpark Association exists.

Council Member Cheryl Hudson said she made a recommendation at the Mayors Coalition Breakfast for a committee to be established to help keep all informed with the Sales Tax Distribution because Mayor's and Council Members could change within the 3 year time period.

IX. Receive Town Managers Update.

Mr. Nazarchyk asked if a Board of Adjustments meeting could be held in March. He stated a new Chairperson needed to be determined and 2 new members have to be sworn in. Usually, a Board of Adjustments meeting is held at 6 on the day of the regular Town Council Meeting. Mr. Nazarchyk stated he would like to have the Board of Adjustments meeting on March 8, 2016. Mr. Nazarchyk also reminded everyone the Mayor and Mayor Pro Tem are alternate members on the Board of Adjustments.

Mr. Nazarchyk let everyone know Fayetteville Cumberland Parks and Recreation donated three, \$500 picnic tables for Talley Woodland Park. Eastover now has 4 picnic tables at the Talley Woodland Park. Mr. West has secured them, so they would not be easily stolen from the area.

X. Consider a Motion to Adjourn.

A motion to adjourn was made by Council Member Cheryl Hudson at 7:30 p.m. The motion was 2nd by Council Member Lawrence Buffaloe. The vote was unanimous for approval.

_____, **Administrative Assistant**
Elizabeth S Bass

Town of Eastover

Charles G. McLaurin, Mayor

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