

**Town of Eastover - Town Council Meeting  
Tuesday, September 12, 2017 7:00 p.m.  
Eastover Community Center**

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

**MINUTES OF MEETING – September 12, 2017**

Mayor Charles G. McLaurin, Council Members: Cheryl C. Hudson, J. Lawrence Buffaloe, M. Stan Crumpler, Benny M. Pearce, Lee P. Hedgecoe, and Randy P. Lee were in attendance at the September 12, 2017, Eastover Town Council Meeting. A quorum was present at the Town Council Meeting. Also in attendance were Attorney Tim Smith, Ms. Betty Lynd and Mr. Aaron Barnes, Cumberland County Planning and Zoning Department, Mr. Kim Nazarchyk, Town Manager, Ms. Jane Faircloth, Town Clerk, and Ms. Elizabeth Bass, Administrative Assistant.

**I. Call to Order:**

Mayor Charles McLaurin called the September 12, 2017 Eastover Town Council meeting to order at 7:00 p.m. and welcomed all in attendance.

**II. Invocation/Pledge of Allegiance:**

Town Manager, Mr. Kim Nazarchyk gave the Invocation and led in the Pledge of Allegiance.

**Recognition:**

Mayor McLaurin informed the Council that Deputy Dave Abels will be retiring from the Cumberland County Sheriff's Office. Deputy Abels has been serving the Eastover Community for approximately 10 years. Mayor McLaurin presented Deputy Abels with an appreciation plaque and a gift card. The Council Members each told Deputy Abels how much he was appreciated and thanked him for his service.

Deputy Abels thanked Mayor McLaurin and each Council Member. He stated that serving the Eastover Community was a privilege and he thoroughly enjoyed it. Deputy Abels also stated the residents in Eastover are like family to him. He thanked the Mayor and the Council for their best wishes and he also thanked the community for supporting him.

Council Member Cheryl Hudson introduced Ms. Lisa Johnson Scales, the new Clerk of Court for Cumberland County. Ms. Scales stated it was an honor to be able to come speak to the Council. Ms. Scales said she was born and raised in Eastover. She stated that Eastover holds a special place in her heart and always will. Ms. Scales said that she isn't living to far from the Eastover border.

Ms. Scales stated she was excited about being the new Clerk of Court. She said she would be running for that position again in 2018. Ms. Scales stated prior to working with the Clerk of Court she worked in the Register of Deeds for approximately 31 years. She said her new job is working with civil, criminal, and juvenile records as well as other things. Ms. Scales stated she was excited to be in this new role.

Mayor McLaurin and the Council congratulated Ms. Scales. They all wished her luck on her new career path.

### **III. Approval of Agenda:**

Mayor Charles McLaurin asked the Council if they had any questions concerning the Agenda. There were none.

Mayor McLaurin asked for a motion to approve/disapprove the Agenda as stated.

Council Member Randy Lee made a motion to approve the Agenda as stated. The motion was 2<sup>nd</sup> 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 August 8, 2017 Town Council Meeting.**
- 2. Consider approval of the July, 2017 Financial Reports.**

Mayor McLaurin asked the Council if they had any questions concerning the Consent Agenda. There were none.

Mayor McLaurin asked for a motion to approve/disapprove the Consent Agenda as stated.

Council Member Cheryl Hudson made a motion to approve the Consent Agenda as stated. The motion was 2<sup>nd</sup> by Council Member Stan Crumpler. The vote was unanimous for approval.

**VI. Discussion Agenda:**

**Agenda Item #1:**

**Public Hearing: CASE NO. P17-32. REZONING OF 2.53+/- ACRES FROM A1 AGRICULTURAL TO R40A RESIDENTIAL OR TO A MORE RESTRICTIVE ZONING DISTRICT, LOCATED AT 2501 BAYWOOD ROAD, SUBMITTED BY MICHAEL A. AND SUSAN T. THOMAS (OWNERS). (EASTOVER 09/12/2017).**

Mayor McLaurin **OPENED** the Public Hearing. Mayor McLaurin asked if anyone signed up to speak for or against this case. Town Clerk, Ms. Jane Faircloth stated Mr. Mike Thomas at 2501 Baywood Road signed up to speak for this case.

Ms. Betty Lynd with Cumberland County Planning and Zoning Department briefed the Council. Ms. Lynd stated Case No. P17-32 is a rezoning case of 2.53 acres of land. It would rezone this property from an A1, agricultural to R40A, residential, allowing a double wide mobile home to go on the property. Ms. Lynd stated sewer and water are available to the property by Eastover Sanitary District.

Ms. Lynd said the Cumberland County Planning and Inspections Board recommended approval on Case No. P17-32. Ms. Lynd stated the property owner was present if any Council Members had any questions.

Mayor McLaurin asked the Council if they had any questions concerning Case No. P17-32. There were none.

Mayor McLaurin asked for a motion to **CLOSE** the Public Hearing.

Council Member Cheryl Hudson made a motion to close the public hearing. The motion was 2<sup>nd</sup> by Council Member Lawrence Buffaloe. The vote was unanimous for approval.

Mayor McLaurin asked for a motion to approve/disapprove to Case No. P17-32 for rezoning from an A1 agriculture to a R40A residential. Council Member Randy Lee made a motion to approve Case No P17-32 for **rezoning** from an A1 Agriculture to a R40A residential. The motion was 2<sup>nd</sup> by Council Member Stan Crumpler. The vote was unanimous for approval.

Mayor McLaurin asked for a motion to approve/disapprove to Case No. P17-32 for consistency with the 2030 Growth Vision Plan, and Eastover Land Use Plan and also meets or exceeds the location criteria of the adopted Land Use Policies Plan. Council Member Cheryl Hudson made a motion to approve Case No P17-32 for **consistency** with

the 2030 Growth Vision Plan, and Eastover Land Use Plan and also meets or exceeds the location criteria of the adopted Land Use Policies Plan. The motion was 2<sup>nd</sup> by Council Member Lawrence Buffaloe. The vote was unanimous for approval.

Mayor McLaurin asked for a motion to approve/disapprove to Case No. P17-32 for reasonableness with the 2030 Growth Vision Plan, and Eastover Land Use Plan and also meets or exceeds the location criteria of the adopted Land Use Policies Plan. Council Member Cheryl Hudson made a motion to approve Case No P17-32 for **reasonableness** with the 2030 Growth Vision Plan, and Eastover Land Use Plan and also meets or exceeds the location criteria of the adopted Land Use Policies Plan. The motion was 2<sup>nd</sup> by Council Member Stan Crumpler. The vote was unanimous for approval.

**Agenda Item #2:**

**Public Hearing: Case No. P17-37. REZONING OF 1.60+/- ACRES FROM R6A RESIDENTIAL TO C1(P)/CZ FOR ALL ALLOWED USES OR TO A MORE RESTRICTIVE ZONING DISTRICT, LOCATED AT 2425 CULBRETH DRIVE, SUBMITTED BY CHERYL HUDSON ON BEHALF OF CULBRETH INVESTMENTS, LLC (OWNERS). (EASTOVER 09/12/2017)**

Council Member Cheryl Hudson stated this was her property and she wishes to recuse herself. Mayor McLaurin asked the Council to make a motion for Council Member Cheryl Hudson to be recused from this case and leave the room.

Council Member Lawrence Buffaloe made a motion for Council Member Cheryl Hudson to be recused from Case No. P17-37 and leave the room. Council Member Stan Crumpler 2<sup>nd</sup> the motion. The vote was 6-0 for approval.

Mayor McLaurin **OPENED** the Public Hearing.

Ms. Betty Lynd presented the case to the Council. She stated the property owners want to rezone the property from a R6A residential to a C1(P)/Conditional Zoning with all allowed uses. The property is approximately 1.60 acres. There are several businesses in the area; however this property is surrounded on 3 sides by residential property. Ms. Lynd showed area photos and a soils map. Ms. Lynd told the Council the property is served by public water and sewer through Eastover Sanitary District.

Ms. Lynd stated the property is located within Eastover's Commercial Core Overlay. Ms. Lynd stated there was no site plan because the property owner hasn't disclosed what will be built. Once the property owner's decide what will be placed on the property a site plan will be issued for the Council's review. The only public access to property now is through the residential side.

Mayor McLaurin asked if anyone signed up to speak for or against this case. The Town Clerk stated four people signed up to speak. They are as follows:

**FOR:** Mr. Duane Culbreth, 3469 Attica Drive, Eastover, NC 28312

**AGAINST:** Mr. Danny Matthews, 1745 Eastover Street, Eastover, NC 28312  
Mr. Larry Smith, 2463 Culbreth Drive, Eastover, NC 28312  
Mr. Todd Brady, 3914 Dunn Road, Eastover NC 28312

**SPEAKERS FOR:**

Mr. Culbreth at 3469 Attica Drive stated he would like to hear the concerns from the people that signed up against this case. Mr. Culbreth said they looked at the surrounding property and there is public access on Culbreth Drive but by joining properties they will have access off of Highway 301/Dunn Road. The Dunn Road access will be the primary entrance.

**SPEAKERS AGAINST:**

Mr. Danny Matthews at 1745 Eastover Street is against the case. He owns several pieces of residential property in this area. Mr. Matthews stated that young families with small children live in this neighborhood. He gave the Council pictures of the back of a restaurant, and stated that this is what it could look like. He said the grease traps aren't clean and grease is dripping off the contain site, which is unpleasant. He stated that the trash dumpster would be unsightly. He's also afraid that Waste Industries and other companies will make Culbreth Road a main thoroughfare, which would be dangerous for the young families.

Mr. Larry Smith at 2463 Culbreth Drive is against the case. He lives on the corner of Culbreth Drive. His concern is traffic. Mr. Smith said children and parents walk the circle for exercise and the children are often in the street playing with supervision. Mr. Smith said the streets are narrow and have no lines. He stated the street is not made for commercial traffic. Mr. Smith said the property is only sided by commercial on one side therefore it should be kept residential. He wants Eastover to grow but doesn't want commercial property in a residential area. Mr. Smith stated that once approval of commercial zone is given and a site plan for whatever business meets guidelines then it has to be approved.

Mr. Todd Brady at 3914 Dunn Road lives beside the property. Mr. Brady stated his lot goes all the way to Culbreth Drive. Mr. Brady said if the residences could be protected he would not have a problem. If a residential buffer could be made he would be on board. Mr. Brady stated that he purchased his home from Ms. Cheryl Hudson and Mr. Duane Culbreth. Mr. Brady stated this was not a personal attack. He said that with the unlimited use it opens the property for anything. Mr. Brady also said the children are a concern. He stated he has seen the children and their parents walk to the bus stop every morning and every afternoon. Mr. Brady said with the increased traffic it would be dangerous for the children and their parents to walk to and from the bus stop.

**REBUTTAL:**

Mr. Duane Culbreth spoke again. He said he has a prospect in the works and they are not a restaurant or a strip mall. Mr. Culbreth stated that the prospect should not have an issue with barriers. Culbreth Investments is not looking to place anything unsightly on the property they only want it to be rezoned to commercial so they can help build the Town. He stated that whatever goes into that space will be eye pleasing to the community. Mr. Culbreth stated if this prospect doesn't work, they would be looking for something to honor their mother and father.

The Council had some discussion then Mayor McLaurin asked for a motion to **CLOSE** the Public Hearing.

Council Member Lawrence Buffaloe made a motion to close the public hearing. Council Member Stan Crumpler 2<sup>nd</sup> the motion. The vote was 6-0 for approval.

Mayor McLaurin asked for a motion to approve/disapprove Case No. P17-37 for **rezoning** from a R6A residential to a C1(P)/CZ. Council Member Stan Crumpler made a motion to approve Case No P17-32 for rezoning from a R6A to a C1(P)/CZ. The motion was 2<sup>nd</sup> by Council Member Randy Lee. The vote was 4-2 for approval. Mayor McLaurin and Council Member Lee Hedgecoe voted against the rezoning and Council Members: Stan Crumpler, Lawrence Buffaloe, Benny Pearce, and Randy Lee voting for approval.

Mayor McLaurin asked for a motion to approve or disapprove the text amendment in Case No. P17-37 for **consistency** for the following reason:

- Is Consistent with the adopted 2030 Growth Vision Plan map, which calls for "community growth area".

Council Member Lawrence Buffaloe made a motion to approve the text amendment in Case No. P17-37 for consistency. Council Member Stan Crumpler 2<sup>nd</sup> the motion. The vote was 6-0 for approval.

Mayor McLaurin asked for a motion to approve or disapprove the text amendment in Case No. P17-37 for **reasonableness** for the following reason:

- Development at this location could be considered reasonable as the subject property is located within the Commercial Core Overlay district and is closely located to several other commercially zoned properties.

Council Member Lawrence Buffaloe made a motion to approve the text amendment in Case No. P17-37 for reasonableness. Council Member Stan Crumpler 2<sup>nd</sup> the motion. The vote was 6-0 for approval.

**Agenda Item #3:**

**DISCUSSION ON INTERLOCAL AGREEMENT.**

Mr. Kim Nazarchyk briefed the Council on the Interlocal Agreement between Eastover Sanitary District and the Town of Eastover. Mr. Nazarchyk stated that this agreement will allow improvements to Ballpark Road, including the removing and replacing of approximately 600 feet of water main piping and paving Ballpark Road. He stated Eastover Sanitary District will be responsible for hiring the contractors and the Town of Eastover will be financially obligated. Mr. Nazarchyk stated the cost would be approximately \$35,000 to \$40,000.

Mayor McLaurin asked the Council if they had any questions concerning the Interlocal Agreement between Eastover Sanitary District and the Town of Eastover. There were none.

Mayor McLaurin asked for a motion to approve/disapprove the Interlocal Agreement between Eastover Sanitary District and the Town of Eastover.

Council Member Lee Hedgecoe made a motion to approve the Interlocal Agreement between Eastover Sanitary District and the Town of Eastover. The motion was 2<sup>nd</sup> by Council Member Lawrence Buffaloe. The vote was unanimous for approval.

**Agenda Item #4:**

**DISCUSSION ON TREE REMOVAL CONTRACT FOR TALLEY-WOODLAND PARK**

Mr. Kim Nazarchyk stated that Council Member Randy Lee discovered that trees were down in Talley-Woodland Park. After further investigation, Mr. Nazarchyk sent bids out to 4 tree removal services. Only 3 bids were submitted to the Town of Eastover for consideration. Eldridge Tree Removal was the lowest bid at \$2,500.00.

Mayor McLaurin asked the Council if they had any questions concerning the bids for Tree Removal. There were none.

Mayor McLaurin asked for a motion to approve/disapprove Eldridge Tree Removal Service to remove the trees and grind the stumps of the designated trees in Talley-Woodland Park.

Council Member Cheryl Hudson made a motion to approve Eldridge Tree Removal Service to remove the trees and grind the stumps of the designated trees in Talley-Woodland Park. The motion was 2<sup>nd</sup> by Council Member Randy Lee. The vote was unanimous for approval.

**Agenda Item #5:**

**DISCUSSION ON CONTRACTS FOR CLEARING/PAVING OF BALLPARK ROAD.**

Mr. Nazarchyk stated he placed an advertisement to accept bids for the clearing and paving of Ballpark Road in the Fayetteville Observer. He stated he received 3 bids back. Of the 3 he received, Sanco Construction was the lowest bidder.

Mayor McLaurin asked the Council if they had any questions concerning the bids for the clearing/paving of Ballpark Road. There were none.

Mayor McLaurin asked for a motion to approve/disapprove the Sanco Construction contract for the clearing/paving of Ballpark Road.

Council Member Cheryl Hudson made a motion to approve the Sanco Construction contract for the clearing/paving of Ballpark Road. The motion was 2<sup>nd</sup> by Council Member Stan Crumpler. The vote was unanimous for approval.

**VII. Receive Mayor's Update:**

Mayor McLaurin stated he appreciated Mayor Pro Tem Cheryl Hudson filling in for him at the last Town Council Meeting. He also stated that his vacation was pleasant.

Mayor McLaurin stated the picnic in the Talley-Woodland Park by Eastover Civic Club was a great success.

Mayor McLaurin informed the Council Members and the audience that he, Council Member Lawrence Buffaloe, Council Member Randy Lee, and Town Manager, Kim Nazarchyk will be meeting with Contractors on Thursday, September 14, 2017. At this meeting the Mayor and the Council Members will be showing the contractor exactly what trees they want removed from the park.

**VIII. Receive Town Council Update:**

Council Member Stan Crumpler stated that the Gateway Signs for the Town of Eastover needed to be manicured. He said either the Town finds a company just for that purpose, or the Town could add the Gateway signs into the next landscape bid process. Mr. Kim Nazarchyk stated he was in the process of getting someone to help with that matter.



**XI. Receive Town Managers Update:**

Mr. Nazarchyk stated he was looking for an individual who would be willing to work 7-8 hours a week picking up limbs and general cleaning of Talley-Woodland Park. He informed the Council he had a prospect and would be getting back to them.

**X. Consider a Motion to Adjourn:**

Mayor McLaurin asked for a motion to adjourn.

A motion to adjourn was made by Council Member Lee Hedgecoe at 8:05 p.m. The motion was 2<sup>nd</sup> by Council Member Cheryl Hudson. The vote was unanimous for approval.

\_\_\_\_\_, **Administrative Assistant**  
**Elizabeth S. Bass**

**Town of Eastover**

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**Charles G. McLaurin, Mayor**

**Attest:** \_\_\_\_\_, **Town Clerk**  
**Jane F. Faircloth**