

**Town of Eastover - Town Council Meeting
Tuesday, December 14, 2021, 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☐ Bruce R. Sykes, x☐ Kimberly F. McPhail,
and x☐ C. Brian Pearce**

MINUTES OF MEETING – December 14, 2021

Mayor Charles G. McLaurin, Council Members: Kimberly McPhail, Bruce R, Sykes, J. Lawrence Buffaloe, Cheryl C. Hudson, and M. Stan Crumpler attended the December 14, 2021, Eastover Town Council Meeting. Council Member C. Brian Pearce was absent from the meeting; however, he provided a written waiver of notice prior to the December 14, 2021, Town Council Meeting. A quorum was present at the Town Council Meeting. Also, in attendance were Mr. Tim Smith, Town Attorney, Mr. Telly Shinas, Cumberland County Planning and Zoning, Mr. Ronald Autry, Interim Town Administrator, and Ms. Elizabeth S. Bass, Town Clerk.

I. CALL TO ORDER:

Mayor Charles McLaurin called the December 14, 2021, Eastover Town Council meeting 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 in the Pledge of Allegiance.

III. OATHS OF OFFICE.

Mayor and New Council Members.

Eastover Town Clerk, Ms. Elizabeth Bass, administered the oath of office to Mayor Charles G. McLaurin and re-elected Council Members Kimberly F. McPhail, Bruce R. Sykes, and J. Lawrence Buffaloe.

IV. APPROVAL OF AGENDA:

Mayor Charles McLaurin asked for a motion to approve/disapprove the agenda as stated. Council Member Cheryl Hudson made a motion to approve the agenda as stated. The motion was 2nd by Council Member Kim McPhail. The vote was 6-0 for approval.

V. PUBLIC COMMENTS:

None.

VI. CONSENT AGENDA:

- 1. Consider approval of the Minutes for the November 9, 2021, Town Council Meeting.**
- 2. Consider approval of the Closed Session Minutes, November 9, 2021.**
- 3. Consider approval of the October 2021 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 2nd by Council Member Lawrence Buffaloe. The vote was 6-0 for approval.

VII. DISCUSSION AGENDA:

Agenda Item #1:

Presentation by Mr. Mark Hedgepeth, Haigh, Byrd, & Lambert, LLP concerning Fiscal Year 2021 Audit for the Town of Eastover.

Mayor McLaurin asked Mr. Mark Hedgepeth from Haigh, Byrd & Lambert, LLP to come and present the Fiscal Year 2021 Audit for the Town of Eastover. Mr. Hedgepeth explained that under the General Statutes for Municipalities you are required to have an annual audit conducted. The audit for the Town of Eastover for the Fiscal Year 2021 audit was determined to be clean. The findings from the Fiscal Year 2021 Audit showed an increase in revenue.

Mr. Hedgepeth stated the following were Financial Highlights:

- The assets and deferred outflows of resources of the Town exceeded its liabilities and deferred inflows of resources at the close of the fiscal year by \$9,011,958 (net position)
- The government's total net position increased by \$861,669 due to increases in the governmental activities net position. The key factor in this increase was the receipt of capital contributions for improvements to cultural and recreational activities and conservative spending policies.
- As of the close of the current fiscal year, the Town's governmental fund reported an ending fund balance of \$6,623,113, an increase of \$559,849. Approximately 13.12% of this total amount, or \$868,649, is restricted.
- At the end of the current fiscal year, unassigned fund balance for the General Fund was \$5,754,464, or 426.81% of total General Fund expenditures for the fiscal year.

The following aspect of the Town's financial operations positively influenced the total unrestricted governmental net position:

- Continued diligence in the collection of property taxes by maintaining a tax collection percentage of 98.60%.
- Increased sales tax revenue of approximately \$133,000 due to economic growth in the Town.

The General Fund is the chief operating fund of the Town. At the end of the current fiscal year, unassigned fund balance of the General Fund was \$5,754,464, while the total fund balance was \$6,623,113. As a measure of the General Fund's liquidity, it may be useful to compare both unassigned fund balance and total fund balance to total fund expenditures. Unassigned fund balance represents 426.81% of total General Fund expenditures, while total fund balance represents 491.23% of that same account.

Mayor McLaurin then asked for a motion to approve or disapprove the Fiscal Year 2021 Audit. Council Member Bruce Sykes made a motion to approve the Fiscal Year 2021 Audit. The motion was 2nd by Council Member Lawrence Buffaloe. The vote was 6-0 for approval.

Agenda Item #2:

Public Hearing: Case No. ZON-21-0013: Rezoning From C(P) Planned Commercial District to c(P) Planned Commercial District/CZ Conditional Zoning District for a grocery store, retail sales, auto sales, and restaurant (deli) on 2.56 +/- acres or more restrictive zoning District; located at 3763 Dunn Road; submitted by Muamar Alsaidi (agent) on behalf of Raleigh Investment Group, LLC (owner).

Mayor McLaurin opened the Public Hearing. He then asked if anyone signed up to speak for or against Case No. ZON-21-0013. No one had signed up to speak for or against Case No. ZON-21-0013.

Mr. Telly Shinas, Cumberland County Planning and Inspections Manager presented Case No. ZON-21-0013 to the Council. He stated that the applicant requests a rezoning of approximately 2.56+/- acres located at 3763 Dunn Road from C(P) Planned Commercial district to c(P) Planned Commercial District/CZ Conditional Zoning District for a grocery store, retail sales, auto sales and restaurant (deli), all of which are existing uses at the commercial center except for the proposed restaurant (deli).

Mr. Shinas showed the Council the Commercial Core Overlay District map, the Location and Zoning Map, the Utilities and Soils Map, and a map of existing and surrounding uses. He stated this site did have water and sewer. Mr. Shinas said that the Planning and Inspections staff recommends approval of the rezoning request from c(P) Planned Commercial District to C(P) Planned Commercial District/CZ Conditional Zoning District.

Mayor McLaurin asked if there were any questions or if any further discussion was needed. 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. Council Member Stan Crumpler 2nd the motion. The vote was 6-0 for approval.

Council Member Kim McPhail made a motion to approve Case No. ZON-21-0013 for reasonableness in the public interest because the district requested is in harmony with the adjacent existing land uses and surrounding zoning. The motion was 2nd by Council Member Bruce Sykes. The vote was 6-0 for approval.

Council Member Kim McPhail made a motion to approve the text amendment in Case No. ZON-21-0013 for consistency with the adopted plan as designated in the Eastover Land Use Plan. Council Member Cheryl Hudson 2nd the motion. The vote was 6-0 for approval.

Council Member Cheryl Hudson made a motion to approve Case No. ZON-21-0013. Council Member Stan Crumpler 2nd the motion. The vote was 6-0 for approval.

Agenda Item #3:

Public Hearing: Propose Installment Purchase of 3876 Dunn Road, Eastover, NC, 28312

Mayor McLaurin opened the public Hearing. He then asked if anyone signed up to speak for or against the proposed installment purchase of 3876 Dunn Road. No one had signed up to speak for or against the proposed installment purchase.

Mr. Ronald Autry said that the Public Hearing was advertised as needed. He stated this would be an installment purchase; financed for 3 years with a \$24,000.00 down payment, financing \$216,000 @5% interest for 3 years. Mr. Autry checked all legal requirements and stated that the Local Government Commission said that if the Towns purchase is less than \$500,000.00 and financing is less than 5 years no other action needs to be taken.

Mayor McLaurin asked if there was any further discussion. there was none. Mayor McLaurin asked for a motion to close the public hearing. Council Member Cheryl Hudson made a motion to close the public hearing. Council Member Stan Crumpler 2nd the motion. The vote was 6-0 for approval.

Council Member Bruce Sykes made a motion to approve the Installment Purchase of 3876 Dunn Road, Eastover, NC, 28312. The motion was 2nd by Lawrence Buffaloe the vote was 6-0 for approval.

Agenda Item #4:

Public Hearing: Amended Ordinance Regulating Smoking and Vape Shops

Mayor McLaurin opened the Public Hearing. He then asked if anyone signed up to speak for or against the amended ordinance regulating smoking and vape shops. No one had signed up to speak for or against the amended ordinance.

Town Attorney, Mr. Tim Smith told the Council that the major change in the ordinance is the sale of smoking and e-cigarettes, and vapes, smoking, e-cigarette and vape products, and accessories for such products that receives no less than 50% of its total annual revenues.

Mayor McLaurin asked if there was any further discussion. There was none. 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 2nd the motion. The vote was 6-0 for approval.

Mayor McLaurin asked for a motion to approve or disapprove the amended ordinance regulating smoking and vape shops. Council Member Bruce Sykes make a motion to approve the amended ordinance regulating smoking and vape shops. Council Member Stan Crumpler 2nd the motion. The vote as 6-0 for approval.

Agenda Item #5:

Budget Amendment 2022-02: Town Hall Purchase

Mr. Ronald Autry stated that a budget ordinance amendment to increase capital outlay, loan principal due, and interest due is needed to purchase the town hall building. He said that with the increase in these accounts the General Budget will remain the same.

Mayor McLaurin asked if there was any further discussion, there was none. Mayor McLaurin asked for motion to approve or disapprove Budget Amendment 2022-02: Town Hall Purchase.

Council Member Stan Crumpler made a motion to approve Budget Amendment 2022-21 Town Hall Purchase. Council Member Bruce Sykes 2nd the motion. The vote was 6-0 for approval.

Agenda Item #6:

Ordinance Amending Speed Limit Change on Dunn Road

Mr. Ronald Autry informed the Council that the North Carolina Department of Transportation (NCDOT) has reviewed the safety issue at Rock Hill Road and Dunn Road. NCDOT has recommended a speed limit change from 55 mph to 45 mph. They will continue to research this matter.

Mayor McLaurin asked if there were any questions. There were none. Mayor McLaurin asked for a motion to approve or disapprove the Ordinance Amending the Speed Limit on Dunn Road.

Council Member Cheryl Hudson made a motion to approve the Ordinance Amending the Speed Limit Change on Dunn Road. The motion was 2nd by Council Member Bruce Sykes. The vote was 6-0 for approval.

Agenda Item #7:

Discuss status on accepting Cory Circle for street maintenance

Town Attorney, Mr. Tim Smith stated that the streets are within town limits. He said he had reviewed the petition and it is sufficient. He stated the Town needed to pass a resolution and record the easement.

Council Member Kim McPhail made a motion to accept the street maintenance based on the signed petition and the easement being recorded. Council Member Lawrence Buffaloe 2nd the motion. The vote was 6-0 for approval.

VIII. RECEIVE MAYOR'S UPDATE.

- Murphy Road needs to be researched by NCDOT for a speed limit change
- Christmas decorations look great. The wreaths should all be replaced in 2022
- Council Members need to stop by the new town hall building to see if there are any changes they would like to make
- Heritage Day will be held in October 2022. The bathrooms and shelter need to be completed by then.
- A landscaper needs to be hired to work on irrigation and seeding for the Ballpark
- The Flea Drop will be December 31, 2021, at 10:30pm-12:00am.

IX. RECEIVE TOWN COUNCIL UPDATE.

- The new town hall sign looks great
- Bulbs need to be ordered for the Christmas decorations

X. RECEIVE TOWN ADMINISTRATOR'S UPDATE.

- The stage will be completed the week of December 13-17, 2021.
- Steps and a handicapped ramp need to be installed at the ballpark where the shelter is
- Contractor will bore conduit under old soccer field and open cut in new field for electrical lines to be installed
- Fayetteville/Cumberland Parks and Recreation have funds to use on the multipurpose field at the Ballpark. Need to get 3 bids

XI. CLOSED SESSION IN ACCORDANCE WITH GS 143-318.11(a)(3)-ATTORNEY CLIENT PRIVILEGE

A motion to go into closed session was made by Council Member Cheryl Hudson. The motion was 2nd by Council Member Stan Crumpler. The vote was 6-0 for approval.

XII. CONSIDER A MOTION TO ADJOURN.

Mayor McLaurin asked for a motion to adjourn.

A motion to adjourn was made by Council Member Bruce Sykes at 8:25 p.m.
The motion was 2nd by Council Member Lawrence Buffaloe. The vote was 6-0 for approval.

Town of Eastover

Charles G. McLaurin, Mayor

Attest: _____, **Town Clerk**
Elizabeth S. Bass