

## **Regular Meeting – July 8, 2003**

The Fairmont Board of Commissioners held their regular meeting on Tuesday, July 8, 2003 at 6:00 p.m. in the Fairmont Council Chambers with Mayor Nedward Gaddy presiding. Commissioners present were Charles Kemp, Mary Bruce Grantham, John Jackson, Antonio Currie, and Charles Townsend. Commissioner J.J. McCree was absent due to National Guard Duty. Staff present included Interim Town Manager Katrina Tatum, Town Attorney Charlie Floyd, Town Clerk Jenny Larson, Finance Director Linda Vause, Public Works Director Ronnie Seals, Police Chief Sam Hunt, Sergeant Alex Monroe and Fire Chief James Thompson. Others present included Billy Hayes, Fred Hughes, Mary Renfrow, Sandra Cox, Huel Faulk, Scott Witten and several other concerned citizens.

Mayor Gaddy called the meeting to order and Commissioner Townsend gave the invocation.

### Approval of Agenda

Commissioner Jackson made a motion to approve the revised agenda for tonight's meeting. Commissioner Townsend seconded the motion and it passed unanimously.

### Approval of Minutes

Commissioner Jackson made a motion to approve the minutes of the budget workshop on May 29, the emergency meeting on June 6 and the regular meeting on June 10, 2003. Commissioner Kemp seconded the motion and it passed unanimously.

### Citizens Appearance

No citizens spoke during citizens appearance.

### Public Hearing – Bonaventure II Subdivision Variance Request

Commissioner Kemp made a motion to go into public hearing at 6:08 p.m. to discuss the Bonaventure II Subdivision Variance Request. Commissioner Jackson seconded the motion and it passed unanimously.

Ms. Tatum informed the board that the owners of the Bonaventure Subdivision site have decided to withdraw their request for a variance to permit smaller lot sizes for each dwelling unit. They feel the proposed development of duplex units will not be well received in this area. Ms. Tatum has offered some alternatives for development, such as modular homes, which will reduce the cost of construction and allow the developer to proceed.

Commissioner Grantham made a motion to come out of public hearing at 6:10 p.m. Commissioner Kemp seconded the motion and it passed unanimously.

**Administrative Matters**

Faith in Families in Robeson County.

Minister Mary Renfrow, Faith Community Coordinator for Robeson County, came before the board to discuss the Faith in Families program. Faith in Families in Robeson County (FFRC) is a new social ministry that offers a way for religious and community organizations to become active participants in the lives of families who are moving from welfare to work. Partnerships are formed with Work First families and Faith Teams, for one year, in order to help the families to become self sufficient. FFRC recruits, trains, and supports faith teams as they encourage and assist Work First families on their way from welfare to work. Each faith team agrees to work with the family for a year. This is not a financial obligation; it is a support group for the families, as they become part of the work force. FFRC is asking all the churches in Robeson County to become partners in this ministry by contributing 50 cents per member annually for the growth and continued support of this vital ministry.

Ms. Sandra Cox, Work First Manager with the Robeson County Department of Social Services, informed the board that there are currently 1,500 families in Robeson County in the Work First program. She encourages her clients to get involved with the Faith in Families program to help them make the transition from welfare to work.

Billy Hayes – Golf Course Annexation.

Mr. Billy Hayes came before the board to ask them to consider dropping the Golf Course annexation. Mr. Hayes said the town was no closer to winning the annexation lawsuit than they were seven years ago. He added that it is cheaper to fight the town in court than to pay property taxes. Mr. Hayes mentioned his lease purchase agreement on the golf course with Phil Wallace. When Mr. Wallace signed the lease he agreed to purchase the golf course at the end of the lease for 65 cents per \$1.00 valuation. However, with the poor economy, Mr. Wallace could easily buy a golf course elsewhere for 30 cents per \$1.00 valuation. Mr. Wallace has asked Mr. Hayes to consider selling him the golf course for that price but Mr. Hayes cannot give any concessions to Mr. Wallace unless the town drops the annexation. Mayor Gaddy asked Mr. Hayes not to threaten the board. Mr. Hayes said he was not threatening anybody but wanted the board to know that the annexation could cause the golf course to close in the near future.

Change of Signature Cards – Community Building and Recreation Fund bank accounts.

Ms. Tatum explained that Town Manager Ben Hill and Recreation Director Mickey Williamson are the current signatories on the Community Building and Recreation Fund Accounts at Lumbee Bank. In light of existing conditions, Ms. Tatum requested that the Board approve a change of signatories as follows: Nedward Gaddy, Mayor, Mickey Williamson, Recreation Director and Jennifer Larson, Deputy Finance Director.

Commissioner Grantham made a motion to change the signatories on the Community Building and Recreation Fund bank accounts to Mayor Gaddy, Recreation Director Mickey Williamson and Deputy Finance Director Jennifer Larson. Commissioner Jackson seconded the motion and it passed unanimously.

Proposal by Mr. William Robinson to buy empty lot known as Main Street Park.

Ms. Tatum announced that the town has received an offer from Mr. William Robinson to purchase the Main Street Park, a 1,978 square foot lot downtown, for \$1,000. This property is located between the McMillian and Floyd properties and is identified as Robeson County Pin Number 3006-03-009. In order for the town to sell this property, it must be advertised for sale.

Several months ago, the board gave approval for David Little, a Fairmont Boy Scout, to decorate the Main Street Park as part of his Eagle Scout Project. Ms. Tatum has talked to Mr. Little and suggested modifying his project to do work on the Fairmont Community Park instead. Mr. Little is willing to do so.

Commissioner Jackson made a motion to rescind the motion to allow David Little to complete his Eagle Scout project on the Main Street Park. Commissioner Townsend seconded the motion and the vote was unanimous. Commissioner Kemp did not vote because David Little is his stepson. Commissioner Jackson made a motion to allow Interim Town Manager Katrina Tatum to work with David Little on his Eagle Scout Project for the Fairmont Community Park. Commissioner Townsend seconded the motion and the vote was unanimous except Commissioner Kemp refrained from voting. Commissioner Grantham made a motion to advertise the lot known as Main Street Park for sale. Commissioner Townsend seconded the motion and it passed unanimously. Commissioner Kemp refrained from voting. Ms. Tatum reassured the board that the town attorney can place conditions on the deed that if the low bidder does not complete construction in one year that the property reverts back to the town.

Status Report – CDBG, Urgent Repair, Bonaventure and Hazard Mitigation.

I. CDBG Program – Benjamin and Phillips Streets

There have been no significant administrative issues. Engineering and street improvements are in progress. Total expenditures to date are \$172,928.95. Mr. Wallace has asked for his home to be replaced rather than repaired. The home is scheduled to be demolished on 7/14/03.

II. Urgent Repair Program

Twelve properties are complete and one is under construction. Total expenditures to date are \$33,407.

### III. Bonaventure Subdivision

Total expenditures to date are \$116,612. No construction has begun. Drainage work is 100% complete, sewer work is 98% complete and water is 75% complete. The developer has withdrawn his request for a variance to reduce lot size. Other alternatives will be considered to reduce the cost of construction.

### IV. Hazard Mitigation Grant

The contracts have been signed and returned to the consultant. The anticipated completion date of the Hazard Mitigation Plan is November 1, 2003. Approximately \$500 has been spent to date.

#### Proclamation – World Changers Week – July 5-12.

Several months ago, Ms. Tatum came before the board to introduce a group called the World Changers, a faith based group that had agreed to come to Fairmont and work on homes using the funds of our North Carolina Housing Finance Agency Urgent Repair and CDBG programs. The World Changers arrived on Saturday, July 5, eager to begin work. The Towns of Bladenboro and Fairmont joined together to bring this organization to our communities in an effort to stretch dollars, serve more residents and create wholesome experiences for the youth. They began work on seven homes in Fairmont on Monday and will return to their homes on Saturday, July 12. In recognition of their dedication to missions and extremely hard work, Ms. Tatum asked the board to proclaim July 5 to July 12, 2003 as World Changers Week 2003. Mayor Gaddy read the proclamation before Commissioner Grantham made a motion declaring July 5 – 12 as World Changers Week in Fairmont 2003. Commissioner Kemp seconded the motion and it passed unanimously. A copy of this proclamation is hereby incorporated by reference and made a part of these minutes.

#### Proclamation – National Night Out 2003.

Police Chief Sam Hunt asked the board to proclaim Tuesday, August 5, 2003 as National Night Out in Fairmont. This is the second anniversary of National Night Out in Fairmont and the 20<sup>th</sup> anniversary for the program as a whole. There will be free food and drinks for the citizens along with lots of fun entertainment. Mayor Gaddy read the proclamation. Commissioner Jackson made a motion to proclaim Tuesday, August 5, 2003 as National Night Out in Fairmont. Commissioner Kemp seconded the motion and it passed unanimously. A copy of this proclamation is hereby incorporated by reference and made a part of these minutes.

### **Announcements**

Community Watch meeting, Thursday, July 24, 2003 at 7:00 p.m. in the courtroom.

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Second Annual National Night Out, Tuesday, August 5, 2003, 6:00 to 8:00 p.m. in front of Town Hall.

Open House for Fairwoods Apartments, Tuesday, August 5, 2003 at 11:00 a.m.

Interim Town Manager Katrina Tatum and Finance Director Linda Vause will be on vacation from July 21-25.

LRDA will donate free cantaloupes to be delivered to the Swiss Piedmont Building site on Thursday, July 10 at 9:00 a.m.

**Closed Session – Personnel, Industry and Attorney – Client Privilege**

Commissioner Grantham made a motion to go into closed session at 6:55 p.m. to prevent the disclosure of information that is deemed privileged or confidential as determined under General Statute 143-318.10(e) and to discuss attorney – client privilege, “Billy Hayes et al vs. Town of Fairmont,” personnel and industry as permitted under General Statute 143-318.11(a)(3,4,6). Commissioner Jackson seconded the motion and it passed unanimously.

Mayor Gaddy, Commissioners Townsend, Jackson, Currie, Kemp, and Grantham, Katrina Tatum, Charlie Floyd and Jenny Larson were in attendance during closed session.

After the discussion of privileged information, attorney – client privilege, industry and personnel, Commissioner Jackson made a motion to come out of closed session at 7:33 p.m. Commissioner Currie seconded the motion and it passed unanimously.

Commissioner Jackson made the motion to terminate the employment of Town Manager Ben Hill. Commissioner Currie seconded the motion. The vote went as follows:

For:	Jackson, Currie, Townsend, Grantham
Against:	Kemp
Absent:	McCree

Commissioner Kemp made the following statement for the record:

“Just as I was opposed to placing our Town Manager, Ben Hill, on administrative leave without pay, I remain opposed to this action to terminate him before the S.B.I. has concluded their investigation and made the results known.”

Commissioner Jackson responded that his motion to terminate Mr. Hill was not based on the S.B.I. investigation.

There being no further business, Commissioner Jackson, seconded by Commissioner Currie, made a motion to adjourn the meeting at 7:35 p.m.

Jennifer H. Larson, CMC, Town Clerk

## **Regular Meeting – August 12, 2003**

The Fairmont Board of Commissioners held their regular meeting on Tuesday, August 12, 2003 at 6:00 p.m. in the Fairmont Council Chambers with Mayor Nedward Gaddy presiding. Commissioners present were Charles Kemp, Mary Bruce Grantham, J.J. McCree, John Jackson, Antonio Currie, and Charles Townsend. Staff present included Interim Town Manager Katrina Tatum, Town Attorney Charlie Floyd, Town Clerk Jenny Larson, Public Works Director Ronnie Seals, and Police Chief Sam Hunt. Others present included Billy Hayes, Fred Hughes, Rev. Marc Werner, Donna Werner, Huel Faulk, Scott Witten, W.B. Webster, Shirley Price, Shirley Eaton, Gosnold Floyd, Jimmy Byrne, Bill Lewis, representatives from South Robeson Rescue and several other concerned citizens.

Mayor Gaddy called the meeting to order and Rev. Marc Werner gave the invocation.

### Approval of Agenda

Commissioner Grantham made a motion to approve the agenda for tonight's meeting. Commissioner Townsend seconded the motion and it passed unanimously.

### Approval of Minutes

Commissioner Grantham made a motion to approve the minutes of the emergency meeting on June 25, the special meeting on June 30 and the regular meeting on July 8, 2003. Commissioner Currie seconded the motion and it passed unanimously.

### Special Presentation

Rev. Marc Werner of Trinity United Methodist Church presented a check in the amount of \$325 to South Robeson Rescue. The children at the church's Vacation Bible School collected the money and chose to give it to the rescue squad since they lost so much in the fire back in December.

### Citizen Appearance

#### W. B. Webster – Flag Tree Golf Course

Mr. W.B. Webster, of 1507 Lake View Road, was present on behalf of the Fairmont Development Corporation. The Development Corporation has organized a committee to discuss the current problems concerning the Flag Tree Golf Course. Mr. Webster asked the board to appoint a member of the board, preferably the mayor, to be a member of this committee to discuss the possibility of a compromise that will be fair and agreeable to all concerned.

Bill Lewis – Town Manager position

Mr. Bill Lewis asked the board about the vacant Town Manager position. He suggested that the board delay its decision to hire a new manager until the SBI investigation is complete and after the election in November. Mr. Lewis also feels that the board should involve the citizens in coming up with a job description for the new manager.

Shirley Price – Town Manager position and Community Park

Mrs. Shirley Price asked if the board had started advertising yet for a new Town Manager. Mayor Gaddy replied that the public would be notified when the board is ready to advertise the position. Mrs. Price also asked about the cost of the playground equipment in the new park. Ms. Tatum replied that most of the equipment was donated and repaired and that the rest was included in the park budget.

Delois Killens – Complaint about house on Holly Street

Ms. Delois Killens, of 200 Jenkins Street, had a complaint about the Williamson house on Holly Street. She said that kids are constantly hanging around and making noise. She also said that someone broke into the house next to her. Ms. Killens plans to join Community Watch. She asked the board what could be done about the abandoned houses in the area.

Huel Faulk – Complaint about abandoned houses

Mr. Faulk had complaints about the Williamson and Ford houses. He passed around pictures of the Williamson house to the board members. Mr. Faulk wanted to know what could be done about the condition of these houses. Ms. Tatum replied that it would take legal action to get the properties condemned and then it would be very costly for the town to demolish and remove the structures.

Jerry Faison – Complaint about canal ditch drainage

Mr. Jerry Faison, of 306 Morro Street, has a problem with the canal ditch drainage. Whenever there is a heavy rain, water runs through his yard and washes out his driveway. Public Works Director Ronnie Seals replied that the ditch needs tiling in order to control the water. However, there is not enough money in the budget to do the repair work needed at this time. In the meantime, Public Works is willing to replace the gravel in Mr. Faison's driveway whenever there is a washout.

Chalmus Hood – Sewer question

Mr. Chalmus Hood, of East White Pond Road, asked why he still did not have sewer run to his property. Mr. Hood said former Town Manager Ben Hill promised that sewer would be run to his house through an easement through Mr. Hood's father-in-law's yard. Ms. Tatum informed Mr. Hood that she was not aware of this problem and asked him to come by her office to discuss it in further detail.

Commissioner John Jackson – Citizen question about Chief Sam Hunt

Commissioner Jackson stated that a citizen asked him about Chief Hunt and the promotions he was planning to make in the Police Department. Mayor Gaddy replied that issue should be discussed during closed session.

**Administrative Matters**

Amendment of contract with Robert Price to make him Interim Town Attorney and change regular board meeting date to 3<sup>rd</sup> Tuesday at 6:00 p.m. on a temporary basis to accommodate his schedule.

Charlie Floyd has resigned as town attorney effective July 31, 2003. Attorney Robert Price is currently under contract to provide services under the CDBG program. Mr. Price has agreed to provide legal services as town attorney on an interim basis until an attorney is selected to replace Mr. Floyd. Mr. Price is currently paid at a rate of \$85.00 per hour with standard rates for services under CDBG. He has asked to be paid \$90.00 per hour. Ms. Tatum is requesting permission to amend Mr. Price's contract under the conditions stipulated above to provide legal coverage for the town.

If approved, Mr. Price has asked if the town would temporarily change the date of the regular board meeting from the second Tuesday in each month to the third Tuesday due to a scheduling conflict. A board action is required to change the meeting date.

Commissioner Grantham made a motion to amend Robert Price's contract to include the duties of Interim Town Attorney and to change the board's regular meeting date to the third Tuesday of the month at 6:00 p.m. Commissioner McCree seconded the motion and it passed unanimously.

Amendment to Retiree Health Insurance Plan – any employee hired after August 12, 2003 will not benefit from retiree health insurance.

Ms. Tatum informed the board that the cost of health insurance is rapidly increasing. During the past two years, the town has had no bargaining power because of our policy of insuring retirees for life. Therefore, we have no choice but to accept whatever company will accept the town under its present policy. That policy has caused our rates to skyrocket and with

every retiree added, the cost to insure all employees increases and it becomes harder and harder to find a plan that will accept the town. With these increases, we have had to accept plans that offer less attractive benefits to the employees (ex. higher deductibles, higher co-pays, etc.) The end result is that the town now pays approximately \$200,000 per year for health insurance. Our group plan is now higher per person than individual plans. To illustrate, it costs \$288 per month with a deductible of \$500.00 and \$30.00 co-pay for doctor visits for one child under the town's current group plan. Under an individual plan with Blue Cross Blue Shield Advantage, the same child can be covered for a cost of \$144 per month with a \$250.00 deductible and \$15.00 co-pay for doctor visits.

The retiree policy was a condition of employment for all current employees and must remain in effect for anyone employed while the policy was in effect. However, the town has the right to eliminate this privilege at any time for those hired after a specified date. Ms. Tatum recommends that the Board eliminate this privilege for all new employees. While this will not help lower current rates, it will help lower future rates, in that the number of retirees added to the plan will stop after the current employees have retired.

Ms. Tatum added that there is no rule that says the town has to provide coverage under a group plan. At one time, it was more cost effective to insure under such plans. Therefore, the staff is also exploring the idea of providing the benefit under individual plans, limiting the number of companies that an employee can deal with to one of three companies.

Commissioner Grantham made a motion to amend the town's retiree health insurance policy eliminating the benefit for any employee hired after August 12, 2003. Commissioner Currie seconded the motion and it passed unanimously. A copy of this resolution is hereby incorporated by reference and made a part of these minutes.

#### Order to collect taxes.

Commissioner Jackson made a motion to order the tax collector to collect the property taxes for the Town of Fairmont. Commissioner Kemp seconded the motion and it passed unanimously. A copy of this order is hereby incorporated by reference and made a part of these minutes.

#### Resolution supporting Lumbee Tribal recognition.

The Lumbee Tribe of North Carolina is requesting the town's support for federal recognition. Commissioner Jackson made a motion to adopt a Resolution supporting full federal recognition of the Lumbee Tribe. Commissioner Townsend seconded the motion and it passed unanimously. A copy of this resolution is hereby incorporated by reference and made a part of these minutes.

Fall Cleanup Weeks – September 13 – 28, 2003.

Governor Michael Easley has declared September 13 – 28 as Fall Litter Sweep 2003. Commissioner McCree made a motion to declare September 13 –28 as Fall Litter Sweep 2003 in the Town of Fairmont. Commissioner Townsend seconded the motion and it passed unanimously.

CDBG, URP, Bonaventure and Hazard Mitigation status reports.

**CDBG PROGRAM – BENJAMIN AND PHILLIPS STREETS**

No significant administrative issues. Engineering/Street Improvements are in progress. Total expenditures to date are \$184,356.97. Two more replacement benefits have been added, Mr. Rueben Wallace and Ms. Vina Moore. Five homes have been re-bid for asbestos abatement as required by the state. Requests have been sent to the state requesting substantial rehabilitation because the total rehab amounts exceed the allowable benefit. World Changers completed two roofs. There is a drainage issue on Phillips St.

**URGENT REPAIR 2001 PROGRAM**

Twelve properties are complete. Four properties are under construction. Total expenditures to date are \$34,768.24. Ms. Tatum is currently working on closing out this program.

**URGENT REPAIR 2003 PROGRAM**

All administrative requirements have been satisfied. The town will begin to accept applications within two weeks.

**BONAVENTURE SUBDIVISION**

Total expenditures to date are \$116,612.00. Construction: No change since last reporting period. Drainage work is 100% complete, sewer work is 98% complete and water is 75% complete. The Developer was exploring the idea of using custom modular construction to reduce the cost of construction. However, the Developer is now going to pay the \$116,612.00 back to the state. He is going to change his plans to build a senior citizen housing complex instead.

**HAZARD MITIGATION GRANT**

The contracts have been signed and returned to the consultant. The anticipated completion date of the Hazard Mitigation Plan is November 1, 2003. Approximately \$500.00 has been expended to date.

Speed bumps on Canal Street.

Ms. Tatum was asked to research the possibility of installing speed bumps along Canal Street. One hundred percent or sixteen (16) households on Canal Street have signed a petition to request the installation of speed bumps. Commissioner Currie, who lives near the area, does not see the need for speed bumps. He said the street is congested now with cars stopped in the road. Commissioner McCree made a motion to table the installation of speed bumps on Canal Street until the next meeting so further research can be done. Commissioner Kemp seconded the motion and it passed unanimously.

Choose Auditor for S.B.I. investigation fraud audit.

Ms. Tatum reported that five accounting firms responded to our request for bids for the SBI investigation fraud audit. The following is the result:

1. Ty Cox & Co., CPA's                      Rate not to Exceed \$45,000.00

Durham based firm. While this company appears to be qualified in the area of auditing, they have limited experience. This company has listed four major clients to date. This firm has estimated completion of the task will take 600 hours.

2. Crisp Hughes Evans LLP              Range \$15,000 to \$25,000 excluding out of pocket

Asheville based firm. This company appears to have extensive auditing experience. However, out of pocket expenses could be costly for a company commuting from Asheville.

3. Eddie Burke, CPA                      Hourly rates only with no indication of range of cost –  
Partner \$195, Senior Manager \$135, Manager \$100, Senior \$85, Staff \$75, Clerical \$55.

Raleigh based firm. This firm appears to be quite experienced. They indicate that the timing of the engagement will depend upon how much help our accounting staff renders and the level of expertise required of his firm. In my opinion, acceptance of this proposal leaves the town in a vulnerable position in terms of fee.

4. Dixon Odom, PLLC                      Range \$10,000 to a maximum of \$20,000

High Point based firm. This company is very experienced in criminal or fraud auditing. Their staff is trained in investigation, accounting and auditing. This firm made an effort to come to Fairmont and met with the staff to determine our needs.

5. Martin Starnes & Associates Fee of \$12,600 for audit, \$160/hr for subsequent meetings, interviews, depositions and testimonies.

Hickory based firm. This firm appears to be qualified in the area of auditing. It is unclear how much we will be charged ultimately for their services.

All companies appear to have extensive auditing experience. However, Dixon Odom is recommended based on cost and specialized experience.

Commissioner Grantham made a motion to hire Dixon Odom, PLLC as the auditing firm to complete the fraud audit for the S.B.I. investigation. Commissioner McCree seconded the motion and it passed unanimously.

#### Update on Fairmont Community Park.

Ms. Tatum reported that all items are complete with the exception of the parking lot. The contractor has been twice to start the paving and was rained out each time. The paving will be done as soon as weather permits.

The PARTF Recreation Staff held the closeout inspection during the month of July. As a result of the closeout interview and inspection, the town is now going to be allowed to complete the park by December 30, 2003.

#### Update on Fairmont Community Building.

Ms. Tatum gave the following status report on the Fairmont Community Building:

The revised cost estimate by Hobbs, Upchurch and Associates is \$777,654.00.

The plans have been sent to the NC Department of Insurance and USDA Rural Center. Once the plans have been reviewed and approved by both offices, USDA will render a decision regarding the town's request for additional loan funds.

In an effort to cover expenses in the event that anticipated contributions are not received, Ms. Tatum has contacted a consultant, David Hardigan, and asked him to prepare a PARTF grant in the amount of \$250,000 for the community building. Mr. Hardigan will charge nothing unless the grant is funded. If funded, the grant itself will pay \$2,500 of the \$5,000 fee. The other \$2,500 will have to be paid as a project expense from the loan funds, which will also serve as the match for the grant.

#### Youth Council

Commissioner Grantham recognized Brittany Lovette, the new Vice President for the Fairmont Youth Council. Fairmont has the only Youth Council in the state of North Carolina. Ms. Lovette reported that the council is planning a Middle School Dance for September 19 from 7 to 10 p.m. in the Fire Hall. The Youth Council also discussed holding a Bingo Night for senior citizens. Commissioner Grantham thanked the Youth Council for their help in making National Night Out a success.

**Announcements**

Community Watch meeting, Thursday, August 28, 2003 at 7:00 p.m. in the courtroom.

Farmers Festival Committee will meet Monday, August 25 at 6:00 p.m. in the courtroom.

No R.C.M.A. meeting in August.

Town Offices will be closed Monday, September 1 in observance of Labor Day.

Chamber of Commerce will meet Monday, September 8, 2003 at 6:30 p.m. in the Fire Hall. Dinner is \$6.00.

**Closed Session – Personnel, Industry and Attorney – Client Privilege**

Commissioner Grantham made a motion to go into closed session at 7:15 p.m. to prevent the disclosure of information that is deemed privileged or confidential as determined under General Statute 143-318.10(e) and to discuss attorney – client privilege, “William Hayes et al vs. Town of Fairmont,” personnel and industry as permitted under General Statute 143-318.11(a)(3,4,6). Commissioner Townsend seconded the motion and it passed unanimously.

Mayor Gaddy, Commissioners Townsend, Jackson, McCree, Currie, Kemp, and Grantham, Katrina Tatum, Charlie Floyd and Jenny Larson were in attendance during closed session.

After the discussion of privileged information, attorney – client privilege, industry and personnel, Commissioner Grantham made a motion to come out of closed session at 8:25 p.m. Commissioner Jackson seconded the motion and it passed unanimously.

Ms. Tatum asked the board to reclassify one of the police department positions by changing the job title to Major Crimes Investigator with a salary grade of 13-2A. Commissioner Grantham made a motion to create the position of Major Crimes Investigator with a salary grade of 13-2A. Commissioner Jackson seconded the motion and it passed unanimously.

There being no further business, Commissioner Jackson, seconded by Commissioner Kemp, made a motion to adjourn the meeting at 8:30 p.m.

Jennifer H. Larson, CMC  
Town Clerk

### **Special Meeting – August 26, 2003**

The Fairmont Board of Commissioners held a special meeting on Tuesday, August 26, 2003 at 7:00 p.m. in the Fairmont Council Chambers with Mayor Nedward Gaddy presiding. Commissioners present were Charles Kemp, Mary Bruce Grantham, J.J. McCree, John Jackson, Antonio Currie, and Charles Townsend. Staff present included Interim Town Manager Katrina Tatum, Town Clerk Jenny Larson, and Police Chief Sam Hunt. Others present included Wade Sealey, Annie Durant, Rusty Perry and Scott Witten.

Mayor Gaddy called the meeting to order and Commissioner Charles Townsend gave the invocation.

Mayor Gaddy stated the purpose of the meeting was to go into closed session to discuss personnel. Commissioner Grantham made a motion to go into closed session at 7:02 p.m. to prevent the disclosure of information that is deemed privileged or confidential as determined under General Statute 143-318.10(e) and to discuss personnel as permitted under General Statute 143-318.11(a)(6). Commissioner McCree seconded the motion and it passed unanimously.

Mayor Gaddy, Commissioners Townsend, Jackson, McCree, Currie, Kemp, and Grantham, Katrina Tatum, Sam Hunt and Jenny Larson were in attendance during closed session.

After the discussion of privileged information, and personnel, Commissioner McCree made a motion to come out of closed session at 8:45 p.m. Commissioner Currie seconded the motion and it passed unanimously.

There being no further business, Commissioner Jackson, seconded by Commissioner McCree, made a motion to adjourn the meeting at 8:45 p.m.

Jennifer H. Larson, CMC  
Town Clerk

## **Regular Meeting – September 16, 2003**

The Fairmont Board of Commissioners held their regular meeting on Tuesday, September 16, 2003 at 6:00 p.m. in the Fairmont Council Chambers with Mayor Nedward Gaddy presiding. Commissioners present were Charles Kemp, Mary Bruce Grantham, J.J. McCree, John Jackson, Antonio Currie, and Charles Townsend. Staff present included Interim Town Manager Katrina Tatum, Interim Town Attorney Robert Price, Town Clerk Jenny Larson, Finance Director Linda Vause, Public Works Director Ronnie Seals, Recreation Director Mickey Williamson and Police Chief Sam Hunt. Others present included Billy Hayes, Huel Faulk, Rev. Marc Werner, Roxanna Schaeffer, Annie Durant, Rusty Perry, and several other concerned citizens.

Mayor Gaddy called the meeting to order and Rev. Marc Werner gave the invocation.

### Approval of Agenda

Commissioner Kemp made a motion to add the following agenda items: ABC Permit for the Farmers Festival dance and the Palmer Drug Red Ribbon Luncheon. Commissioner Jackson seconded the motion and it passed unanimously. Commissioner Jackson made a motion to approve the agenda for tonight's meeting. Commissioner Kemp seconded the motion and it passed unanimously.

### Approval of Minutes

Commissioner Grantham made a motion to approve the minutes for the regular meeting on August 12, 2003 and the special meeting on August 26, 2003. Commissioner Jackson seconded the motion and it passed unanimously.

### Citizen Appearance

#### Youth Council

Commissioner Grantham gave a report on the Youth Council activities. They had to cancel the Middle School Dance because a D.J. was not available.

#### Citizen Participation in Town Manager search

Commissioner Jackson feels that it would be unwise to allow citizen participation in the search for a new town manager because it would diminish the board's authority to make that decision.

#### Interim Town Attorney Robert Price

Ms. Tatum introduced Interim Town Attorney Robert Price to the board and they welcomed him.

**Administrative Matters**

Speed bumps on Canal Street.

This item was tabled during the last regular Board meeting to give the Commissioners an opportunity to get additional information from the residents on this street. One hundred percent or sixteen (16) households on Canal Street have signed a petition to request the installation of speed bumps.

Commissioner Currie made a motion to approve the installation of speed bumps on Canal Street. Commissioner Jackson seconded the motion and it passed unanimously.

Offer to Purchase Town Property – Liberty Warehouse Site.

The Town has received an offer of \$38,500 to purchase land located on North Walnut Street, identified in the Robeson County land records as Pin #3002-01-007. This land contains 5 acres, is zoned GM and is the former Liberty Warehouse site. The tax value of the land is \$58,000 and it is located in a flood plain. The purchaser intends to build a metal building for the purpose of operating a truck bed roll-off business. We anticipate the creation of approximately 10-20 jobs in conjunction with this sale. The property will be advertised on September 17 and upset bids will be accepted until September 29, 2003.

Commissioner McCree made a motion to approve the advertising and sale of the town lot located on North Walnut Street, known as the former Liberty Warehouse site, for \$38,500 pending no upset bids. Commissioner Jackson seconded the motion and it passed unanimously.

Request to Discontinue Issuance of Peddler Licenses.

The Fairmont Chamber of Commerce asked the town to look into the possibility of discontinuing the issuance of peddler licenses because it is detrimental to existing businesses. After research by Interim Town Attorney Rob Price, it was discovered that it is not legal to discontinue these licenses.

Smallpox vaccination policy.

Ms. Tatum informed the board that the General Statutes now requires a smallpox vaccination policy to be included in the town's personnel and worker's compensation policies. Commissioner Grantham made a motion to include smallpox vaccinations as part of our personnel and worker's compensation policies. Commissioner Jackson seconded the motion and it passed unanimously.

Sale of surplus vehicles at Public Auction.

Ms. Tatum asked the Fleet Mechanic and Public Works and Police Department supervisors to provide a list of all vehicles that are inoperative and too costly to repair or have no viable use to the town. The following vehicles were submitted and are hereby considered surplus to the town.

1. 1986 Ford Wrecker Vin#1FDJF3715GKA69117
2. 1994 Ford Police Vehicle Vin#2FALP71W4RX183430
3. 1994 Ford Police Vehicle Vin#2FALP71W4RX183461
4. 1994 Chevrolet Police Vehicle Vin#1G1BL52P3RR158762
5. 1994 Chevrolet Police Vehicle Vin#1G1BL52PORR158900
6. 1996 Ford Police Vehicle Vin#2FALP71W6TX123320
7. 1987 Dodge VIN# JB7F129HPO321677
8. 1995 Cherokee Jeep VIN#3947
9. 1989 Chevrolet S-10 Truck VIN#4426
10. 1989 Chevrolet S-10 Truck VIN# 5996
11. 1975 Chevrolet C60 Dump Truck VIN#2391
12. 1979 Chevrolet C60 Dump Truck VIN#3622
13. 1988 Cherokee Jeep VIN #1JCMR7813KT114280

Commissioner Jackson made a motion to adopt a resolution to sell surplus vehicles at a public auction scheduled for November 1, 2003. Commissioner McCree seconded the motion and it passed unanimously. A copy of this resolution is hereby incorporated by reference and made a part of these minutes.

Debt Setoff Clearinghouse Program.

Ms. Tatum and the town staff have been exploring various ways to reduce the amount of delinquent debt carried on the town's books. One way is the new Debt Setoff Clearinghouse program. The State of North Carolina has operated an income tax debt setoff program for quite some time. In 1997, the North Carolina Association of County Commissioners and the North Carolina League of Municipalities were successful in having the legislators enact laws that would allow counties and cities to participate in this program. It allows counties and cities to submit any outstanding delinquent debt, totaling \$50.00 or more, through a local government clearinghouse to the NC Department of Revenue, to attempt to match these debts against individual income tax refunds. There is a collection fee of \$15.00. However, there is now a law in place that will allow the jurisdictions to collect that fee as part of the setoff amount. Forty-seven counties and seventy-seven cities now participate.

Commissioner Grantham made a motion to approve the resolution to become a member of the NCACC and NCLM Local Government Debt Setoff Clearinghouse program. Commissioner Kemp seconded the motion and it passed unanimously. A copy of this resolution is hereby incorporated by reference and made a part of these minutes.

Wastewater Update.

The town has been informed that the Cerro Gordo/Boardman CDBG/Rural Development applications have been approved. Hobbs, Upchurch and Associates will be moving forward shortly to bring these two jurisdictions to Fairmont. Fair Bluff's application is very likely to be approved under the 2004 funding cycle and Proctorville should break ground on their lines in the near future.

Approval of \$3,000 Local Match and Application Submittal for 2004 Urgent Repair Program.

The applications for the North Carolina Housing Finance Agency Urgent Repair Program are due. The town is encouraged to place an application each year for the \$75,000 grant. This program will allow the Town to perform urgent repairs on approximately 20-25 properties in conjunction with the World Changers Program. The sum of \$3,000 is needed for the Local Match to administer this program and will not have to be budgeted until the 2004-2005 fiscal year. The Town is currently finishing a 2001 Urgent Repair Grant and we are advertising for the applications for the 2003 program.

Commissioner Kemp made a motion to approve the \$3,000 local match and application submittal for the 2004 Urgent Repair Program. Commissioner McCree seconded the motion and it passed unanimously.

ABC Permit for the Fairmont Farmers Festival Dance

Commissioner Grantham made a motion to approve the application for a one-time ABC permit for the Fairmont Farmers Festival Dance. Commissioner Jackson seconded the motion and it passed unanimously.

Palmer Prevention Red Ribbon Celebration

Palmer Prevention will be hosting its annual Red Ribbon Celebration on Thursday, October 23 at 4:30 p.m. at the Southeastern Agricultural Farmers Market. Ms. Tatum informed the board that the town participates in this every year. The cost for a table of eight is \$150 and can be purchased through police funds. Commissioner McCree made a motion to approve the purchase of a table at the Palmer Prevention Red Ribbon Celebration for \$150. Commissioner Currie seconded the motion and it passed unanimously.

Announcements

Community Watch meeting, Thursday, September 25, 2003 at 7:00 p.m. in the courtroom.

Lumberton will host the R.C.M.A. meeting, date and time to be announced.

Lumber River Council of Governments Annual Dinner Meeting is Thursday, October 16 at 6:00 p.m. at the Southeastern North Carolina Agriculture Center in Lumberton.

Fairmont Farmers Festival Pageant is Saturday, October 11 and the festival itself is Saturday, October 18.

Chamber of Commerce will meet Monday, October 13, 2003 at 6:30 p.m. in the Fire Hall. Dinner is \$6.00.

### **Closed Session – Personnel and Industry**

Commissioner Grantham made a motion to go into closed session at 6:40 p.m. to prevent the disclosure of information that is deemed privileged or confidential as determined under General Statute 143-318.10(e) and to personnel and industry as permitted under General Statute 143-318.11(a)(4,6). Commissioner Jackson seconded the motion and it passed unanimously.

Mayor Gaddy, Commissioners Townsend, Jackson, McCree, Currie, Kemp, and Grantham, Katrina Tatum, Robert Price and Jenny Larson were in attendance during closed session.

After the discussion of privileged information, industry and personnel, Commissioner Jackson made a motion to come out of closed session at 7:55 p.m. Commissioner Townsend seconded the motion and it passed unanimously.

### **Industry – Shell Building**

Commissioner Jackson made a motion to approve the idea of auctioning the Shell Building. Commissioner Currie seconded the motion and it passed unanimously.

### **Personnel – Interim Town Manager Katrina Tatum**

Commissioner Grantham stated that the town has taken advantage of Interim Town Manager Katrina Tatum, who has worked tirelessly and endlessly without proper compensation. Commissioner Grantham made a motion to raise her salary from \$40,248 to \$50,264 (Grade 23 Step 4B) for doing both the town manager and code enforcement jobs. Commissioner McCree seconded the motion. The motion passed with the following vote:

For:	Grantham, McCree, Townsend, Jackson and Currie
Against:	Kemp

Commissioner Kemp made the following statement for the record:

“I regret having to vote against the salary increase for our interim town manager but our board has been told repeatedly over the past several months that at the present time we are in dire financial trouble. We have also had to raise our utility fees to citizens \$6.00 per month and are currently looking for ways to sell certain properties we own to raise cash for town operations. On top of that, our interim manager has a rigid spending control system in place and we have had to turn down some well-meaning organizations who have sought donations from us. In view of these matters, I do not believe this would be the appropriate time to consider such a large salary increase. Until our financial situation reverses itself, I intend to vote against any financial request unless it is essential for the operation of the town or is in the best interest of our citizens’ health and safety.

There being no further business, Commissioner McCree, seconded by Commissioner Jackson, made a motion to adjourn the meeting at 8:02 p.m.

Jennifer H. Larson, CMC  
Town Clerk

## **Regular Meeting – October 21, 2003**

The Fairmont Board of Commissioners held their regular meeting on Tuesday, October 21, 2003 at 6:00 p.m. in the Fairmont Council Chambers with Mayor Nedward Gaddy presiding. Commissioners present were Charles Kemp, Mary Bruce Grantham, J.J. McCree, John Jackson, Antonio Currie, and Charles Townsend. Staff present included Interim Town Manager Katrina Tatum, Interim Town Attorney Robert Price, Town Clerk Jenny Larson, Finance Director Linda Vause, Public Works Director Ronnie Seals, Recreation Director Mickey Williamson and Police Chief Sam Hunt. Others present included Hal Harris, Rajendra Shah, Annie Durant, Bob Fisher, Cliff Rich, Wade Sealey, Martin Collins, Alex Collins, Frank McCormick, Alan Leggett, Michael McMillan and several other concerned citizens.

Mayor Gaddy called the meeting to order and Chief Sam Hunt gave the invocation.

### Approval of Agenda

Commissioner Kemp made a motion to approve the agenda for tonight's meeting with the addition of agenda item "employee compensation." Commissioner Jackson seconded the motion and it passed unanimously.

### Approval of Minutes

Commissioner Grantham made a motion to approve the minutes for the regular meeting on September 16, 2003. Commissioner McCree seconded the motion and it passed unanimously.

### Special Presentation

Mr. Bob Fisher of the Robeson County Library presented a special N.C. Public Library art print to the board.

### Citizen Appearance

#### Youth Council

Commissioner Grantham reported that members of the Youth Council represented the town at the Robeson County Clean and Green luncheon yesterday and will represent the town at the Palmer Prevention Red Ribbon Celebration on Thursday.

### Public Hearing – Budget Amendment for CDBG 01-C-0848, Benjamin/Phillips St.

Commissioner McCree made a motion to go into public hearing at 6:05 p.m. to discuss a budget amendment for CDBG 01-C-0848, Benjamin and Phillips Streets. Commissioner Kemp seconded the motion and it passed unanimously.

Ms. Tatum reported that the Town is requesting a budget amendment for the CDBG 01-C-0848, Benjamin and Phillips Streets grant. The amendment would effectively reduce the acquisition appropriation from \$25,000 to \$1,000, create a Clearance line item in the amount of \$10,000, increase the Relocation Assistance line from \$138,000 to \$248,000, and decrease the Rehabilitation line from \$440,500 to \$344,500. The amendment is necessary to allow expenditures to demolish clearance properties and purchase replacement housing for houses originally scheduled for rehabilitation. Initially, the Town was going to assume financial responsibility for this cost for the demolition. However, due to increases in the cost of demolition, it is now necessary to budget for this expenditure. A public hearing is required to allow comments from the public regarding the budget changes.

Commissioner Jackson made a motion to come out of public hearing at 6:10 p.m. Commissioner McCree seconded the motion and it passed unanimously.

Commissioner Jackson made a motion to approve the budget amendment for the CDBG 01-C-0848, Benjamin and Phillips Streets grant. Commissioner Townsend seconded the motion and it passed unanimously.

### **Administrative Matters**

#### **Employee Compensation**

Commissioner Kemp requested that the discussion of finding compensation for town employees for working the Farmers Festival and the possibility of Christmas bonuses be placed on the November agenda. Ms. Tatum informed the board that the employees would be paid overtime for working the Farmers Festival. She added that she would research the possibility of Christmas bonuses and report back to the board in November. Ms. Tatum also praised the Public Works Department for their hard work during the festival and introduced Alan Leggett, the town's new mechanic.

#### **Bonaventure Development Site**

Mr. Hal Harris, Vice President of the Bonaventure Development Collective, LLC (BDC) is requesting the possibility of changing the intended use of the Bonaventure Development Site from market rate housing units to elderly rental housing. In order to develop the site under the new concept, the density would have to be increased similar to that of Woodfield I and II. Mr. Harris stated that the original plans called for 21 homes but those plans have now become economically unfeasible. Since elderly housing is sorely needed, Mr. Harris proposes changing the site to accommodate housing for around 50 senior citizens. Mr. Harris plans to take his plans to the planning board and follow all proper procedures. He just wanted to get a "soft approval" from the board before going forward with the design plans. An elderly housing development would be considered a "P.U.D. (Planned Unit Development)." After much discussion by the board, they gave their "soft approval" of the elderly housing concept as long as the citizens are kept aware of the planning process.

Town Bridge Maintenance Contract and Resolution

Each year, the town contracts with the Department of Transportation to inspect our bridges for twenty percent of the total cost to the town. However, it requires the execution of a contract and resolution. Commissioner Jackson made a motion to approve the Bridge Maintenance Contract and Resolution with the N.C. Department of Transportation. Commissioner McCree seconded the motion and it passed unanimously.

Community Watch – National League of Cities and NATW Recognition

The National League of Cities has recognized the Town of Fairmont for its community watch efforts. The manager's office and the Police Department submitted an application and program summary for consideration of the NLC's Recognition Program, "Lessons Learned Since 9-11: Making Communities Stronger." In conjunction with this recognition, a portion of the Town's program summary was published in the Nation's Cities Weekly newspaper. The Town of Fairmont Community Watch Program will serve as an example for other cities. Our program summary will be placed on the League's website for use by other programs.

The National Association of Town Watch (NATW) also selected Fairmont as a National Award Winner for its outstanding participation in the "20<sup>th</sup> Annual National Night Out" crime, drug and violence prevention program. Ms. Tatum commended the Police Department and the Community Watch members on their hard work and success.

Fairmont Cemetery

Since Mr. Paul Thompson was not present to discuss his concerns about the Fairmont Cemetery, Commissioner McCree made a motion to hold a public hearing about the cemetery at the November 18<sup>th</sup> board meeting. Commissioner Currie seconded the motion and it passed unanimously. This public hearing will be held at the Fire Hall and will be mentioned in the October monthly newsletter.

Fairmont Memorial Cemetery and Park

While researching the Fairmont Cemetery, Ms. Tatum came across the maintenance file for the Fairmont Memorial Cemetery, also known as the First Baptist Church Cemetery and the Fairmont Memorial Park. The town currently pays the light bill from the general fund (it runs about \$12.00 per month except for the month of December) and provides the site with water.

The Fairmont Memorial Park was dedicated in 1948 as a memorial to veterans of World War I and II. The Memorial Park Council was formed circa 1982, when the First Baptist Church placed its old church dome in the park. The council consisted of several garden clubs and the Fairmont Woman's Club. Their goal was to make the park look attractive. They raised the money for the Memorial Park's trust, which now has about \$13,000 total;

\$11,000 in a CD and \$2,000 in the checking account. Shirley Price was the treasurer because of her involvement with the Fairmont Woman's Club. When she retired, she passed the care of the account to Jenny Larson, when it probably should have gone to another member of the Woman's Club. All that is paid out of this account is lawn care, which amounts to about \$540-560 annually.

Since the park property belongs to the First Baptist Church on South Main Street, Ms. Tatum feels it needs to be maintained by the church. The town council never formally agreed to take responsibility for the administration of the memorial park account. Because the balance on this account is declining, Ms. Tatum is concerned that the town may be assuming a financial responsibility if the park is not transferred back to the owner.

Commissioner Jackson made a motion to leave the administration of the Memorial Park Account in the hands of Town Clerk Jenny Larson. Commissioner Kemp seconded the motion. The motion passed with the following votes:

For:	Jackson, Kemp, Grantham and McCree
Against:	Currie, Townsend

### **Announcements**

Community Watch meeting, Thursday, October 23, 2003 at 7:00 p.m. in the courtroom.

Pembroke will host the R.C.M.A. meeting, date and time to be announced.

Palmer Prevention Red Ribbon celebration, Thursday, October 23 at 4:30 p.m. at the Southeastern Ag Center in Lumberton.

Municipal Election is Tuesday, November 4.

Chamber of Commerce will meet Monday, November 10, 2003 at 6:30 p.m. in the Fire Hall. Dinner is \$6.00.

### **Closed Session – Personnel and Industry**

Commissioner Jackson made a motion to go into closed session at 7:45 p.m. to prevent the disclosure of information that is deemed privileged or confidential as determined under General Statute 143-318.10(e) and to personnel and industry as permitted under General Statute 143-318.11(a)(4,6). Commissioner Currie seconded the motion and it passed unanimously.

Mayor Gaddy, Commissioners Townsend, Jackson, McCree, Currie, Kemp, and Grantham, Katrina Tatum, Robert Price and Jenny Larson were in attendance during closed session.

After the discussion of privileged information, industry and personnel, Commissioner McCree made a motion to come out of closed session at 9:15 p.m. Commissioner Jackson seconded the motion and it passed unanimously.

Personnel – Robert Price and James Rogers

Commissioner Grantham made a motion to hire Robert Price as the Town Attorney. Commissioner Jackson seconded the motion and it passed unanimously.

Commissioner Grantham made a motion to give James Rogers a raise of \$50 a week and to go out for bids for a maintenance contract. Commissioner Jackson seconded the motion and it passed unanimously.

Industry – Swiss Piedmont Building

Commissioner McCree made a motion to present the county with a proposition on the Swiss Piedmont Building. Commissioner Jackson seconded the motion and it passed unanimously.

There being no further business, Commissioner Townsend, seconded by Commissioner Currie, made a motion to adjourn the meeting at 9:18 p.m.

Jennifer H. Larson, CMC  
Town Clerk

## **Regular Meeting – November 18, 2003**

The Fairmont Board of Commissioners held their regular meeting on Tuesday, November 18, 2003 at 6:00 p.m. in the Fairmont Fire Hall with Mayor Nedward Gaddy presiding. Commissioners present were Charles Kemp, Mary Bruce Grantham, J.J. McCree, John Jackson, Antonio Currie, and Charles Townsend. Staff present included Interim Town Manager Katrina Tatum, Town Attorney Robert Price, Town Clerk Jenny Larson, Finance Director Linda Vause, Public Works Director Ronnie Seals, Recreation Director Mickey Williamson, Fire Chief James Thompson and Police Chief Sam Hunt. Others present included Hal Harris, Cliff Rich, Wade Sealey, Savannah Jones, Robert Floyd, Huel Faulk, Michael Mirto, Amy Ammons, Terry Hunt, Scott Witten, Michael McMillan and several other concerned citizens.

Mayor Gaddy called the meeting to order and Chief Sam Hunt gave the invocation.

### Approval of Agenda

Commissioner Jackson made a motion to approve the agenda for tonight's meeting. Commissioner Grantham seconded the motion and it passed unanimously.

### Approval of Minutes

Commissioner Grantham made a motion to approve the minutes for the regular meeting on October 21, 2003. Commissioner Currie seconded the motion and it passed unanimously.

### Citizen Appearance

#### Youth Council

Miss Amy Ammons, President of the Fairmont Youth Council, gave the council's monthly report. Members of the Youth Council attended the Palmer Prevention Red Ribbon Celebration and the Keep Robeson Clean and Green Luncheon. The council is currently selling raffle tickets as a fundraiser and the prizes will be given away in December. They are also discussing holding a Bingo Night for senior citizens.

#### Sam McMillian, artist

Commissioner Grantham wanted to inform the public that Sam McMillian, a world famous artist born in Fairmont, has articles about his work in this month's "Our State" magazine, as well as the "Smithsonian" magazine. One of the Smithsonian museums in Washington, D.C. is currently showing an exhibit of his work. Mr. McMillian, known as the "Dot Man" is famous for painting furniture and animal pictures.

Savannah Jones, Miss Fairmont Farmers Festival

Mayor Gaddy recognized Savannah Jones, Miss Fairmont Farmers Festival 2003-2004. Miss Jones thanked everyone for their love and support, especially Commissioner McCree. Commissioner McCree told everyone that he has known Savannah since she was a little girl and that he is proud of her accomplishments.

Commissioner Jackson's farewell statement

Commissioner John Jackson read a statement thanking the citizens of Fairmont for allowing him to serve them for the past four years. He also wished the board well in the future and thanked the town employees for all their hard work.

Public Hearing and Decision – King's Landing – formerly known as Bonaventure II

Commissioner Grantham made a motion to go into public hearing at 6:15 p.m. to discuss a conditional used permit for King's Landing, formerly known as Bonaventure II, to develop a planned unit development of 52 units of frame construction for senior housing located on the east side of South Main Street adjacent to the Gaston Sealey Company. Commissioner Currie seconded the motion and it passed unanimously.

Ms. Tatum explained the purpose of this public hearing is to entertain comments from the public regarding a conditional use request to develop a planned unit development of 52 or more units of frame construction reserved for senior housing located on the east side of South Main Street adjacent to the Gaston Sealey Company. This development is expected to have a combination of cooperative/condo and rental units. This property is currently an 11.38 acre site identified as Robeson Co. Pin No. 3010-01-015 and is zoned R-10. This type of development is allowed as a conditional use only and is subject to planning review and stipulations.

The Planning Board met on November 12, 2003 to discuss the development. The adjacent property owners were questioned by the board and indicated that they had no objection to this development. After discussion, the conditional use permit was approved four to three with the following conditions required of the owner:

- Age restriction of 50 years or older.
- Dedication of streets and utilities to the Town of Fairmont upon completion of construction.
- Fencing at the northern and southern ends of the development, adjacent to the Thompson's residence and Gaston Sealey Company.
- Thirty-foot easement adjacent to Gaston Sealey Company to allow access.
- Reserved right to review lease agreement, no more than 62 units.

Commissioner Jackson made a motion to come out of public hearing at 6:20 p.m. Commissioner McCree seconded the motion and it passed unanimously.

Commissioner Jackson made a motion to approve the conditional use permit for King's Landing with the following conditions: Age restriction of 50 years or older, dedication of streets and utilities to the Town of Fairmont, fencing at the northern and southern ends of the development, adjacent to the Thompson's residence and Gaston Sealey Company, thirty-foot easement adjacent to Gaston Sealey Company to allow access and reserving the right to review lease agreements with no more than 62 units. Commissioner McCree seconded the motion. Before a vote was taken, Commissioner Kemp asked about the age restriction of 50 years or older. Ms. Tatum replied that since some of the units will be offered for sale, 50 years old is an average age for financing reasons. With no further questions, the board voted unanimously in favor of the motion.

#### Public Hearing – Cemeteries on Highway 130

Commissioner McCree made a motion to go into public hearing at 6:28 p.m. to discuss the cemeteries on Highway 130. Commissioner Currie seconded the motion and it passed unanimously.

Ms. Tatum explained the purpose of this public hearing is to receive comments from the public concerning the future of the cemeteries on Highway 130. There are three separate cemeteries but they are all generally considered to be the Fairmont Cemetery. There is the black cemetery with no trust, the white cemetery that has a trust with not much money left and the town owned cemetery, which is a corner section in the white cemetery. Mr. Paul Thompson has approached Ms. Tatum concerning the trust account for the white section of the cemetery. Apparently, the funds are rapidly drying up and a decision needs to be made concerning the funds remaining in the trust account. There is approximately \$15,000-\$16,000 in the fund. Mr. Thompson has had to use his own money to try to keep up the maintenance.

Town Attorney Robert Price has done extensive research on the cemetery. According to the trust documents the town is supposed to be administering the trust funds, which is a combination of money from both the white portion and town portion of the cemetery. In reality, Mr. Thompson has been handling all the money in the trust fund. Mr. Price quoted several state statutes referencing the handling of cemeteries. He advised that the board cannot dissolve the trust unless you transfer ownership of the trust to another entity.

Commissioner Townsend made a motion to come out of public hearing at 6:50 p.m. Commissioner Currie seconded the motion and it passed unanimously. Commissioner Townsend made a motion to table the decision on the cemetery on Highway 130 until more research can be completed. Commissioner Currie seconded the motion and it passed unanimously.

**Administrative Matters**

**Christmas Bonus for Employees.**

Ms. Tatum proposed a \$500 full time staff bonus and a \$250 part time staff bonus. This proposal is based upon unanticipated tax revenue. It also considers the payment of roof repair and audit costs, which were also not anticipated. The bonuses would cost the town approximately \$20,177.00, including all benefits. The distribution of expenditures will be as follows:

General Fund - \$13,700

Powell Bill - \$1,177

Water Fund - \$5,300

At this time it would be advisable to award the bonuses versus a permanent raise due to the Town's tenuous financial situation.

Commissioner Jackson made a motion to give all full time employees a \$500 bonus and a \$250 bonus for part time employees. Commissioner Kemp seconded the motion and it passed unanimously.

**Municipal Building Roof Repair.**

Ms. Tatum has circulated pictures to depict the severe conditions existing at the municipal building. The roof is in dire need of replacement. Under normal conditions, three bids are normally secured in order to achieve the lowest, most effective bids. Five roofing companies were contacted, four companies inspected the roof for the purpose of submitting a bid and one company, Britt and Britt Roofing, Inc., submitted a bid of \$16,000.00. Ms. Tatum requested permission to procure by sole source because of the urgency of the need and because no other bids were submitted. Mr. Wade Sealey informed the board that his neighbor, Billy York, is a roofing contractor and that he would be glad to ask Mr. York to give the town a quote.

Commissioner Grantham made a motion to allow the Interim Town Manager to hire a roof contractor under sole source procurement at a bid of \$16,000 or less to repair the roof of the Municipal Building. Commissioner Currie seconded the motion and it passed unanimously.

**Gold Certificate Award – NC League of Municipalities.**

Ms. Tatum commended the town staff for receipt of the Gold Certificate Award for prompt reporting of Employee Injuries to the Workers' Compensation Claims Unit. The Finance Director has worked very closely with the Police Department and Public Works staff to ensure that all claims or potential claims are promptly reported. Their hard work and diligence has paid off.

Fire Department sponsored Christmas activity.

Fire Chief James Thompson and Commissioner Charles Kemp have presented a Christmas initiative that may prove to be a tradition as time goes on. These gentlemen are proposing to develop a program in which the Fire Department staff would deliver Christmas gifts to children whose parents register a request and bring a present to the Fire Hall for each child residing at the registered household. Of course, the logistics would have to be worked out, in terms of scheduling and manpower. It has been suggested that December 22, 2003 be the drop-dead date for submission of gifts to be delivered. The newsletter can be used to get the word out.

Commissioner Grantham made a motion to approve the Fire Department sponsored Christmas activity of delivering gifts to children. Commissioner Jackson seconded the motion and it passed unanimously.

CDBG, URP, King's Landing and Hazard Mitigation status reports.

**CDBG PROGRAM – BENJAMIN AND PHILLIPS STREETS**

Budget: Total Expenditure to date is \$257,128.50. Street improvements are under contract. Flood and Drainage improvements: 60% of curb and gutter and pipe have been installed. Water improvements: 1,000 L.F. of 6-inch water line has been laid. Taps have been run to meter boxes and approximately 50% of connections are complete. Clearance Activities: Four dilapidated structures have been removed. Relocation Assistance: Three households complete, one household in progress. Rehabilitation: Work write ups are complete on 12 units, 12 units have been inspected for Lead Based Paint, 3 units have been bid out for lead based paint abatement and 12 units have been bid out for rehabilitation. 10 of the 12 units are above substantial rehabilitation. 4 of the 10 have been approved by DCA to proceed with rehab and of the remaining 6; documentation is in progress for approval to proceed. One unit is currently under contract.

**URGENT REPAIR 2001 PROGRAM**

Administrative: Seventeen properties are complete. Three properties are being bid out. Two have been switched to the 2003 Program for administration.

**URGENT REPAIR 2003 PROGRAM**

All administrative requirements have been satisfied. The town has received twelve applications from homeowners and received the first allotment of \$37,500.

## KING'S LANDING SUBDIVISION

Budget: Total Expenditure to date is \$116,612.00. Construction: No change since last reporting period. Drainage work is 100% complete, sewer work is 98% complete and water is 75% complete. The Developer is requesting an endorsement of senior citizen housing. The Planning Board met November 12, 2003 and approved the conditional use permit with conditions.

## HAZARD MITIGATION GRANT:

The state has now requested that each jurisdiction submit a fact sheet to the county so that only one plan is received for each county. Towns and cities are now required to submit under the county's umbrella. The Wooten Company is in the process of completing the town's work sheet for submission. Staff is putting together property valuations for submission to The Wooten Co.

## Fairmont Landfill – Air Quality and Solid Waste Disposal Violations.

On September 30, 2003, unknown persons set the Fairmont Landfill on fire. Someone filed a complaint against the town with the Solid Waste Division of the North Carolina Department of Environmental and Natural Resources. In turn, the Solid Waste Division contacted the Air Quality Division. Both issued violation notices and both might result in monetary sanctions. Since the burn was not a deliberate burn by the town, Ms. Tatum is hoping that the sanctions, if any will be negligible. The solid waste violations are being corrected. In addition, the Solid Waste Division is working with Ms. Tatum to convert the landfill to a yard waste facility rather than a Land Clearing and Inert Debris Notification facility. The facility was set up as a Land Clearing and Inert Debris notification facility, which is not allowed to store the debris. With this type of facility it must be cleared every 30 days. The town's practice for over 20 years has been to store the yard waste until economically feasible to mulch, yet the town never applied for the proper classification. To Ms. Tatum's knowledge, the town had never been told that the practice was not acceptable, nor had we been told that our classification was not what we needed to continue this practice. If we are successful in applying for the yard waste application, we will be allowed to store up to 600 cubic yards of yard waste, which is more suited to the town's actual need. This will also eliminate any liability for storage sanctions.

## Announcements

Town offices will be closed November 27 and 28 in observance of Thanksgiving.

Annual Industrial Appreciation Banquet, Tuesday, December 2 at 6:30p.m. at the Holiday Inn in Lumberton.

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Grand Opening for D & D Metal Works and Powder Coating on Highway 130 Tuesday, December 2 at 10:00 a.m.

Grand Opening for Total Solutions on Trinity Street, Monday, December 8 at 10:00 a.m.

Fairmont Christmas Festival will be held on Sunday, December 7 from 4:00 to 5:30 p.m. on the front porch of Town Hall. The Mayor will light the Christmas Tree at 5:30.

**Closed Session – Personnel and Industry**

Commissioner Kemp made a motion to go into closed session at 7:10 p.m. to prevent the disclosure of information that is deemed privileged or confidential as determined under General Statute 143-318.10(e) and to personnel and industry as permitted under General Statute 143-318.11(a)(4,6). Commissioner Jackson seconded the motion and it passed unanimously.

Mayor Gaddy, Commissioners Townsend, Jackson, McCree, Currie, Kemp, and Grantham, Katrina Tatum, Robert Price and Jenny Larson were in attendance during closed session.

After the discussion of privileged information, industry and personnel, Commissioner Jackson made a motion to come out of closed session at 7:30 p.m. Commissioner McCree seconded the motion and it passed unanimously.

There being no further business, Commissioner Jackson made a motion to adjourn the meeting at 7:31 p.m.

Jennifer H. Larson, CMC  
Town Clerk

## **Regular Meeting – December 16, 2003**

The Fairmont Board of Commissioners held their regular meeting on Tuesday, December 16, 2003 at 6:00 p.m. in the Fairmont Fire Hall with Mayor Nedward Gaddy presiding. Commissioners present were Charles Kemp, Mary Bruce Grantham, J.J. McCree, John Jackson, Antonio Currie, Charles Townsend and Wade Sealey. Staff present included Interim Town Manager Katrina Tatum, Town Attorney Robert Price, Town Clerk Jenny Larson, Finance Director Linda Vause, Public Works Director Ronnie Seals, Recreation Director Mickey Williamson and Police Chief Sam Hunt. Others present included Cliff Rich, Patricia Sealey, Frank Floyd, Amy Ammons, Terry Hunt, Fred Hughes, Gaines Grantham, Charlie Grantham and several other concerned citizens.

Mayor Gaddy called the meeting to order and Reverend Bergman gave the invocation.

### **Citizen Appearance**

#### Community Watch

Mr. Fred Hughes, President of the Fairmont Community Watch, thanked the board and citizens for their support in 2003 and asked for their continued support in 2004. He gave a brief schedule of events planned for the upcoming year including a CPR course, a defensive driving course, health walk in the park, yard sale, firearms safety course, cookout for kids and National Night Out. Mr. Hughes and Police Chief Sam Hunt presented Mayor Gaddy with a plaque recognizing Fairmont's participation in the National Night Out program.

#### Youth Council

Miss Amy Ammons, President of the Fairmont Youth Council, gave the council's monthly report. The youth council is planning a Bingo Night for senior citizens. The council also sold raffle tickets and raffled off a TV, DVD, Fairmont jacket and dinner gift certificates in December.

### **Old Business**

#### Approval of Agenda

Commissioner Jackson asked that closed session be added to the agenda to discuss personnel. Ms. Tatum also wanted to add sponsoring a family for Christmas to the administrative matters portion of the agenda. Commissioner Jackson made a motion to approve the agenda for tonight's meeting with the addition of closed session and sponsoring a family for Christmas. Commissioner McCree seconded the motion and it passed unanimously.

Approval of Minutes

Commissioner Grantham made a motion to approve the minutes for the regular meeting on November 18, 2003. Commissioner Currie seconded the motion and it passed unanimously.

Comments by Outgoing Commissioner John Jackson

Outgoing Commissioner John Jackson thanked the citizens for their support. He enjoyed serving the Town of Fairmont for 29 years, 25 as an employee and 4 as a Commissioner. Mr. Jackson's only concern was why he did not get reelected when Commissioners Grantham and McCree did.

Swearing in of New Commissioners

Superior Court Judge Frank Floyd swore in Commissioners Wade Sealey, J.J. McCree and Mary Bruce Grantham. After the swearing in, Mayor Gaddy called for a brief recess to enjoy refreshments and congratulate the new commissioners.

**Organizational Meeting**

Set Meeting Schedule

Mayor Gaddy called the meeting back to order and the board discussed the regular board meeting schedule. Commissioner Grantham made a motion to change the regular board meeting date to the third Tuesday of every month at 7:00 p.m. Commissioner Townsend seconded the motion and it passed unanimously.

Choose Mayor Pro Tem

Commissioner Currie nominated Commissioner Grantham for Mayor Pro Tem. Commissioner Sealey nominated Commissioner Kemp for Mayor Pro Tem. There being no further nominations, Commissioner Currie made a motion to name Commissioner Mary Bruce Grantham as Mayor Pro Tem. The motion was seconded by Commissioner McCree and the motion passed with the following vote:

For:	Currie, McCree, Townsend, Grantham
Against:	Sealey, Kemp

## **Administrative Matters**

### Domestic Incidents Policy

The Domestic Incidents Policy was drawn up by Town Attorney Robert Price and reviewed by Ms. Tatum and Police Chief Sam Hunt. Commissioner Grantham made a motion to adopt the Domestic Incidents Policy for the Town of Fairmont. Commissioner Currie seconded the motion and it passed unanimously.

### Selection of representatives for LRCOG Board of Directors and Enterprise Community Development Corporation Board of Directors

Commissioner Townsend made a motion to appoint Mayor Nedward Gaddy as the Town's representative on the LRCOG Board of Directors with Commissioner Mary Bruce Grantham as his alternate. Commissioner Sealey seconded the motion and it passed unanimously.

Commissioner Kemp made a motion to appoint Commissioner J.J. McCree to the Enterprise Community Development Corporation Board of Directors with Commissioner Wade Sealey serving as alternate. Commissioner Sealey seconded the motion and it passed unanimously.

### Recreation Plan

Ms. Tatum reported that David Hartigan is preparing a grant application to assist with the construction of the Fairmont Community Building. In order to qualify for these funds, the town is required to develop a recreation plan. Assisted by Recreation Director Mickey Williamson, Ms. Tatum developed a plan for the board's review and comments. Ms. Tatum also used input from the public during meetings held for the Fairmont Community Park and Fairmont Community Building. A public hearing is required before the plan can be officially approved and used as part of the grant application. Commissioner Grantham made a motion to set Tuesday, January 20, 2004 at 7:00 p.m. in the Council Chambers for a public hearing on the Recreation Plan and also tentatively approved the plan as written. Commissioner Currie seconded the motion and it passed unanimously.

### Essentials of Municipal Government Course

Ms. Tatum asked that any new or veteran commissioners who wished to take the Essentials of Municipal Government Course to let her know so reservations could be made.

Sponsoring a family for Christmas

Ms. Tatum reported that the Robeson County Department of Social Services has asked the Town Board of Commissioners and staff to support a family from Fairmont for Christmas. The family consists of a single mother with three children.

**Announcements**

The Town offices will close at eleven on Tuesday, December 23 and will be closed all day December 24, 25 and 26 in observance of Christmas. The offices will also be closed on Thursday, January 1 in observance of New Year's Day.

Ms. Tatum read a letter from the Federal Bureau of Investigation commending Chief Sam Hunt and Sergeant Alex Monroe for their outstanding efforts in apprehending the two BB&T bank robbers on April 24, 2003.

**Closed Session – Personnel**

Commissioner Grantham made a motion to go into closed session at 6:45 p.m. to prevent the disclosure of information that is deemed privileged or confidential as determined under General Statute 143-318.10(e) and to personnel as permitted under General Statute 143-318.11(a)(6). Commissioner Currie seconded the motion and it passed unanimously.

Mayor Gaddy, Commissioners Townsend, Sealey, McCree, Currie, Kemp, and Grantham, Katrina Tatum, Robert Price, John Jackson and Jenny Larson were in attendance during closed session.

After the discussion of privileged information and personnel, Commissioner Kemp made a motion to come out of closed session at 7:20 p.m. Commissioner McCree seconded the motion and it passed unanimously.

There being no further business, the meeting adjourned at 7:21 p.m.

Jennifer H. Larson, CMC  
Town Clerk

## **Regular Meeting – January 20, 2004**

The Fairmont Board of Commissioners held their regular meeting on Tuesday, January 20, 2004 at 7:00 p.m. in the Council Chambers with Mayor Nedward Gaddy presiding. Commissioners present were Charles Kemp, Mary Bruce Grantham, J.J. McCree, Antonio Currie, Charles Townsend and Wade Sealey. Staff present included Interim Town Manager Katrina Tatum, Town Attorney Robert Price, Town Clerk Jenny Larson, Finance Director Linda Vause, Public Works Director Ronnie Seals, Recreation Director Mickey Williamson and Police Chief Sam Hunt. Others present included John Masters, Paul Thompson, Terry Hunt, Huel Faulk, John Jackson, Tony McLellan, Toni Grimsley, Ashley Powell, Felicia Locklear, Shirley Price, Perry Ashley, Kathy Wallace, Phil Wallace, Bill Lewis, P.C. Purvis, Sam Tedder, Jimmy Byrne, Johnny Clark, Ava Lyne Lewis, Gaines Grantham, and several other concerned citizens.

Mayor Gaddy called the meeting to order and Chief Sam Hunt gave the invocation.

### Approval of Agenda

Commissioner Sealey made a motion to approve the agenda for tonight's meeting. Commissioner Kemp seconded the motion and it passed unanimously.

### Approval of Minutes

Commissioner Grantham made a motion to approve the minutes for the regular meeting on December 16, 2003 with minor changes. Commissioner McCree seconded the motion and it passed unanimously.

### Citizen Appearance

#### Perry Ashley – Robeson County Partnership for Children

Mrs. Perry Ashley of the Robeson County Partnership for Children was present to inform the board about the Literacy Gala being held on Saturday, January 24 from 7:30 p.m. to midnight at the Farmers Market. The event is black tie/dark suit and tickets are \$25 per person. Money raised will go toward improving literacy in Robeson County.

#### Tony McLellan – Lot on Woodhue Street

Mr. Tony McLellan wanted something done about the overgrown lot next to his house on Woodhue Street. Trees on the lot were cut last February and the debris is still on the lot. He feels it is a hazard for snakes and rats. Ms. Tatum said she would contact the owner of the lot about cleaning up the property.

Bill Lewis – Community Building Money

Mr. Bill Lewis, a contributor to the Community Building Fund, wanted to make sure that all the money that has been spent has gone toward the Community Building project. Ms. Tatum assured him that it has.

John Jackson – Community Watch

Mr. John Jackson wanted to know why no black members of the Fairmont Community Watch were informed of the presentation of the NATW plaque given to the mayor at the December board meeting. Chief Hunt replied that the Community Watch members were not informed about the presentation. Ms. Tatum added that Mr. Fred Hughes set up the presentation and did it during citizen's appearance. No one on the board, including her, knew about the presentation beforehand.

Huel Faulk – Old Field area

Mr. Huel Faulk asked for help in cleaning up the Old Field area. He said the area was filthy with trash and shopping carts lying in people's yards. He added that the residents were also afraid due to drug activity. Ms. Tatum replied that the long-term goal is to put a police substation in the area but right now there are no funds available to start one. She said she would get the Public Works department to help clean up the area in the meantime. She added that there are staffing shortages in the police department but once the department is fully staffed again there would be increased police presence in the neighborhood.

Gaines Grantham – Fairmont Rotary Club

Mr. Gaines Grantham was present on behalf of the Fairmont Rotary Club. They are hosting a meeting on Tuesday, February 3 at 6:30 p.m. at the Fairmont Middle School Cafeteria. The purpose of the meeting is to gather citizen support for starting a local newspaper. Mr. Joe Freeman is interested in helping Fairmont start the paper and has the capability to publish it.

Toni Grimsley – Relay for Life

Ms. Toni Grimsley, Chairman for the Robeson County Relay for Life was present along with Ashley Powell, Youth Representative and Felicia Locklear, Webmaster. Ms. Grimsley announced that Mayor Nedward Gaddy is the Honorary Chairman for the 2004 Relay for Life, which will be held on June 4 & 5 at the Robeson County Fair Grounds. Relay for Life is the annual fundraiser for the American Cancer Society. She encouraged the citizens to start forming teams to participate in this year's event.

Youth Council Monthly Report

Commissioner Grantham gave the Youth Council Monthly Report. The Youth Council plans to play Bingo with the senior citizens on February 16 during lunch at the Fire Hall. If it goes well, the council will plan a night version of Bingo at a later date.

Ava Lyne Lewis – Teen Miss Fairmont Farmers Festival

Commissioner Grantham introduced Ava Lyne Lewis, Teen Miss Fairmont Farmers Festival. Miss Lewis is a student at Avalon Academy.

Public Hearing and Decision – Recreation Grant Application for the Community Building

Commissioner McCree made a motion to go into public hearing at 7:35 p.m. to discuss the Recreation Plan and Recreation Grant Application for the Community Building. Commissioner Townsend seconded the motion and it passed unanimously.

All paperwork necessary to apply for the \$250,000 Parks and Recreation Trust Fund grant have been sent to Hartigan Management, Inc. except the resolution and application signature page, both of which are required for the application. Ms. Tatum asked that the Mayor be allowed to sign both documents to complete the application process. We anticipate a two-month period of review before we know whether the town is approved for this grant.

The USDA program staff and engineers have reviewed the new cost sheets and plans for the Community Building sent by Hobbs, Upchurch and Associates. According to Irma McPherson, all changes requested by the USDA engineers are considered to be minor and the town should be able to bid out this project within 45 days. The USDA funds will not be released to the town until we can demonstrate that all funds over and above the USDA amount of \$400,000 are in hand. In order to do this the town must be able to show that we are financially equipped to handle the amount of \$777,654, which does not include a 10% contingency amount desirable for most new construction. If the contingency is added to the cost, the total will exceed \$850,000. Please note that the USDA amount does not include the additional \$200,000 in loan funds requested a year ago because we were notified verbally on 1/14/04 that USDA does not intend to approve such an increase in light of the town's financial situation. They believe that an annual note of not more than \$28,419 is within the town's financial capacity at this time.

Commissioner Grantham made a motion to come out of public hearing at 7:47 p.m. Commissioner Townsend seconded the motion and it passed unanimously.

Commissioner Kemp made a motion to adopt the Resolution and application signature page for the \$250,000 Parks and Recreation Trust Fund Grant application for the Community Building. Commissioner Grantham seconded the motion and it passed unanimously.

**Administrative Matters**

**Cemetery on Highway 130 – Mr. Paul Thompson**

Mr. Paul Thompson appeared before the Board to discuss the fate of the Fairmont Cemetery. Ms. Tatum reported that the town attorney is still researching the particulars of the cemetery situation. Mr. John Phelps, an attorney with the North Carolina League of Municipalities, has indicated that the League cannot render an opinion because of the complex nature of the cemeteries and the Trust that was formed. He also cautioned the town on a number of issues that he felt should be well thought out prior to making any decisions. There are a number of laws that must be researched to see if they apply to our situation and it is not something that can be done in a couple of months.

Mr. Thompson informed the board that the Cemetery Trust fund was set up in the early seventies with a combination of lot sale money and donations. Since that time, only private donations have been raised and no public money had been added to the trust. Mr. Thompson has handled the money in the trust fund for the past 25-30 years. The money in the trust fund has dwindled in recent years due to low interest rates. The current balance for the cemetery fund is \$15,061.13. Town Attorney Robert Price advised Mr. Thompson to turn control of the trust fund over to the town because the wording of the trust obligates the town to preserve the funds. Mr. Price said the trust fund is problematic because it only covers the white portion of the cemetery and federal law requires that the town not racially discriminate. Mr. Price said further research needed to be completed before a decision on the cemeteries is made. He suggested asking the state legislature for help in dissolving the cemetery trust fund. Mr. Thompson asked about the maintenance of the cemetery in the meantime. Mr. Price responded that it would be safer for the town not to touch the trust fund money until the situation can be settled.

Due to the complex nature of the cemetery trust fund, Commissioner Townsend made a motion to table discussion of the Cemetery on Highway 130 until a later date. Commissioner Currie seconded the motion and it passed unanimously.

**Check Resolution and Signature Card – Mayor Gaddy, Mayor Pro Tem Grantham and Finance Director Linda Vause**

Commissioner Sealey made a motion to approve the Town Check Resolution and Signature Card for Mayor Nedward Gaddy, Mayor Pro Tem Mary Bruce Grantham and Finance Director Linda Vause. Commissioner McCree seconded the motion and it passed unanimously.

Set dates for quarterly board planning retreats and citizen issue forums.

Commissioner Kemp has requested that the town set dates for quarterly Board Planning Retreats and Town Issue Forums. Ms. Tatum recommended that the Town Issue Forums be held quarterly in the Court Room on the 2<sup>nd</sup> Tuesday at 7:00 p.m. and that the Board Planning Retreats be held quarterly, on the 4<sup>th</sup> Tuesday at 7:00 p.m., locations to be announced with each retreat.

Commissioner Townsend made a motion to hold the Town Issue Forums quarterly on the second Tuesday at 7:00 p.m. in the Courtroom and to hold Board Planning Retreats quarterly on the fourth Tuesday at 7:00 p.m. Commissioner Currie seconded the motion and it passed unanimously. The first Issue Forum will be on April 13, 2004. The first Board Planning Retreat will be on January 27 at Gaston Sealey Warehouse.

Appointments to Planning Board, Board of Adjustment, and ABC Board.

Fairmont Planning Board: Ronald “Buster” Jackson has moved inside the city limits and can no longer serve as an ETJ Planning Board representative. Ms. Tatum has asked Robeson County Commissioners Taylor and Sealey to make recommendations for board approval but to date, no names have been recommended. Ms. Tatum asked the board to select one person to recommend to the County Board of Commissioners for appointment. Commissioner Sealey recommended Mr. J.M. Rogers.

Board of Adjustment: Two ETJ, out-of-town individuals are needed to fill positions on the Board of Adjustment. Ms. Tatum asked the board to provide the names of reliable individuals who might be willing to serve if called upon. The remaining members of the Board of Adjustment are the Town Council. Commissioner Kemp recommended Frank Evans and Commissioner Sealey suggested Bridget Bass.

ABC Board: Jimmy Byrne’s term as a Fairmont ABC Board member has expired. Ms. Tatum asked the board to reappoint him. She also asked the board to name a replacement for Wade Sealey since he is now a Town Commissioner. Commissioner Kemp made a motion to reappoint Jimmy Byrne to the Fairmont ABC Board. Commissioner Sealey seconded the motion and it passed unanimously. Town Attorney Robert Price does not see a problem with Commissioner Sealey continuing to serve on the Fairmont ABC Board. The decision to replace him was tabled until further research can be done about the legality of Commissioner Sealey serving on both boards.

Enterprise Community CDC – request to reappoint Commissioner Townsend.

A few months ago, Cynthia Johnson of the EC office called and asked that Commissioner Townsend be replaced with another commissioner because of lack of attendance. She later found that her staff was not sending Commissioner Townsend notices of the meetings. Once the error was corrected, Ms. Johnson forgot to rescind her request. In the interim, Ms. Tatum proceeded to honor Ms. Johnson's request at the December Board meeting, at which time Commissioner McCree was appointed to the EC board and Commissioner Sealey was appointed to a backup position. Ms. Johnson is now requesting that Commissioner Townsend be reinstated with Commissioner McCree or Commissioner Sealey as backup.

Commissioner Grantham made a motion to reappoint Commissioner Charles Townsend to the Enterprise Community Board of Directors with Commissioner J.J. McCree serving as backup. Commissioner Currie seconded the motion and it passed unanimously.

Request for Increase in Water and Sewer Tap Fees.

Ms. Tatum approached the board some time ago with a request to increase water and sewer tap fees in an effort to identify all areas of lost revenue. At that time, Ms. Tatum demonstrated that the town was not covering the costs associated with such taps. In many cases, where the town has already installed taps, it is going to take 2 ½ years or more in sewer payments before the initial costs are covered and an additional period longer before the customer actually becomes a paying customer. This is because during the recapture period the town is treating sewage for which no real compensation has been received. During the recapture period, although the town is receiving payments, it technically is not receiving anything for treatment. In addition, effective 2004, the state will no longer allow a jurisdiction to cut into a state road to provide sewer across the street from existing lines. The town would have to bore under the road to provide this service. Since Fairmont is not equipped to do borings, a commercial company would have to bore at costs ranging upwards from approximately \$3,000.

Ms. Tatum proposed that the town become competitive with other jurisdictions and charge at least \$550 plus cost for distances exceeding 35 feet for water taps and \$500 plus cost for distances exceeding 35 feet for sewer taps. If necessary, customers will be allowed to pay for the taps in installments. Commissioner Grantham made a motion to charge at least \$550 plus cost for distances exceeding 35 feet for water taps and \$500 plus cost for distances exceeding 35 feet for sewer taps. Commissioner Townsend seconded the motion and it passed 5-1 with the following vote:

For:	Grantham, Townsend, Currie, Kemp, Sealey
Against:	McCree

Status Report – Fairmont Regional Wastewater Facility Meeting.

A meeting was held on January 14th with representatives from Columbus County, Proctorville, Cerro Gordo, Boardman and Fair Bluff. The meeting was scheduled to try and iron out any concerns that tie-on jurisdictions may have prior to contracting with the town.

The significant aspects of the meeting are as follows:

Columbus County will be the town's contract and contact point for all Columbus County entities. Although all jurisdictions will be required to sign the contract itself, Columbus County will handle administration and payments to the Town of Fairmont.

Orrum Middle School has already tied on. A letter indicating the capacity fees and use charges is being sent.

Proctorville is beginning construction. The Town provided forms and programs, which can be used by them to develop a billing program.

The Town of Fairmont will only maintain lines for jurisdictions that fall between the town and our plant. This leaves Proctorville and Orrum, should Orrum eventually tie-on. A meeting will be set at a later date to discuss sewer with the Town of Orrum.

A meeting is being scheduled with the Town of Boardman to address their concerns individually. Boardman would like the town to maintain their sewer lines but it would be more cost effective for Columbus County to maintain those lines.

Capacity Fees have been set at approximately \$1.02 per thousand and use fees have been set at \$3.62 for Proctorville, and \$2.24 for all jurisdictions that will be maintaining their own lines.

Guidance concerning Sliding Scale Water and Sewer Rate - Commercial Users.

Town staff has reviewed the feasibility of using the sliding scale approach for commercial users and have found that most jurisdictions use the sliding scale for all water/sewer users. If the town would like to implement the sliding scale for commercial and industrial users, Ms. Tatum recommended that the base rate start at \$2.20 and gradually decrease to the present residential rate of \$1.60 per 1,000 gallons applied after the base rate coverage of 2,000 gallons. The sewer charge would remain 110% of water charges during the cycle. The increase would only be reflected in the first 40,000 gallons.

The following sliding scale example represents commercial/industrial billing for in town customers:

Minimum Water	0-2,000 gallons	\$13.18
Minimum Sewer	0-2,000 gallons	\$14.29
2,001 – 8,000 - Water		\$2.20 per 1,000 gallons
Sewer		\$2.42 per 1,000 gallons
8,001-20,000 - Water		\$2.00 per 1,000 gallons
Sewer		\$2.20 per 1,000 gallons
20,001-40,000 - Water		\$1.75 per 1,000 gallons
Sewer		\$1.92 per 1,000 gallons
40,001 plus - Water		\$1.60 per 1,000 gallons
Sewer		\$1.76 per 1,000 gallons

Commissioner Townsend suggested that more study be done on the sliding scale approach and asked for a list of businesses and their water usage be given to the board at the planning retreat next week.

Marion Stage Road Elevated Water Tank Repair request.

Ms. Tatum requested permission to authorize an expenditure of \$7,920 (Seven Thousand Nine Hundred Twenty Dollars) to repair the porthole openings on the Marion Stage Road Elevated Water Tank. At present, the interior of the tank is contaminated with pigeon droppings and the portholes have been left open during previous work and cannot be closed to the elements or birds. If this work is not done immediately, the tank will have to be shut down. Commissioner Grantham made a motion to authorize an expenditure of \$7,920 to repair the porthole openings on the Marion Stage Road Elevated Water Tank with the work to be done by Mr. Mickey Blue of Southeast Painting, Inc. Commissioner McCree seconded the motion and it passed unanimously.

Board discussion on concerns in Mr. Kemp's letter to the citizens.

Mayor Gaddy asked that a letter written by Commissioner Kemp to the citizens of Fairmont be included on the agenda for discussion by the Board. A copy of this letter is hereby incorporated by reference and made a part of these minutes. Commissioner Grantham stated that she and several other commissioners and residents never received a copy of Mr. Kemp's letter. She feels the board needs to work together for the common good rather than have individual goals. Commissioner Kemp responded that his letter was written as a statement of his priorities as an individual commissioner and was not meant to offend the rest of the board.

Request for no parking signs in front of Clark's Auto Supply.

A citizen has demanded that "No Parking" signs be placed in front of Clark's Automotive Supply, located at 200 E. Thompson Street. She insisted that there was great danger at this location. Staff has reviewed accident reports covering a two-year period and found there were no accidents at this location. There were accidents at the light some yards away from the store, at the intersection of Thompson and S. Main. Ms. Tatum recommended that the board not place "No Parking" signs at this location because Mr. Clark's business would suffer. Ms. Tatum has asked the Police Department to monitor traffic at the store in the interim. Commissioner Sealey made a motion that the town not place "no parking" signs in front of Clark's Automotive Supply on East Thompson Street. Commissioner Kemp seconded the motion and it passed unanimously.

Banning of video gaming devices in town.

The town's present ordinance allows two gaming machines in most commercial areas. This has caused a great deal of trouble for us since the establishments have in most cases allowed illegal gambling. It has been the general thought, both with legal authorities and code officials, that it would be difficult to completely ban video gaming devices. However, precedent has been set in three cases, where the courts ruled that such an ordinance is not unconstitutional. Commissioner Grantham made a motion to have the town attorney develop an ordinance to legally ban video gaming devices in the Town of Fairmont. Commissioner Kemp seconded the motion and it passed unanimously.

Discussion on possible Group Homes Ordinance.

Some time ago, residents in North Fairmont raised concerns regarding an influx of Group Homes. Unfortunately, the town had no ordinance as mandated by the state to regulate distance between each home. The state mandates that such dwellings be treated and zoned as residential. Therefore, they cannot be zoned out as long as they are situated within a residential zone. You can however regulate distance between each such home up to one half mile. When this issue was brought up before, the board indicated that it would like to discuss this issue further before settling on a distance requirement. This ordinance would cover all family care homes, such as senior citizen and handicapped care homes. The wording of the ordinance restricting the distance would read as follows: "A family care home shall not be located within a one-half-mile radius of an existing family care home." Commissioner Grantham made a motion to table discussion on an ordinance restricting the distance between group homes until the April Issue Forum. Commissioner Townsend seconded the motion and it passed unanimously.

CDBG, URP, King’s Landing Subdivision and Hazard Mitigation status reports.

**CDBG PROGRAM – BENJAMIN AND PHILLIPS STREETS:** Housing rehabilitation - Four houses are complete and two houses are under construction. Four housing replacements are complete and one is underway. The last housing replacement will be in progress within two weeks. Streets and Drainage - All street and drainage work is complete.

**URGENT REPAIR 2001 PROGRAM:** Administrative - Seventeen properties are complete. One of the seventeen is being re-bid for additional work. A total of five properties are bid out with four contracts signed.

**URGENT REPAIR 2003 PROGRAM:** All administrative requirements have been satisfied. The town has received sixteen applications from homeowners and received the first allotment of \$37,500. Write-ups on thirteen properties are underway.

**KING’S LANDING SUBDIVISION** (formerly known as Bonaventure): The Bonaventure CHAF program for infrastructure work is considered closed out by the State. Town Staff will be working with the State to try to waive any financial requirements that would cause the town to pay back some of those infrastructure funds.

**HAZARD MITIGATION GRANT:** The Wooten Company has completed the town’s work sheets for submission to the county. Staff has forwarded documents to the county for comment prior to finalizing. A meeting to discuss new changes requested by FEMA is scheduled for January 21, 2004.

2003 Audit Report presented by John Masters of S. Preston Douglas and Associates.

Mr. John Masters of S. Preston Douglas and Associates presented the 2003 Audit Report for the Town of Fairmont. Mr. Masters went over a set of graphs depicting the town’s financial history over the last five to ten years. The town’s major problem is the amount of the undesignated portion of the fund balance. The undesignated portion for 2002-2003 was less than what would cover one month’s expenses for the town. Commissioner Grantham asked Mr. Masters what the town could do to improve its financial situation. Mr. Masters simply replied increase revenue and/or reduce expenditures.

**Announcements**

Fairmont Community Watch will meet Thursday, January 22, 2004 at 7:00 p.m. in the Courtroom. School Superintendent Colin Armstrong will be the guest speaker.

St. Pauls will host the RCMA meeting on Thursday, January 22 at 7:00 p.m. at the R.E. Hooks Community Building on North 3<sup>rd</sup> St. Speaker to be announced.

Robeson County Partnership for Children Literacy Gala, Saturday, January 24 from 7:30 p.m. to midnight at the Farmers Market. Black tie/black suit. Tickets are \$25.00 per person.

F & J Beauty Supply will hold its Grand Opening on Wednesday, January 28, 2004 at 10:30 a.m.

A Christian Comedy Show will be held on April 2 and 3 at the Reva Lake Fellowship Hall Auditorium. Doors open at 6:30, Show starts at 8:00 p.m. Tickets will be \$14 at the door.

Mayor Gaddy has been named Honorary Chairman of the American Cancer Society 2004 Relay for Life in Robeson County.

**Closed Session – Personnel and Industry**

Commissioner Grantham made a motion to go into closed session at 10:10 p.m. to prevent the disclosure of information that is deemed privileged or confidential as determined under General Statute 143-318.10(e) and to personnel and industry as permitted under General Statute 143-318.11(a)(4,6). Commissioner McCree seconded the motion and it passed unanimously.

Mayor Gaddy, Commissioners Townsend, Sealey, McCree, Currie, Kemp, and Grantham, Katrina Tatum, Robert Price and Jenny Larson were in attendance during closed session.

After the discussion of privileged information, industry and personnel, Commissioner Grantham made a motion to come out of closed session at 10:43 p.m. Commissioner McCree seconded the motion and it passed unanimously.

**Personnel – Lifting of Hiring Ban**

Due to the staffing shortage in the Police Department, Commissioner Grantham made a motion to lift the hiring ban on the Police Department only. Commissioner McCree seconded the motion and it passed unanimously.

There being no further business, Commissioner Kemp made a motion, seconded by Commissioner Sealey, to adjourn the meeting at 10:44 p.m.

Jennifer H. Larson, CMC  
Town Clerk

## **Quarterly Board Retreat – January 27, 2004**

The Fairmont Board of Commissioners held a quarterly board retreat on Tuesday, January 27, 2004 at 7:00 p.m. in the conference room at Gaston Sealey Warehouse with Mayor Nedward Gaddy presiding. Commissioners present included Mary Bruce Grantham, J.J. McCree, Charles Townsend, Charles Kemp, Antonio Currie and Wade Sealey. Staff members present included Interim Town Manager Katrina Tatum, Town Clerk Jenny Larson, Police Chief Sam Hunt, Fire Chief James Thompson, Public Works Director Ronnie Seals, Recreation Director Mickey Williamson and Finance Director Linda Vause.

Mayor Gaddy called the meeting to order and Commissioner Charles Townsend gave the invocation. Mayor Gaddy explained that the purpose of the retreat is to discuss the needs and goals of the Town of Fairmont. Interim Town Manager Katrina went over the concerns and issues for each department.

### Fire Department

The Fire Department needs turnout gear (fire protective clothing), seven handheld and two mobile radios and a new fire truck.

### Public Works – Vehicle and Equipment Maintenance

The Public Works Maintenance Department needs to purchase a diagnostic scanner, a drill press and eventually a used service truck.

### Public Works – Concerns and Issues

Short-term issues for the Public Works Department include paving Jenkins Street next to You'll Love It Pizza, repairing the Marion Stage Road water tank, replacing the check valve on the Morro Street Well and wiring the Leesville Road Lift Station to be run by generator during emergencies.

Long-term issues include replacing old and decaying sewer lines, especially on Thompson and Murphy Streets. Equipment also needs to be replaced including purchasing a Jet-Vac to replace our current sewer line flusher, a new backhoe, track hoe and boring machine. The Marion Stage Road Water Tower is in desperate need of maintenance that will cost an estimated \$52,500 for 2004-2005 and \$62,500 for 2005-2006. Maintenance on Town Hall includes replacing the windows on the second and third floor over a three-year period plus replacing the a/c unit in the police department in 2006-2007. The Ice House Building used for storage at Public Works needs windows, a roof, doors and some interior maintenance. The town does not anticipate any major repairs on the Library, Park Buildings or Fire Hall in the near future. The In 7 Building is deteriorating and needs roof repairs and replacement of the heating and air systems. Public Works is also considering contracting out limbs and leaf pick-up.

### Police Department Goals and Issues

The Police Department has several short-term goals. One goal is heightened recruitment of new officers in order to bring the department back up to full staff. Second, the department plans to substantially reduce crime in areas such as Old Field, Madison Street, Market and McDaniel, Housing Authorities, and North Walnut Street Car Wash and Laundry Mat over the next two years. Third, the officers are in need of training and cross training in areas such as investigations, report writing, accident investigations, profiling and discriminatory police practices, interview and interrogation techniques, search and seizure laws, etc. Fourth, the department needs to develop a system of communication in the absence of the lieutenant position to insure that pertinent information is flowing properly through the ranks. Finally, when the department is fully staffed, mutual aid will be a focus to create a more effective exchange of manpower.

Long-term goals for the Police Department include equipment, personnel retention and community watch. The Police Department would like to continue rotation of patrol vehicles and purchase one new vehicle per year. The Department also would like to install more mobile data terminals in vehicles as well as replace our blue lights with higher visibility ones. Other desired equipment includes in car video cameras, as well as yearly upgrades of flashlights, reflective vests, blood borne pathogen kits, first aid kits, night vision equipment, etc. The Police Department plans to retain personnel by offering merit raises and establishing progressive training opportunities. The goals for Community Watch include participation from all areas of town, being very active in problem solving and having a close relationship with all personnel.

### Sliding scale - water and sewer rates for commercial customers

The staff briefly went over the sliding scale rate for commercial water and sewer customers. The town does not have many high commercial water and sewer users but implementing the sliding scale would still slightly increase the town's revenue.

### Code Enforcement Issues

Currently, there is no money to aggressively go after code violations.

Administrative and Budget Issues

It will be difficult to render a balanced budget for 2004-2005 because our costs out-way available revenue. Drastic measures will need to be taken immediately. The town may be forced to request a bailout plan through the state or risk takeover by the local government commission. Some suggestions to help reduce expenses include:

- Reduce 401K for general employees. Five percent is only mandatory for law enforcement.
- Reversal of Health Insurance Policy for retirees.
- Institute mandatory retirement.
- Institute collection of property taxes through the county.
- Farming out 911 services to the county.

Commissioner Concerns

Commissioners Kemp and Sealey suggested forming a committee of retired businessmen to help locate and recruit businesses to Fairmont.

Commissioner McCree suggested moving Citizen's Appearance to the end of our regular board meeting agenda since most citizen concerns are already being discussed during the meeting.

Commissioner McCree also feels it is time to start discussing hiring a permanent manager so we can move forward.

Commissioner Grantham encouraged the board to start attending the Robeson County Municipal Association meetings every month.

With no further business, the meeting adjourned at 9:50 p.m.

Jennifer H. Larson, Town Clerk

## **Regular Meeting – February 17, 2004**

The Fairmont Board of Commissioners held their regular meeting on Tuesday, February 17, 2004 at 7:00 p.m. in the Council Chambers with Mayor Nedward Gaddy presiding. Commissioners present were Charles Kemp, Mary Bruce Grantham, J.J. McCree, Antonio Currie, Charles Townsend and Wade Sealey. Staff present included Interim Town Manager Katrina Tatum, Town Attorney Robert Price, Finance Director Linda Vause, Recreation Director Mickey Williamson, Police Chief Sam Hunt, and Tax Collector Rebecca Andrews. Others present included John Jackson, Scott Witten, Andy Grimsley, Shirley Price, Raymond Johnson and others.

Mayor Gaddy called the meeting to order and Commissioner Charles Townsend gave the invocation.

### Approval of Agenda

Mayor Gaddy requested that two items be added to the agenda. They were (1) Reset the meeting time for future Board Meetings and (2) Offer for purchase of Premium Wear Building. Number two also entailed adding industry to closed session. Commissioner Charles Kemp made a motion to approve the agenda for tonight's meeting with the changes. Commissioner McCree seconded the motion and it passed unanimously.

### Approval of Minutes

Commissioner Grantham made a motion to approve the minutes for the regular meeting on January 20, 2004 and the Board Retreat on January 27, 2004. Commissioner McCree seconded the motion and it passed unanimously.

### Closed Session - Personnel

Commissioner McCree made a motion to go into closed session at 7:05 PM to prevent the disclosure of information that is deemed privileged or confidential as determined under General Statue 143-318.10(e) and to personnel and industry as permitted under General Statute 143-318.11(a)(4,6). Commissioner Sealey seconded the motion and it passed unanimously.

Mayor Gaddy, Commissioners Townsend, Sealey, McCree, Currie, Kemp and Grantham, Katrina Tatum, Robert Price and Linda Vause were in attendance during closed session.

After the discussion of privileged information, personnel, Commissioner Sealey made a motion to come out of closed session at 9:22 PM. Commissioner McCree seconded the motion and it passed unanimously.

Mayor Gaddy reported on a recent meeting held with representatives of the Local Government Commission. Mayor Gaddy, Commissioners Sealey and McCree, along with Katrina Tatum and Linda Vause, were in attendance at the meeting. Mayor Gaddy

stated that due to discussions with the LGC, the following actions needed to be taken: (1) Eliminate insurance coverage for the Town's retirees (**which includes current and former employees**); (2) contract limbs and leaves pickups; (3) reduce 401(k) for general employees from 5% to 1%; and (4) advertise for the position of Town Manager. Citizen John Jackson asked for clarification of item number (1). Ms. Tatum stated all of the changes were in an effort to get the Town's finances in order. The Mayor stated that no decision has been made on Farmer's Festival, the Town Hall building or the Community Building. Commissioner Sealey stated that the LGC representatives would be coming to our next Board Meeting. This meeting will be Tuesday, March 16, 2004. The Board hopes to have this meeting in the E. R. Gause Auditorium at Rosenwald Elementary School. The citizens will be notified of the meeting by way of a letter attached to their water bills.

Commissioner Townsend made a motion to approve all of the changes **effective April 1, 2004**. Commissioner Kemp seconded the motion with the exception of personnel eliminations. Mr. Kemp asked that those positions be filled with the same people as soon as feasible. The amended motion passed unanimously.

### **Administrative Matters**

#### **The Youth Council Monthly Report**

The President of the Youth Council came at 8:00 PM to give her report. However, she was unable to remain until after closed session ended. Mrs. Grantham gave the report for the President. Mrs. Grantham told the Board of the wonderful time the senior citizens had Monday playing bingo. Mrs. Grantham gave thanks to Mickey Williamson for this event. They hope to have bingo at night some time in the future.

#### **Letter from Trinity Methodist Church**

Ms. Tatum stated that the letter was self-explanatory. She just wanted the Board to be aware of the situation.

#### **Appointment to the ABC Board**

Commissioner Wade Sealey nominated Faye Sellers to fill the vacant slot on the ABC Board. Commissioner Charles Townsend nominated Annie Durant. Commissioner Mary Bruce Grantham nominated Bobby Walters. The vote was as follows:

Commissioners Sealey and Kemp voted for Faye Sellers.  
Commissioners Townsend, Currie and McCree voted for Annie Durant.  
Commissioner Grantham voted for Bobby Walters.

Annie Durant was the appointee with three votes.

CDBG, URP, King’s Landing Subdivision and Hazard Mitigation status reports.

**CDBG PROGRAM – BENJAMIN AND PHILLIPS STREETS:** Housing rehabilitation - Five houses are complete and two houses are under construction. Four housing replacements are complete and two are underway. Streets and Drainage - All street and drainage work is complete. Please visit the area to have a look at the work.

**URGENT REPAIR 2001 PROGRAM:** Administrative – Nineteen properties are complete. The last three houses are under construction.

**URGENT REPAIR 2003 PROGRAM:** All administrative requirements have been satisfied. The town has received sixteen applications from homeowners and received the first allotment of \$37,500. Write-ups on twelve properties are underway. One property was dropped due to the death of the recipient.

**KING’S LANDING SUBDIVISION:** This program is considered closed out by the State, they are awaiting a response of an e-mail sent last week concerning where the Town wanted to go from here. Town Staff will seek relief for obligations associated with this project and will communicate as much to the CHAF program staff. Ms. Tatum has been in contact with the owners of the property. They plan to proceed with the development as soon as possible.

**HAZARD MITIGATION GRANT:** The county requested changes during the 1/21/04 meeting. Those changes are being made and will be sent to the county during the week of February 16<sup>th</sup>.

Ms. Tatum reported the Town has been awarded another CDBG grant. This grant is in the amount of \$700,000. Ms. Tatum stated that the match is according to the Town’s ability to pay. She hopes that Fairmont’s match will be zero.

Sale of Premium Wear Building

The Town has received an offer to purchase this building. Some of the Commissioners have not toured this building. They will do so Thursday at 4:00PM. Commissioner Sealey made the motion to table action pertaining to this agenda item. Commissioner McCree seconded the motion and it passed unanimously.

Meeting Time

Mayor Gaddy stated that he had requests from citizens and board members to move the board meeting time back to 6:00 PM. Commissioner McCree made a motion to change the meeting time to 6:00 PM. Commissioner Kemp seconded the motion and it passed unanimously.

**Citizens Appearance**

John Jackson told the Board he still had problems with the plaque that was awarded to the Town by the National Community Watch Association. He said the committee didn't have time to go door to door to notify people of the presentation of the award, but they had time to go to the churches to ask for money. Mr. Jackson asked Commissioner Grantham if she couldn't see a problem with this. Commissioner Grantham said no, that Town meetings were open to the public and anyone could attend. Commissioner McCree stated he didn't understand the question. Mr. Jackson said an event was held and no blacks were invited. Commissioner McCree said that if Mr. Jackson had a complaint, he needed to give it to the Manager. He stated he was tired of Mr. Jackson singling him out. Ms. Tatum said she had talked to Mr. Fred Hughes, Community Watch Chairperson, and Mr. Hughes said he didn't tell anyone about the award. John Jackson said we had a problem, that the plaque cost money. Ms. Tatum said no Town funds were involved, that the National Community Watch Program had given the Town the award. She also stated that she and Mr. Hughes had helped Chief Sam Hunt with the application process.

There being no further business, Commissioner Kemp made a motion, seconded by Commissioner McCree to adjourn the meeting at 10:00 PM.

Linda W. Vause, Deputy Clerk

## **Regular Meeting – March 16, 2004**

The Fairmont Board of Commissioners held their regular meeting on Tuesday, March 16, 2004 at 6:00 p.m. in the E. R. Gause Auditorium at Rosenwald Elementary School with Mayor Nedward Gaddy presiding. Commissioners present were Charles Kemp, Mary Bruce Grantham, J.J. McCree, Antonio Currie, Charles Townsend and Wade Sealey. Special guest was Mr. T. Vance Holloman with the Local Government Commission. Staff present included Interim Town Manager Katrina Tatum, Town Attorney Robert Price, Finance Director Linda Vause, Recreation Director Mickey Williamson, Police Chief Sam Hunt, and Tax Collector Rebecca Andrews and Ronnie Seals, Public Works Director. Approximately four hundred citizens were in attendance.

Mayor Gaddy called the meeting to order at 6:00 PM and Commissioner Charles Townsend gave the invocation.

### Approval of Agenda

Commissioner Wade Sealey made a motion to approve the agenda for tonight's meeting. Commissioner Charles Kemp seconded the motion and it passed unanimously.

### Approval of Minutes

Commissioner Mary Bruce Grantham made a motion to approve the minutes for the regular meeting on February 17, 2004. Commissioner J. J. McCree seconded the motion and it passed unanimously.

### Administrative Matters

#### Litter Sweep – April 19, 2004 – April 30, 2004

Commissioner Charles Townsend made a motion to approve litter sweep for April 19 – April 30, 2004. Commissioner J. J. McCree seconded the motion and it passed unanimously.

#### Local Government Commission

Ms. Katrina Tatum, Interim Town Manager, read a letter the Town received in November 1999 from the Local Government Commission. In the letter the LGC points out that the Town's Water Fund was in poor financial condition. The letter indicated that the Town's user fees were not sufficient back then.

Mr. Vance Holloman with the Local Government Commission thanked the Board for the opportunity to come to Fairmont. He appreciated the large turnout of citizens and stated it showed a great deal of concern for the Town's financial condition. Mr. Holloman gave a short description of the LGC. He stated that the LGC is responsible for monitoring local governments. They review the annual audit and monitor financial conditions of the

local governments. They mainly look at a unit's general fund and water/sewer fund. He said he had been working with the Town's staff prior to the audit report. He stated that Fairmont's spending had been in excess of revenues for several years. This has forced the Town to dip into its reserves. Mr. Holloman said that Fairmont's undesignated fund balance is very low. Most towns our size maintain an undesignated fund balance of 58%. Mr. Holloman explained the need for an appropriate fund balance. Mr. Holloman said that most revenue to towns comes in January. The fund balance can help the town make it through the slow months. Also, fund balance can be used for equipment repairs or for a natural disaster such as a hurricane.

Mr. Holloman said that Fairmont had appropriated most of its fund balance in the current year's budget. This will deplete our reserves. Fairmont had about a month and a half in reserves at the end of June 2003. This is 13.65%. Other towns our size maintain about seven months reserve.

Mr. Holloman said he had worked with towns that had to lay off police officers and cut out street lighting. He doesn't think this will happen in Fairmont because the commissioners are making necessary cuts in spending now.

Mr. Holloman said our water and sewer fund revenues are not enough to cover the cost of services. This fund may also be broke by the end of the current fiscal year. The bond payment of \$168,000 that is due in April will almost deplete the fund. There are steps that the board can take now to help, such as cutting spending and increasing user fees. He said it is essential for the board to act now instead of waiting until June 30.

Mr. Holloman wants the board to receive more monthly financial information. He stated our cash balance report could be misleading. We need a report that summarizes assets and liabilities.

Mr. Holloman spoke briefly about our new wastewater treatment facility. He said the concept of a regional facility is a good plan. It will provide benefits to the Town in the long term. He concluded his report with stating these are not easy decisions for the Board. He said some changes would not be easy for the citizens to live with. He has seen other towns fail to act. The remedy is worse when this happens.

At this point in the meeting Mayor Gaddy ask the citizens to come forward and ask their questions.

Ms. Maitland Hunt asked if budget information is available to the citizens. The answer was yes. This information can be reviewed by anyone.

Mrs. Shirley Price asked what happened to the \$1,000,000 the Town once had. Ms. Tatum responded that fund balance had been used to balance the budget for the last ten years. Ms. Tatum commended Mrs. Helen Lockley for reducing the appropriated fund balance during her tenure as town manager. Ms. Tatum stated a fraud audit has been performed to determine if anything illegal happened with the Town's funds.

Mr. Bill Marks stated it was not fair to take health insurance away from the Town's retirees and give Ms. Tatum a \$10,000 raise. Mr. Gaddy said that the \$10,000 is for the three jobs Ms. Tatum is performing.

Ms. Lula Dinnerson asked if everyone in Town pays a water bill. She also said everything should not be blamed on Ms. Tatum.

Ms. Tatum said she is at Town Hall many nights until 11:00 PM or 12 Midnight. She said the Board would have to fill another position if she didn't do the work.

Mr. Terry Evans asked about suspending the sanitation contract with ARS. He also said he was upset about the loss of retiree insurance coverage. He suggested eliminating the police department and bringing in county deputies. Ms. Tatum explained that contracting with ARS is cheaper than town staff handling sanitation.

Mrs. Barbara Currie asked Mr. Holloman to explain how the funds went down. Mr. Holloman said a lot happened in 2004. The General Fund Financial Statements show that the reserves have been going down prior to now. It just hasn't hit bottom yet.

Mrs. Ann Marks asked that when the budget was complete, were changes ever made. Mr. Holloman said that the sooner the Town makes the changes the better. Mr. Gaddy said the first time it was brought to his attention was in 1999. He said there had probably been letters before that time.

Mr. Jimmy Byrnes said that the State had mandated that we abandon our old sewer system. He asked what the State has done to help us now. Ms. Tatum said that the State had contacted the grant offices and had gotten grants approved for some outlying communities that will be connecting to our plant. Mr. Byrnes said the citizens were shocked to learn what has happened. He asked if the auditors report annually to the board. Mr. Holloman said the auditing firm prepares the annual audit with information about the funds.

Mr. Bill Prevatte said he knows where every penny he has spent went. He asked what the Board plans to do. Mr. Gaddy said we do not have the resources other towns have.

Commissioner Mary Bruce Grantham reminded everyone of a letter she wrote that was attached to the water bills about three years ago. Her letter was about the financial problems of the Town and explained why an increase in water/sewer fees was necessary.

Commissioner Jeffrey McCree said that a lot of potshots have been thrown at the Board. He said the payments on the shell building were \$50,000 per year and there is nothing in it but rats and roaches. He said he told everyone three years ago we needed new leadership. He said there was no contract with the N7 Company – they left overnight. Commissioner McCree said the Town does not have the money to pay for retiree insurance.

Commissioner Charles Townsend said we made a stand and that is what got us where we are today.

Mrs. Shirley Price said we should put the rehab of houses on hold until we are out of the hole. Ms. Tatum said the decision was made over three years ago to appropriate \$80,000 to the current CDBG project. Ms. Tatum added that through this project Fairmont had received street improvements it would have been unable to afford on its own.

Mr. Willie B. Webster gave a brief history of the inception of the shell building. He said that the Fairmont Development Corporation had worked with Mr. Greg Cummings. They bought the land and gave it to the Friends of Fairmont. He said the Development Corporation is still trying to market the building.

Mr. Butch Davis asked how much compensation the commissioners receive. The mayor receives \$175 per month and the commissioners receive \$125 per month each.

Ms. Alice McNair asked about a rumor going around that water bills are going to increase \$100 per month. Ms. Tatum said the \$100 is a rumor; the actual increase will be about \$20 per month. Ms. Tatum said that without the increase we would be unable to operate our water and sewer plants.

Ms. Angenora Smith said she is disabled. She said she couldn't afford to pay more, that she would be unable to buy food. She also said the Board had made a promise to the retirees.

Mr. Andy Grimsley asked how the Town has cut spending. Ms. Tatum replied that positions have been eliminated. She reported that the hardware bill has been as high as \$4000 in one month. It is now around \$400. She said she had put central supply into place. There are now controls that identify what piece of equipment is being repaired.

Mr. John Jackson said that Robeson County has given money to a lot of towns but that they would not help Fairmont. He said the N7 building had a value of \$1,000,000 before the water tower was added. He said the Town should sell it for \$500,000. Ms. Tatum said the highest offer so far is \$150,000. Several citizens shouted, "sell it." Ms. Tatum said the \$150,000 would take care of our problems for about one half of a year.

Mr. Michael Livingston asked if the Board is considering annexing any areas. Ms. Tatum said the Town is still pursuing the Golf Course Road annexation.

Ms. Brenda Thomas asked what would happen if the Town does not get back on track. Mr. Holloman said he is confident that the Town will do what is necessary. He said it is rare for a unit not to correct its problems. In rare cases when units have not corrected their problems, the Local Government Commission will assume control of the finances.

Ms. Tina Rhodes stated she had been a police officer for the Town of Fairmont for fifteen years. She said she had to retire due to a medical condition, blood clots. She said she was one of the nine Town retirees that the Board took health insurance away from. Ms. Rhodes said she got upset when they did that. She said she called Commissioner Grantham and told her what she thought. She said the next day Sam Hunt (police chief) came to her house and took her badge and gun. Ms. Rhodes said why not sell the N7 Building. She also said she had received a letter from Vance Holloman saying they did not tell the Town what benefits to take away.

Mayor Gaddy stated he was the one that sent after the badge and gun. He said the Town wanted to keep them.

Mr. Holloman said he wanted to clarify one point. He had discussed with Town staff and commissioners the need to cut the budget. A number of situations were discussed. One of these was retiree insurance. He said the LGC suggested the Town talk with their attorney. He said Town staff indicated that they had.

With there being no further business, Commissioner Wade Sealey made a motion to adjourn the meeting at 7:45 PM. Commissioner Mary Bruce Grantham seconded the motion and it passed unanimously.

Linda W. Vause, Deputy Clerk

## **Special Board Meeting – March 23, 2004**

The Fairmont Board of Commissioners held a special board meeting on Tuesday, March 23, 2004 at 6:00 p.m. in the Council Chambers with Mayor Nedward Gaddy presiding. Commissioners present were Charles Kemp, Mary Bruce Grantham, J.J. McCree, Antonio Currie, Charles Townsend and Wade Sealey. Staff attending included Interim Town Manager Katrina Tatum, Town Attorney Robert Price, Recreation Director Mickey Williamson, Officer Kevin Meares, and Finance Director Linda Vause. Others present included John Jackson, Terry Hunt and two representatives of the NC League of Municipalities, Donna Kay Milligan and Robin Davis.

Mayor Gaddy called the meeting to order and 6:00 p.m. Commissioner Wade Sealey gave the invocation.

### **Approval of Agenda**

Commissioner Jeffrey McCree made a motion to approve the agenda for tonight's meeting. Commissioner Wade Sealey seconded the motion and it passed unanimously.

### **Closed Session**

Commissioner Mary Bruce Grantham made a motion to go into closed session at 6:03 p.m. to prevent the disclosure of information that is deemed privileged or confidential as determined under General Statute 143-318.10(e) and personnel and attorney-client privilege as permitted under General Statute 143-318.11(a)(3,6). Commissioner Jeffrey McCree seconded the motion and it passed unanimously.

Mayor Gaddy, Commissioners Townsend, Sealey, McCree, Currie, Kemp and Grantham, Katrina Tatum, Robert Price, Donna Kay Milligan, Robin Davis, and Linda Vause were in attendance during closed session.

After the discussion of privileged information, personnel, and attorney-client privilege, Commissioner Sealey made a motion to come out of closed session at 7:55 p.m. Commissioner Antonio Currie seconded the motion and it passed unanimously.

### **Administrative Matters – Retiree Health Insurance**

Commissioner Mary Bruce Grantham made a motion that we amend that action taken at the February 17, 2004 council meeting, to extend the effective date for termination of retiree health benefit coverage for employees who retire between June 29, 1999 and April 1, 2004, and are otherwise entitled to retiree health coverage benefits at the time of retirement, until the end of this fiscal year – July 1, 2004. The purpose of this amendment is to allow the council additional time to implement additional fiscal controls, consider other cuts in expenditures, increases in revenues, and the viability of alternative options regarding retiree coverage.

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The remainder of the action which was taken at the February 17, 2004 meeting shall remain in effect with regard to employee retiree coverage and otherwise. To the extent that this has not already been accomplished, all current and retirees affected by this action and/or the action taken at the February 17, 2004 meeting shall be notified that this action has been taken, due to the severe fiscal crisis facing the Town.

Mayor Gaddy asked the Council if there were any questions. Citizen John Jackson asked if he could ask a question. The Mayor stated “no.” The motion was seconded by Commissioner McCree and unanimously approved.

There being no further business, Commissioner Sealey made a motion, seconded by Commissioner Townsend to adjourn the meeting at 8:00 p.m.

Linda W. Vause, Deputy Clerk

## **Special Issue Forum – April 6, 2004**

The Fairmont Board of Commissioners held a special issue forum on Tuesday, April 6, 2004 at 6:00 p.m. in the Courtroom with Mayor Nedward Gaddy presiding. Commissioners present were Charles Kemp, Mary Bruce Grantham, J.J. McCree, Antonio Currie, and Charles Townsend. Commissioner Wade Sealey was absent due to health reasons. Staff present included Interim Town Manager Katrina Tatum, Town Clerk Jenny Larson, Finance Director Linda Vause, Tax Collector Rebecca Andrews and Police Chief Sam Hunt. Others present included Roxanna Schaeffer, Bill Lewis, Jimmy Byrne, Peggy Spencer, Bill Marks, Terry Evans, Geraldine Pittman, Terry Taylor, Butch Davis, Huel Faulk, Jim Prevatte, Lynn Taylor, Delores Prevatte, Andy Grimsley and about 75 concerned citizens.

Mayor Gaddy called the meeting to order and Commissioner Charles Townsend gave the invocation.

### Approval of Agenda

Commissioner Grantham made a motion to approve the agenda for tonight's meeting. Commissioner Currie seconded the motion and it passed unanimously.

### Citizen's Issue Forum

Mayor Gaddy read a letter from Roger Davis with USDA about the town's bonded indebtedness on the sewer plant. This letter is hereby incorporated by reference and made a part of these minutes. It could take five or six years before additional municipalities are added to the sewer plant and turn a profit. Until then, the town has no choice but to raise utility bills in order to pay the bond payments on the plant.

Mr. Jimmy Byrne presented a proposal for raising utility bills that would have the least amount of impact on our welfare and senior citizens. He suggested adding a \$20 sewer assessment fee on commercial users and a \$13.93 sewer assessment for residential users. He felt this plan would help the citizens on fixed incomes as well as raise the amount of money needed to make the sewer plant bond payment. Ms. Tatum informed Mr. Byrne that his figures would not be enough to cover the town's deficit.

Ms. Peggy Spencer was concerned that raising utility bills is just another "Band-Aid" that will not solve the town's problems but only gouge the citizens. Mr. Terry Evans was concerned for the senior citizens on fixed incomes.

Ms. Geraldine Pittman wanted to know what percentage of citizens paid their water bill on time. Ms. Tatum replied that 95% of citizens pay their bill on time.

Mr. Bill Marks asked if the board was going to accept the offer of \$150,000 on the Premiumwear Building. Ms. Tatum replied that the board has received a higher offer and that they will consider it during closed session. Mr. Marks also asked why the town built the sewer plant in such a remote location. Commissioner Kemp responded that the state would not approve the town's first site location.

Mr. Terry Taylor suggested that the town refuse to accept any more grants in order to save money. He also mentioned selling any real estate that the town owns and does not use plus making a bigger effort to recruit industry. Ms. Tatum replied that the town has a difficult time recruiting industry because we have no rail or natural gas and are not close enough to I-95.

Mr. Bill Lewis asked the board to work as a team to solve the town's problems. He said the board has to make the hard decision to increase utility rates in order to make the sewer plant bond payment.

Mr. Jim Prevatte asked why Fairmont has 12 officers when the national average for towns our size is 6.5 officers. Chief Hunt replied that Fairmont handles around 350 to 400 calls per month plus we need to have two officers on duty in case one has to take a suspect to the county jail.

Mayor Gaddy called a brief recess at 7:30 p.m. He called the meeting back to order at 7:45 p.m.

### **Administrative Matters**

#### **Increase in Water and Sewer Rates**

Ms. Tatum presented a 60% increase on the base rate for water and sewer and a 30% increase for the per thousand rate after the 2,000 minimum. This will increase the water base rate by \$7.91 from \$13.18 to \$21.09. The sewer base rate will increase by \$8.57 from \$14.29 to \$22.86. The water per thousand rate will increase by \$0.48 from \$1.60 to \$2.08. The sewer per thousand rate will increase by \$0.53 from \$1.76 to \$2.29. The minimum water and sewer bill will go up a total of \$16.48 from \$27.47 to \$43.95. This figure does not include sanitation.

Commissioner Grantham made a motion to increase the water minimum base rate by \$7.91, the sewer minimum base rate by \$8.97, the water per thousand rate by \$0.43 and the sewer per thousand rate by \$0.53.

Commissioner Kemp made a substitute motion to accept Jimmy Byrne's proposal of a \$20.00 sewer assessment fee on commercial users and a \$13.93. There was no second to his motion.

Commissioner Townsend seconded Commissioner Grantham’s motion and it carried with a vote of 4 to 1. The voting went as follows:

For:	Commissioners McCree, Grantham, Townsend, Currie
Against:	Commissioner Kemp
Absent:	Commissioner Sealey

Utility Bill Late Fee Increase

Ms. Tatum proposed raising the utility bill late fee from \$8 to \$15 to generate additional income. Commissioner Townsend made a motion to raise the utility bill late fee from \$8 to \$15. Commissioner Currie seconded the motion and it passed unanimously.

Closed Session – Personnel and Industry

Commissioner Grantham made a motion to go into closed session at 8:00 p.m. to prevent the disclosure of information that is deemed privileged or confidential as determined under General Statute 143-318.10(e) and to personnel and industry as permitted under General Statute 143-318.11(a)(4,6). Commissioner Townsend seconded the motion and it passed unanimously.

Mayor Gaddy, Commissioners Townsend, McCree, Currie, Kemp, and Grantham, Katrina Tatum, and Jenny Larson were in attendance during closed session.

After the discussion of privileged information, industry and personnel, Commissioner Kemp made a motion to come out of closed session at 9:02 p.m. Commissioner Townsend seconded the motion and it passed unanimously.

Industry – Accept bid for Premiumwear Building pending upset bids

Commissioner Kemp made a motion accept a bid of \$200,000 for the Premiumwear (In 7) Building with the condition that 10-15 jobs be created pending no upset bids after 15 days of advertisement. Commissioner McCree seconded the motion and it passed unanimously.

There being no further business, the meeting adjourned at 9:04 p.m.

Jennifer H. Larson, CMC  
Town Clerk

## **Regular Meeting – April 20, 2004**

The Fairmont Board of Commissioners held their regular meeting on Tuesday, April 20, 2004 at 6:00 p.m. in the Council Chambers with Mayor Nedward Gaddy presiding. Commissioners present were Charles Kemp, J.J. McCree, Antonio Currie, and Charles Townsend. Commissioners Mary Bruce Grantham and Wade Sealey were absent due to health reasons. Staff present included Interim Town Manager Katrina Tatum, Town Attorney Robert Price, Town Clerk Jenny Larson, Finance Director Linda Vause, Tax Collector Rebecca Andrews, Fire Chief James Thompson, Water Collections Clerk Joyce Thompson and Police Chief Sam Hunt. Others present included Shirley Price, Kevin Mearns, Peggy Spencer, Roxanna Schaeffer, Mickey Williamson, Terry Evans, Danny Nobles, Sandra Nobles, Al Lewis, Tammy Monroe and several other concerned citizens.

Mayor Gaddy called the meeting to order and Commissioner Charles Townsend gave the invocation.

### **Approval of Agenda**

Commissioner McCree made a motion to approve the agenda for tonight's meeting with the addition of Orrum Middle School Sewer Assessment Fee. Commissioner Kemp seconded the motion and it passed unanimously.

### **Approval of Minutes**

Commissioner Kemp made a motion to approve the minutes for the regular meeting on March 16, 2004, the special meeting on March 23, 2004 and the citizens issue forum on April 6, 2004. Commissioner McCree seconded the motion and it passed unanimously.

### **Administrative Matters**

#### **Certifications of Appreciation to businesses assisting in Anti-Drug Campaign.**

As part of Fairmont's efforts to curtail drug abuse and activity, the Police Department has embarked upon a Drug Abuse campaign, which involves the publication, "Lets All Work To Fight Drug Abuse." These magazines will be used in conjunction with the Community Watch Program, and distributed to the general public as a way to educate our citizens about drugs. The Town's custom publication is tailored to Fairmont and sponsored by the local businesses. The Town thanked Twin-State Tire and Auto Service Center, Dan Lewis Farms, Inc., Fairmont Optometric Clinic, Daystar Embroidery-Screenprint, Gaston Sealey Co, Inc., Oxendine Farms, Royster-Clark, Inc., Fatbacks Café, Tom's Gun & Pawn, Kid Kare Learning Center, Lanness K. McKee & Co., Inc., You'll Love It Pizza Restaurant and Advance Family Chiropractic for sponsoring the Fairmont publication of this magazine and helping the town in its efforts to reduce drug use and distribution. Police Chief Sam Hunt organized this effort and presented certificates of appreciation to the businesses present including Daystar Embroidery-Screenprint, Royster-Clark, Inc. and Twin-State Tire and Auto Service Center.

Town Office - Lunch Hours.

During the last board meeting, staff mentioned the fact that they have to frequently close the main administrative office to allow all staff members to go to lunch. Since our staff count is down, many times we have to send someone for our lunch or just not take a lunch hour. One board member suggested that the town office routinely close between 12:00 noon and 1:00 p.m. to allow staff time to take lunch. Commissioner Townsend made a motion to continue the current town office lunch schedule with the water department staying open continuously from 8:30 a.m. to 5:00 p.m. Commissioner Currie seconded the motion and it passed unanimously.

Set date to advertise delinquent taxes.

Commissioner Kemp made a motion to advertise 2003 delinquent taxes in the Robesonian the last week in May. Commissioner McCree seconded the motion and it passed unanimously. Customers must pay their taxes by May 14 in order to avoid their name appearing in the paper.

CDBG No. 04-C-1264 (Phillips Street) – Financial and Administration Resolution.

The resolution regarding financial and administrative management for the CDBG Concentrated Needs program was submitted for approval. It is important that the resolution be adopted in order to satisfy the initial administrative requirements for the program. The resolution authorizes Mayor Nedward Gaddy, Mary Bruce Grantham, Mayor Pro Tem, Linda Vause, Finance Director, and Jennifer Larson, Deputy Finance Director, to sign requisitions, checks and other financial documents. It also authorizes Katrina Tatum, Interim Town Manager and Linda Vause, Finance Director to administer the grant. The program requires that three signatory cards be signed and returned with the Funding Approval and Grant Agreement documents. Since the Mayor cannot authorize the individuals and be a signatory, the resolution is required. In addition, several other documents related to this program will have to be signed by the Mayor such as the environmental reports and other regulatory documents. Ms. Tatum asked the Board to approve, in advance, the signing of any regulatory documents other than those requiring Board action such as resolutions or ordinances when submitted by the Division of Community Assistance.

Commissioner Kemp made a motion to approve the Financial and Administration resolution for CDBG No. 04-C-1264 (Phillips Street) as well as any other documents related to the CDBG program. Commissioner McCree seconded the motion and it passed unanimously.

Fair Housing and Complaint Procedure update.

Ms. Tatum read the following statement: “CDBG programs require that we give periodic updates concerning the Fair Housing Laws and Complaint procedures. It is illegal to discriminate against any person because of race, creed, color, national origin or ancestry, religion, sex, handicap and/or disability, age, or families with children in the sale or rental of housing or residential lots, in advertising the sale or rental of housing, in the financing of housing and in the provision of real estate brokerage service. The Town of Fairmont, through its CDBG program offers counseling and referral services to persons having complaints about housing discrimination, counseling to those experiencing housing emergency problems and to those needing advice related to housing conditions. The Town’s Certified Housing Counselor and Fair Housing Officer is Katrina Tatum.”

Recreational Update.

Ms. Tatum provided an update on negotiations with the county relative to recreational activities for the Town of Fairmont. The county is emphatic about not hiring a person just to work the Fairmont area. They have stated that they will not pay for a staff member who is assigned only to Fairmont. In addition, County Commissioners Hubert Sealey and Tom Taylor have been very supportive of the Town’s dilemma and have offered to pay the increased cost of providing the Fairmont area sports. Mickey Williamson has raised some concerns about the fact the county Tee-Ball ages are 5-8. Since the Civitan Ball is for ages 6-12, he thinks that one will interfere with the other. In addition, Fairmont’s previous recreation activities ran Tee-Ball at ages 4-5. Under the county’s plan, no Tee-Ball for 4 year olds will be given. The Fairmont Civitans are doing Little League and Tee-Ball for Fairmont this year. They have not yet committed to doing it next year.

Audit bids.

The town received two bids out of thirty requests in response to the RFP for town audit services: S. Preston Douglas and Winston, Williams & Creech, LLP (Oxford, NC). The following reflects the proposal amounts:

S. Preston Douglas - \$11,500, all costs included  
Winston, Williams & Creech, LLP - \$17,000, plus hourly rates for additional work.

Ms. Tatum and Finance Director Linda Vause recommended S. Preston Douglas based upon previous experience with the town, in addition to the proposal being the lowest and most cost effective. After much discussion, Commissioner Townsend made a motion to hire S. Preston Douglas and Associates as the town’s auditor with the condition that they be more specific with their audit. Commissioner McCree seconded the motion and it passed unanimously.

Fairmont Memorial Park – transfer of administration.

Ms. Tatum asked the board to transfer the administration of the perpetual care of the Fairmont Memorial Park back to First Baptist Church. The town currently pays the light bill for the park from the general fund (it runs about \$12.00 per month except for the month of December, when it is around \$50) and provides the site with water.

To provide a brief history, the park was dedicated in 1948 as a memorial to veterans of World War I and II. The Memorial Park Council was formed circa 1982, when the First Baptist Church placed its old church dome in the park. The council consisted of several garden clubs and the Fairmont Woman's Club. Their goal was to make the park look attractive. They raised the money for the Memorial Park's trust, which now has about \$13,000 total; \$11,000 in a CD and \$2,000 in the checking account. Shirley Price was the treasurer because of her involvement with the Fairmont Woman's Club. When she retired from the town, she passed the care of the account to Jenny Larson when it probably should have gone to another member of the Woman's Club. Lawn care, which amounts to about \$540-560 annually, is paid from this account. This property belongs to First Baptist Church, South Main Street, and as such needs to be maintained by the church. The town never agreed to take responsibility for the administration of the memorial account; it was just given to the town. The balance on this account is declining. If not transferred back to the owner, as it should be, the town may be assuming a financial responsibility once the existing fund runs out.

Ms. Tatum recommended that the town transfer the responsibility of maintaining the park site to the church and enter into an agreement with the church to pay the light bill and provide water as consideration for the use of the site. Commissioner Townsend made a motion to transfer administration of the Fairmont Memorial Park to the First Baptist Church on South Main Street and enter into an agreement to pay the light bill and provide water as consideration for the use of the site. Commissioner Currie seconded the motion and it passed unanimously.

Fairmont Farmers Festival.

The board briefly discussed the Farmer's Festival during the last board meeting. It was suggested that the town might not want to have the festival this year in light of it's financial condition and the fact that Mickey Williamson is no longer available to assist Jenny Larson with this effort. Ms. Tatum reported that the staff has continued to do the things that it normally does to prepare for the festival. However, Mrs. Larson cannot do the festival alone. Commissioner Kemp presented a list of suggestions for the festival and volunteered to help line up the parade. Commissioner McCree also volunteered to help. Ms. Tatum suggested holding a Farmers Festival committee meeting and then bring the issue of holding the festival back before the board in May.

Senior Citizen Water/Sewer discounts.

The board was provided a copy of the letter written by T. Vance Holloman regarding the discount provided to senior citizens. According to Mr. Holloman, the practice of giving discounts on utilities is not legally permitted. Ms. Tatum asked the Board to vote to either continue or discontinue the practice of giving senior citizen discounts on the utility bills. Staff researched the minutes taken when this practice was first approved and found that former Town Manager Scott Dadson warned the board that it was not a legal practice and cautioned against it. The previous board ignored this warning.

The town also received a petition from Woodfield Apartment tenants asking that their bills not be increased. Town staff researched this complex and found the tenants get water/sewer allowance checks, which in many cases are over the amount of our basic charges, present and proposed. When our rates increase, the management companies that are responsible for issuing the allowances are notified and the checks will increase accordingly.

Commissioner Townsend made a motion that due to legal counsel, the senior citizen discount on utility bills be removed and that the rates be the same for all citizens. Commissioner Currie seconded the motion and it passed unanimously.

Status reports on town grants.

Ms. Tatum gave status reports on the following town grants:

2001 CDBG PROGRAM – BENJAMIN AND PHILLIPS STREETS – 2001

Administrative: Lead abatement plan was approved by the state and abatement will begin shortly. Engineering/Street Improvements: Complete Housing Replacement: Mr. Rueben Wallace's home is in place and Ms. Vena Moore's home is being prepared for placement. Demolition of her existing home is 40% complete. Rehabilitation: Five Demolitions are complete. Seven rehabs are complete and three are under construction.

2004 CDBG PROGRAM – PHILLIPS STREET

Administrative requirements are now being accomplished. The total award is \$700,000; the local option requirement is \$30,000, to be paid within a three-year period. The total street improvement cost will be \$67,285, which means that the town will save \$37,285 in street improvement costs that within one year will start to generate revenue under the Powell Bill.

URGENT REPAIR 2001 PROGRAM

Administrative: Twenty-one units are complete and we are assisting three owners with additional improvements through another grant.

#### URGENT REPAIR 2003 PROGRAM

Applications are being reviewed.

#### BONAVENTURE SUBDIVISION

Budget: Total Expenditure to date is \$127,000+. Construction: No change since last reporting period. Drainage work is 100% complete, sewer work is 98% complete and water is 98% complete. The state monitored this grant 4/13/04. All compliance issues were met with the exception of recapture. The state has an issue with the fact that former Town Manager Ben Hill waived the requirement for the letter of credit without board approval. Ms. Tatum is in the process of writing the state a letter asking for forgiveness of the recapture requirements based on hardship and the fact that the developer filed for bankruptcy. What will hurt the town is the fact that even in light of bankruptcy, the town would have been able to cover itself for recapture if no allowance of waiver had been granted. With a letter of credit in place, the state could be repaid with no problem. We also have the fact that although Mr. Hill waived the letter of credit; he never waived the obligation for the developer to satisfy the recapture requirements.

#### HAZARD MITIGATION GRANT:

All required adjustments have been made to the mitigation plan and the final submission has been sent to the county. We still have to close out and bill the state for 75% of the cost.

#### **Announcements**

The Town of Rowland will host the April 2004 RCMA meeting.

Spring Clean and Green Weeks – April 19-30.

Community Watch will meet Thursday, April 22 at 7:00 p.m. in the Courtroom.

#### **Citizen Appearance**

##### Peggy Spencer – questions regarding Town Manager position

Ms. Peggy Spencer asked the board if they were actively recruiting for a new Town Manager. Attorney Robert Price responded that the town advertised the position in the Robesonian and the NCLM newsletter. Mayor Gaddy stated that the board has received several applications. Ms. Spencer asked if the council was going to interview the applicants and the Mayor replied the board would discuss it during closed session.

**Closed Session – Personnel, Industry and Attorney- Client Privilege**

Commissioner McCree made a motion to go into closed session at 7:00 p.m. to prevent the disclosure of information that is deemed privileged or confidential as determined under General Statute 143-318.10(e) and to discuss personnel, industry and attorney-client privilege as permitted under General Statute 143-318.11(a)(3,4,6). Commissioner Townsend seconded the motion and it passed unanimously.

Mayor Gaddy, Commissioners Townsend, McCree, Currie, and Kemp, Katrina Tatum, Robert Price, Linda Vause and Jenny Larson were in attendance during closed session.

After the discussion of privileged information, industry, attorney-client privilege and personnel, Commissioner Townsend made a motion to come out of closed session at 8:00 p.m. Commissioner Currie seconded the motion and it passed unanimously.

**Orrum Middle School Sewer Assessment Fee**

Commissioner McCree made a motion to contact Mr. Henry Byrd of the Robeson County Public Schools with a letter regarding the \$50,000 sewer assessment fee that Orrum Middle School owes the Town of Fairmont and give them a date to pay the fee or have the school's sewer line capped. Commissioner Currie seconded the motion and it passed unanimously.

There being no further business, Commissioner Townsend made a motion to adjourn the meeting at 8:05 p.m.

Jennifer H. Larson, CMC  
Town Clerk

## **Regular Meeting – May 18, 2004**

The Fairmont Board of Commissioners held their regular meeting on Tuesday, May 18, 2004 at 6:00 p.m. in the Council Chambers with Mayor Nedward Gaddy presiding. Commissioners present were Charles Kemp, J.J. McCree, Mary Bruce Grantham, Antonio Currie, Charles Townsend and Wade Sealey. Commissioner Charles Townsend was late and arrived at 6:58 p.m. Staff present included Interim Town Manager Katrina Tatum, Town Attorney Robert Price, Town Clerk Jenny Larson, Public Works Director Ronnie Seals, Fire Chief James Thompson, and Police Chief Sam Hunt. Others present included Dick Taylor, Scott Witten, Leara Pulley, Bill Lewis, Amy Ammons, Huel Faulk, Thomas Norton, Michael Graham and several other concerned citizens.

Mayor Gaddy called the meeting to order and Commissioner Wade Sealey gave the invocation.

### Approval of Agenda

Commissioner McCree made a motion to approve the agenda for tonight's meeting. Commissioner Kemp seconded the motion and it passed unanimously.

### Approval of Minutes

Commissioner Kemp made a motion to approve the minutes for the regular meeting on April 20, 2004 and the specially called meeting on May 9, 2004. Commissioner McCree seconded the motion and it passed unanimously.

### Appearances

#### Dick Taylor

During a previous board meeting, it was stated that Ms. Tatum had mishandled an offer made by Mr. Dick Taylor to purchase the Premium Wear Building. Mr. Bill Marks stated that Ms. Tatum didn't have the decency to return Mr. Taylor's phone call. Ms. Tatum did not know what Mr. Marks was talking about because Mr. Taylor and Ms. Tatum have always had a good working relationship. Commissioner Grantham has since been questioned about the comments made by Mr. Marks and asked for Mr. Taylor to come to tonight's meeting to clear this matter up. Mr. Taylor informed the board that he has never had a problem working with the Town Manager. He mentioned that Ms. Tatum is always kind and considerate just like the previous managers before her. He wanted the board to know that whatever he said must have been taken out of context and that he has no hard feelings toward the town.

#### Palmer Drug Prevention

Commissioner Kemp made a motion to table the issue of Palmer Drug Prevention until later in the meeting since Mr. Thomas Norton had yet to arrive. Commissioner Sealey seconded the motion and it passed unanimously.

Public Hearing - Ordinance to Create an Auxiliary Police Division

Commissioner Kemp made a motion to go into Public Hearing at 6:12 p.m. to discuss an ordinance to create an auxiliary police division. Commissioner Grantham seconded the motion and it passed unanimously.

In order for the Town to engage auxiliary police and have them properly covered under our insurance policy, the town must create an Auxiliary Police Division. The division must be established by ordinance and clearly allow for coverage under the North Carolina Workers Compensation Act.

Mr. Huel Faulk asked about the requirements to be an auxiliary police officer. Chief Sam Hunt replied that all auxiliary police officers must be certified law enforcement officers. Certified officers must serve 16 hours a month to maintain their certification. Mr. Faulk also asked how many auxiliary officers would be hired. Ms. Tatum said there is no limit to the number of auxiliary officers that can be hired, the town just has to make sure they are covered under workers compensation insurance.

After discussion, Commissioner Kemp made a motion to come out of public hearing at 6:23 p.m. Commissioner McCree seconded the motion and it passed unanimously.

Commissioner McCree made a motion to adopt the ordinance creating an auxiliary police division. Commissioner Grantham seconded the motion and it passed unanimously. A copy of this ordinance is hereby incorporated by reference and made a part of these minutes.

Public Hearing - Ordinance Prohibiting Begging, Soliciting and Panhandling

Commissioner Kemp made a motion to go into Public Hearing at 6:24 p.m. to discuss an ordinance prohibiting begging, soliciting and panhandling. Commissioner McCree seconded the motion and it passed unanimously.

The complaints regarding begging, soliciting and panhandling are increasing at commercial and residential areas. The police are beginning to get frustrated because the town does not have ordinances to control this type activity. Until it becomes a legal offense, it cannot be controlled. This type of activity is frightening for some of our citizens and they are likely to give these people money, thinking they are avoiding harm. Ms. Tatum patterned the ordinance after one that has been tested in court and Town Attorney Robert Price has reviewed it. It was suggested that the distance prohibiting panhandling be changed from 6' feet to 20' feet from the entrance to any financial institution, any automatic teller machine, or any commercial establishment.

After discussion, Commissioner Kemp made a motion to come out of public hearing at 6:32 p.m. Commissioner Currie seconded the motion and it passed unanimously.

Commissioner Sealey made a motion to adopt Ordinance Sec. 13-6. Begging, Soliciting and Panhandling Prohibited with suggested changes. Commissioner Currie seconded the motion and it passed unanimously. A copy of this ordinance is hereby incorporated by reference and made a part of these minutes.

### **Appearances**

#### **Palmer Drug Prevention**

Mr. Thomas Norton arrived at 6:35 p.m. and apologized for being late. Mr. Norton gave the board a brief overview of Palmer's prevention and treatment programs. The County Addiction Treatment Services or CATS is used to provide residential drug treatment in the Robeson County Jail. They are also operating YO! Records in conjunction with the Youth Opportunity Program. Palmer served over 5,300 people this past year. Mr. Norton firmly believes that substance abuse is not a disease but a bad choice.

#### **Youth Council**

Youth Council President Amy Ammons gave a report to the board. The Youth Council has elected officers for next year. Their current project is displaying posters of former students who are now serving our country in Iraq. These posters will be on display at the High School this fall.

### **Administrative Matters**

#### **Request for increase in utility security deposit fee**

Commissioner McCree made a motion to table the request for increase in the utility security deposit fee until the June meeting. Commissioner Kemp seconded the motion and it passed unanimously.

#### **Approval of Subdivision – Jimmy Gilchrist**

On May 7, 2004, Mr. Jimmy Gilchrist requested a zoning permit to build a home on Highway 41 South, in the town's ETJ, just south of the radio station. The property was part of a subdivision indicated on the preliminary plat submitted by Mr. Gilchrist. This subdivision had not been officially recorded. The Planning Board met on Monday, May 17 to approve the simple subdivision. The lot is 2.3 acres and is located next to Kid Kare Learning Center. Commissioner Currie made a motion to approve Mr. Jimmy Gilchrist's subdivision request. Commissioner McCree seconded the motion and it passed unanimously.

CDBG Administration

The town received three proposals for administrative services in conjunction with the town's 2004 CDBG program: Hobbs, Upchurch and Associates, The Wooten Company, and Holland Consulting Planners.

**HOBBS, UPCHURCH AND ASSOCIATES:** Start time: Mid May 2004 - Completion time: March 30, 2006. All project activities completed by March 30, 2006, which equates to 23 months. Not to exceed rate of \$82,500. Total hours to be committed to project: 835. \$98.80 per hour/835 hours overall including secretarial. Administrative Summary: This company has worked with the town on many occasions and is equally as qualified as the other responsive consulting companies.

**THE WOOTEN COMPANY:** Start Time: Mid May 2004 – Completion time: October 31, 2005. All project activities completed by October 31, 2004, which equates to 17 months. Not to exceed rate of \$92,985. Total hours committed to project: 2,065. Implementation: \$45.03 per hour/2,065 hours including secretarial. Administrative Summary: This company has worked with the town on many occasions and is equally as qualified as the other responsive consulting companies.

**HOLLAND CONSULTING PLANNERS, INC.:** Start Time: June 2004 – Completion time: December 5, 2005. All project activities completed by December 5, 2005, which equates to 19 months. Not to exceed rate of \$76,920. Total hours committed to project: 1,480. Implementation: \$51.97 per hour/1,480 hours including secretarial. Administrative Summary: Although this company has not performed any services in the Town of Fairmont, their team is equally as qualified as the other responders.

**RECOMMENDATION:** Although The Wooten Company's overall fee is higher, at \$92,985, the hourly rate is \$53.77 per hour lower than Hobbs, Upchurch and Associates and \$6.94 lower than Holland Consulting Planners, Inc. In addition, The Wooten Company has projected a 17-month completion schedule versus, 23 months and 19 months respectfully for the other firms.

Commissioner Grantham made a motion to hire The Wooten Company for administration of the Town's 2004 CDBG program. Commissioner McCree seconded the motion and it passed unanimously.

Trees on Main Street

Some time ago, the board discussed the fate of the Japanese Zelkova trees downtown on South Main Street. At the time, it was thought that the trees, if properly pruned, would stop growing at a certain point. Ms. Tatum and Town Clerk Jenny Larson have done research on how big these trees can grow. This tree, with the proper pruning, is expected to grow up to 80 feet in height and up to 50 feet in width.

These trees cannot be allowed to remain until they reach full potential. Ms. Tatum discovered a tree assessment done in Cincinnati at a downtown location similar to ours. The assessment shows that this type of tree never should have been planted near buildings because it can damage not only the sidewalks but also the awnings of the buildings.

Ms. Tatum asked the board to make a decision relative to the final disposition of these trees. The trees are already touching the buildings. If the town continues to prune the trees until they have to be cut, you may be facing a much higher cost of removal.

Commissioner Grantham wanted more time to research the trees since the board did not receive their agenda packets until last night. She agreed that the trees do need pruning but they should not be pruned until the fall. Commissioner Grantham will contact Lee Grantham and the Robeson County Extension Agency to see what needs to be done about pruning the trees (Correction made June 15, 2004). Commissioner Grantham would hate to see the trees cut down plus the town has no money to replace them if they were to be removed. Ms. Tatum realizes that the Japanese Zelkova is an expensive tree but it should not have been planted so close to buildings. Commissioner Grantham made a motion to table the tree issue until the next board meeting. Commissioner McCree seconded the motion and it passed unanimously.

### Newsletters

The Post Office has informed the town that we can no longer mail the newsletters attached to the water bills. The Board voted to have the newsletter printed monthly and attached to the water bills to avoid postage costs. We will now be forced to send them by first class mail at a cost of \$407/mo or \$4,884/yr. This cost is exorbitant and falls out of our reach financially. I ask the board to allow staff to distribute the newsletters by other means. The following are suggestions:

- Hand out monthly with payment receipts and stock at the water department.
- Post the current newsletter at the grocery stores and other public places with permission from each entity.
- Return to quarterly mailing at a cost of \$1,628.

Commissioner Sealey thinks the town should ask another post office about trying to mail the newsletter by bulk rate. The Fairmont Post Office told staff that was not an option. Commissioner Kemp liked the combination of the first two choices. Commissioner McCree agreed with Commissioner Kemp and suggested sending copies of the newsletter to area churches as well so they can distribute it to their congregations. Ms. Peggy Spencer objected to the town sending the newsletter to churches because it mixes politics with religion. Ms. Tatum replied that if a church does not want to distribute the newsletter it is their choice and the town will be respectful of that. Commissioner Grantham suggested sending the newsletter out by email to those who provide the town with their email address. Commissioner McCree made a motion to continue printing the newsletter monthly and to

hand it out with payment receipts at the water department, post it at the grocery stores and other public places, send a copy to the area churches and email it to those who request it. Commissioner Kemp seconded the motion and it passed unanimously.

Set Budget Workshop for June 8 and the Budget Public Hearing for June 29, 2004

Commissioner McCree made a motion to set Tuesday, June 8, 2004 at 6:00 p.m. in the Council Chambers for the Budget Workshop and to set Tuesday, June 29, 2004 at 6:00 p.m. in the Council Chambers for the Public Hearing on the Budget. Commissioner Townsend seconded the motion and it passed unanimously.

Status reports on town grants including CDBG, URP, Hazard Mitigation, Community Building and Farmers Festival

2001 CDBG PROGRAM – BENJAMIN AND PHILLIPS STREETS – 2001: Administrative: Lead abatement plan is approved by the state. Abatement will begin shortly. Engineering/Street Improvements: Complete. Housing Replacement: Mr. Rueben Wallace's home is in place and Ms. Vina Moore's home is being placed. Rehabilitation: There are two homes remaining to be demolished under this program. Work will begin on these homes the week of 5/17/04. This grant should be closed out by 5/29/04.

2004 CDBG PROGRAM – PHILLIPS STREET: Administrative requirements are now being accomplished. The total award is \$700,000; the local option requirement is \$30,000, to be paid within a three-year period. I will serve as grant administrator and will be able to bill approximately \$10,000 of my salary to the program during the first year of program operation.

URGENT REPAIR 2001 PROGRAM: Administrative: Twenty-one units are complete; we are assisting three owners with additional improvements through another grant.

URGENT REPAIR 2003 PROGRAM: Applications are being reviewed and rated. Four houses have been inspection and we are certifying an additional 17.

BONAVENTURE SUBDIVISION: Budget: Total expenditure to date is \$127,434.74. Construction: No change since last reporting period. Drainage work is 100% complete, sewer work is 98% complete and water is 98% complete. The state monitored this grant 4/13/04. All compliance issues were met with the exception of recapture. The state has an issue with the fact that former Town Manager Ben Hill waved the requirement for the letter of credit without board approval. However, Ms. Tatum has sent a letter under the Mayor's signature, requesting forgiveness of the recapture policy requirements to the state for review and hopefully, approval.

**HAZARD MITIGATION GRANT:** All required adjustments have been made to the mitigation plan and the final submission has been sent to the county. We still have to close out and bill the state for 75% of the cost.

**COMMUNITY BUILDING:** Ms. Irma McPherson, program representative for the USDA grant, has informed us that she is going to formally request de-obligation of the grant and loan approval for the Community Building. At some time in the future when the town can afford to build, they will be willing to consider a request for funds. Ms. Tatum cannot see how the Town can afford to build the Community Building right now considering the current economic situation of the town. Commissioner Sealey asked about the people who already gave money to the project. He was concerned that they would want their money back. Ms. Tatum and Attorney Robert Price are researching the legalities of whether the money can be returned. The money that has been collected has been spent on land, brick and planning. The money was solicited for upfront costs and that is what it was spent on. Commissioner Kemp feels it would be shameful not to return the money to the contributors. Commissioner Grantham agreed we need to give the money back even if it is only a percentage of what was donated. Ms. Tatum stated that the IRS would have to be notified if we give the money back because it was a tax-deductible contribution. Ms. Tatum informed the board that the Town applied for a PARTF grant for the Community Building and we should know if we were approved within a couple of weeks. Commissioner Sealey made a motion to table de-obligation of the Community Building USDA grant and loan until a later date. Commissioner McCree seconded the motion and it passed unanimously.

**FARMER'S FESTIVAL:** The town was approved for a \$1,700 Grassroots Arts Grant. The first planning meeting was held May 6, 2004. The Mayor, Jenny Larson and Annie Durant were in attendance. Commissioner Kemp has lined up help for the parade. The next Farmers Festival meeting will be Monday, May 24 at 7:00 p.m. in the courtroom.

#### Announcements

Town Hall Day in Raleigh, June 9, 2004.

Lumber Bridge and Parkton will host the May 2004 RCMA meeting.

Town Offices will be closed on Monday May 31, 2004 in observance of Memorial Day.

Farmers Festival Committee will meet on Monday, May 24 at 7:00 p.m. in the Courtroom.

Special Board Meeting, Thursday, June 3, 2004 at 6:00 p.m. to interview candidates for the Town Manager position.

Community Watch will meet on Thursday, June 10 at 7:00 p.m. in the Courtroom.

Page 8, Regular Meeting, May 18, 2004

Chamber of Commerce will meet Monday, June 14 at 6:30 p.m. in the Fire Hall.

### **Citizen Appearance**

#### **Commissioner Wade Sealey – Cleaning wooded lots**

Commissioner Sealey asked about the legality of cleaning up private lots. There is a wooded lot on Woodhue Street where the trees were cut but the debris never removed. The residents of this street have approached Commissioner Sealey asking when it would be cleaned up. Ms. Tatum replied that the town cannot go onto wooded lots. Commissioner Sealey asked if we could develop an ordinance regulating the upkeep of wooded lots. Ms. Tatum said it could be researched but does not feel it would be enforceable.

#### **Huel Faulk – Cutting Grass at Cemeteries on Highway 130**

Mr. Huel Faulk asked who would be cutting the grass at the cemeteries on Highway 130. Attorney Robert Price informed the board that the legislature probably would not consider letting the town abandon the cemeteries without someone else taking them over. Ms. Tatum stated that one of the local mortuaries is interested in taking over all three cemeteries. She plans to advertise so the other mortuaries in town will have an equal chance to bid for control of the cemeteries. Currently the town's Public Works Department has been cutting the grass for the town cemetery and the white cemetery because of the trust fund. Mr. Faulk asked if the town could cut the grass at the black cemetery as well. Commissioner Sealey gave his permission since it is private property and he owns the land. Attorney Robert Price said it was appropriate for the town board to direct Public Works to maintain the black cemetery and any others if asked until the situation changes. Commissioner McCree made a motion for the Town to maintain all three cemeteries on Highway 130. Commissioner Currie seconded the motion and it passed unanimously.

### **Closed Session – Personnel and Attorney- Client Privilege**

Commissioner McCree made a motion to go into closed session at 7:55 p.m. to prevent the disclosure of information that is deemed privileged or confidential as determined under General Statute 143-318.10(e) and to discuss personnel and attorney-client privilege as permitted under General Statute 143-318.11(a)(3,6). Commissioner Sealey seconded the motion and it passed unanimously.

Mayor Gaddy, Commissioners Townsend, McCree, Sealey, Grantham, Currie, and Kemp, Katrina Tatum, Robert Price, and Jenny Larson were in attendance during closed session.

Page 9, Regular Meeting, May 18, 2004

After the discussion of privileged information, attorney-client privilege and personnel, Commissioner Kemp made a motion to come out of closed session at 9:08 p.m. Commissioner McCree seconded the motion and it passed unanimously.

There being no further business, the meeting adjourned at 9:10 p.m.

Jennifer H. Larson, CMC  
Town Clerk

## **Budget Workshop – June 8, 2004**

The Fairmont Board of Commissioners held a budget workshop on Tuesday, June 8, 2004 at 6:00 p.m. in the Council Chambers with Mayor Nedward Gaddy presiding. Commissioners present were Charles Kemp, J.J. McCree, Mary Bruce Grantham, Charles Townsend and Wade Sealey. Commissioner Antonio Currie was absent. Commissioner Grantham was late and arrived at 6:20 p.m. Staff present included Interim Town Manager Katrina Tatum, Town Clerk Jenny Larson, and Finance Director Linda Vause. Robesonian reporter Scott Witten was also present.

Mayor Gaddy called the meeting to order at 6:05 p.m. and Commissioner Charles Townsend gave the invocation.

### Approval of Agenda

Commissioner Kemp made a motion to approve the agenda for tonight's meeting. Commissioner Sealey seconded the motion and it passed unanimously.

### Administrative Matters

#### Approval of LRCOG membership for Rockingham and Hamlet

Commissioner Sealey made a motion to approve the membership of Rockingham and Hamlet into the Lumber River Council of Governments. Commissioner Townsend seconded the motion and it passed unanimously.

### Budget Workshop

Ms. Tatum summarized each section of the fiscal year 2004-2005 budget requests:

General Fund Revenues – The revenues consider all anticipated revenues based on projected increases, which in some cases, are based on prior year and in some cases pre-calculated by the state or quasi-government agencies. The actual budget does not reflect fund balance transfer. We have been conservative in our revenue estimates. In areas such as Franchise Tax, Sales Tax, and Sanitation revenues, there is no indication that a substantial increase is imminent. Finally, we have not included the sale of fixed assets, which may or may not come to fruition.

Commissioner Grantham asked about the sale of the Premiumwear/In 7 building. Ms. Tatum said the sale of the building was contingent on financing but the financing fell through. Ms. Tatum is consulting the other bidders to see if they are still interested in the building. Commissioner Sealey asked if he could contact an auction company in Charlotte about evaluating the property and what amount the town might receive under an auction. The board agreed to let Mr. Sealey contact the auction company. The building is in need of a new roof, which could cost around \$126,000.

Page 2 – Budget Workshop, June 8, 2004

Governing Body – No significant change.

Administration - Budget is projected to cover expenses in the event a new manager is hired.

Clerk – 50% of salary and expenses have been transferred to reflect areas worked in general and water/sewer funds.

Elections – Although no election is scheduled for the year in question, the money is budgeted just in case, to cover a called election.

Finance and Tax – 50% of the salaries and expenses have been transferred to reflect hours worked in general and water/sewer funds. Ms. Tatum has included the salary for the Tax Collector for another year. The board can take the County up on their offer to collect taxes at any time.

Legal – The budget for legal has been increased to reflect payment to the Town Attorney and Annexation Attorney. The cost for the Annexation Attorney should fall between \$6,000 – \$8,000.

Planning, Codes & Zoning – No change is anticipated.

Public Buildings – With some of the major expenses out of the way, we anticipate a lower budget. Also, some capital outlay expenditures have been placed within the appropriate funds.

Police – Few changes are anticipated. No money was budgeted for a Lieutenant position.

Police Dispatch – No changes are anticipated.

Fire – We were able to purchase nearly new turnout gear for most of our firemen at approximately \$3,500 (normal cost \$18,000+). The requested budget is based on needs and current rate of expenditure.

Street – Increases or decreases are based on current rate of expenditure or work anticipated for upcoming year.

Sanitation – Primary increase reflects contracted services for limbs and leaf pickup. The current sanitation rate on the utility bills is enough to cover this service.

Parks and Recreation – Budgeted for supplies and replacement items only.

Library – No change anticipated.

Non-Departmental – This budget reflects shifts to appropriate funds and no expenditure for the Farmer’s Festival, Community Building, Community Park, CDBG 2001, or Urgent Repair 2001. CDBG 2004 and NCHFA #2 budgets were added.

Commissioner Kemp asked about the Community Building and whether the donations will be returned if we do not build the building. There is approximately \$24,000 left in the Community Building fund. Ms. Tatum informed the board that another architect looked at the plans and said that Hobbs and Upchurch were generous and could have charged the town much more for all the changes that were made. He also stated that the building was too big for a town our size. Ms. Tatum reiterated that the town cannot afford to build the Community Building at this time. If we de-obligate the USDA grant and loan we will not be able to reapply at a later date because that category of funds no longer exists. Mayor Gaddy added that the town would have to give the money back in installments if we are forced to give back the money in full.

Commissioner Kemp also asked about the Farmers Festival. He feels there was not enough security at last years festival and that we need to find some money to cover the cost of those working the festival.

South Robeson Rescue – This budget was reduced to reflect current rate of expenditure.

GENERAL FUND SUMMARY: Deficit of \$145,061 is projected, which means that \$145,061 from reserves/savings will be required to balance the budget.

Powell Bill Revenue – Slight increase projected.

Powell Bill Expenditures - \$64,043 is reserved to pave streets in upcoming year. Prior years reflected no real street improvements.

Water and Sewer Revenue - No additional increases in water and sewer rates are anticipated. The town should receive \$80,000 in sewer capacity fees, \$50,000 from Orrum Middle School and \$30,000 for the Town of Boardman.

Water & Sewer Non-Departmental – Increase in Insurance/Bonds covers bills that should come out of this account. In prior years, these bills were paid out of the general fund. M/R Building and Grounds reflects an increase to cover a roof replacement and board the windows for the Old Ice House Building. This building is used to store and calibrate water meters.

Water/Sewer Administration – No significant changes, no capital outlay anticipated.

Water Treatment – No significant changes.

Water Maintenance – No significant changes except a capital outlay budget of \$65,000 to revamp the water tower on Marion Stage Road. Mickey Blue of Rowland will do the work on the water tower.

Sewage Treatment – Slight increases to accommodate Orrum Middle School and Proctorville sewage.

Sewer Maintenance – No significant changes.

WATER/SEWER FUND SUMMARY- No deficit projected, which means that we will begin to replace depleted reserves by approximately \$17,751.

#### Scenarios to solve the General Fund Deficit

Ms. Tatum gave the board two scenarios for relieving the General Fund Deficit of \$145,061. The first scenario is to not fill the next two vacant police positions at a savings of \$67,834.51 and to raise property taxes by 15 cents to generate revenue of \$75,241.00. This will generate \$143,075.51, leaving the general fund with a deficit of \$1,985.49. The second scenario is to not fill the next two vacant police positions at a savings of \$67,834.51 and to hold off on hiring a new town manager at a savings of \$81,130.00. This will generate \$148,964.51, leaving the general fund with a plus of \$3,903.51. According the North Carolina League of Municipalities, towns the size of Fairmont employ an average of 9.2 police officers. Currently the town employs 11 officers. Ms. Tatum said the town would have the Police Chief and another officer on duty during the day. Commissioner Kemp was opposed to raising taxes. The board did not make a decision on which scenario to go with but agreed to not filling the next two vacant police positions.

There being no further business, Commissioner McCree made a motion to adjourn the meeting at 7:27 p.m. Commissioner Townsend seconded the motion.

Jennifer H. Larson, CMC  
Town Clerk

## **Regular Meeting – June 15, 2004**

The Fairmont Board of Commissioners held their regular meeting on Tuesday, June 15, 2004 at 6:00 p.m. in the Council Chambers with Mayor Nedward Gaddy presiding. Commissioners present were Charles Kemp, J.J. McCree, Mary Bruce Grantham, Antonio Currie, Charles Townsend and Wade Sealey. Staff present included Interim Town Manager Katrina Tatum, Town Attorney Robert Price, Town Clerk Jenny Larson, Public Works Director Ronnie Seals, Finance Director Linda Vause, Tax Collector Rebecca Andrews, Fire Chief James Thompson, and Police Chief Sam Hunt. Others present included Scott Witten, Huel Faulk, Maitland Hunt, Peggy Spencer, Butch Davis, Billy Prevatte, Nina Johnson, Ray Johnson, Annie Durant, Mitch Ray, John Jackson, Terry Evans, James Lennon, Rose Johnson, Jack Johnson, Gosnold Floyd, Charles Tedder, Lynn Bergman, Buddy Taylor, Shirley Price, Rusty Perry, Jay Capps, Anne Marks, Bill Marks, Ben Brady, Patricia Sealey and several other concerned citizens.

Mayor Gaddy called the meeting to order and Commissioner Charles Townsend gave the invocation.

### Approval of Agenda

Commissioner Sealey made a motion to approve the agenda for tonight's meeting with the addition of Community Building under Administrative Matters. Commissioner Kemp seconded the motion and it passed unanimously.

### Approval of Minutes

Commissioner Grantham made a motion to approve the minutes for the regular meeting on May 18, 2004 and the budget workshop meeting on June 8, 2004 with one change to page five of the May 18 meeting concerning the trees. The correction is as follows: "Commissioner Grantham will contact Lee Grantham and the Robeson County Extension Agency to see what needs to be done about pruning the trees." Commissioner Kemp seconded the motion and it passed unanimously.

### Appearances

#### Katherine Floyd – Robeson County Animal Cruelty

Ms. Katherine Floyd from the Robeson County Animal Cruelty was not present but would like the board to consider giving a \$50 donation to help with gas costs. The town has called Robeson County Animal Cruelty on several occasions to investigate claims of animal cruelty. No action was taken on this request.

Maitland Hunt

Ms. Maitland Hunt came before the board to discuss a drainage problem at her property located at 601 S. Walnut Street. She showed the board a drawing of her drainage problem. When it rains, the water comes up from the drainage tile like a geyser, turning her back yard into a pond. She has been really patient and has had good cooperation from the town when she calls about the drainage. She feels that opening up the neighboring ditches would help relieve the drainage problem. Commissioner McCree asked if it would take renting a track hoe to clean out the ditch. Public Works Director Ronnie Seals replied that it would. Commissioner McCree asked that the town clean out another drainage ditch at Holly and Pine Streets while it had the track hoe. Mayor Gaddy said the town would work on the drainage problems for all citizens and not neglect one for the others. He said the town would look at each situation and do the best we can to fix it.

Public Hearing – Amend Zoning Ordinance on location of Family Care Homes and Age of Mobile Homes

Commissioner Grantham made a motion to go into Public Hearing at 6:20 p.m. to discuss amending the Zoning Ordinance on the location of Family Care Homes and on the age of Mobile Homes. Commissioner McCree seconded the motion and it passed unanimously.

Ms. Tatum recommended the following amendment to the Zoning Ordinance on Family Care Homes by adding the following sentence to Article XIII – Use Requirement by District: “A family care home shall not be located within a one-half mile radius of an existing family care home.” Ms. Tatum asked the board to strike the word radius because it was redundant.

Ms. Tatum recommended the following amendment to the Zoning Ordinance on Mobile Homes by changing a sentence in Section 41.36 – Mobile Home. Change Existing “Further all mobile homes shall be at time of placement on the site less than seven (7) years of age” to “Further, all mobile homes shall at the time of placement on the site less than thirteen (13) years of age and in good condition. Condition to be determined by inspection of the Town of Fairmont Code Enforcement Officer or the Robeson County Building Inspector.” Ms. Tatum asked the board to strike the words “and in good condition.”

After discussion, Commissioner Kemp made a motion to come out of public hearing at 6:25 p.m. Commissioner Townsend seconded the motion and it passed unanimously.

Commissioner Townsend made a motion to amend the Zoning Ordinance on the location of Family Care Homes with the change that the word “radius” be struck because it is redundant. Commissioner Currie seconded the motion and it passed unanimously. A copy of this ordinance is hereby incorporated by reference and made a part of these minutes.

Commissioner McCree made a motion to amend the Zoning Ordinance on the age of Mobile Homes with the change of striking “and in good condition.” Commissioner Currie seconded the motion and it passed unanimously. A copy of this ordinance is hereby incorporated by reference and made a part of these minutes.

### **Administrative Matters**

#### **Set date for second budget workshop.**

Ms. Tatum recommended that a second budget workshop be scheduled for Wednesday, June 23, 2004 at 6:00 p.m. in the Council Chambers. The purpose of this second budget workshop is to make recommendations on relieving the budget shortfall.

Commissioner Sealey made a motion to set a second budget workshop for Wednesday, June 23, 2004 at 6:00 p.m. in the council chambers. Commissioner Townsend seconded the motion and it passed unanimously.

#### **Allow the Rotary Club to use room on second floor of the library for their meetings.**

Ms. Tatum informed the board that the Rotary Club has made a request to formally use the room on the second floor of the library for all their meetings and to display their banners, flags and awards. Commissioner Kemp made a motion to allow the Rotary Club to use the room on the second floor of the library for all their meetings and to use it to display their banners, flags and awards. Commissioner Sealey seconded the motion and it passed unanimously.

#### **Request for increase in utility security deposit fee.**

Security deposits for water/sewer accounts is designed to cover at least two months use, plus processing. The coverage of two months is necessary because by the time delinquencies are registered; we are already into the second month of actual use, even though it has not been billed. Since there has been an increase in user fees, the deposits charge of \$60 for homeowners and \$120 for renters are no longer sufficient to cover a two- month delinquency. Ms. Tatum requested the deposit fees be increased to \$75 for homeowners and \$150 for renters. After discussion, Commissioner McCree made a motion to table the increase in the utility security deposit fee until the budget workshop. Commissioner Kemp seconded the motion and it passed unanimously.

Ordinance Prohibiting Loitering

Ms. Tatum presented a loitering ordinance prepared in response to the concerns of citizens about such activities. This ordinance will give the police some leeway in arresting those who loiter with either a \$500 fine or 30 days in jail. Commissioner Grantham made a motion to adopt the Loitering Ordinance with the correction of typographical errors. Commissioner Sealey seconded the motion and it passed unanimously. A copy of this ordinance is hereby incorporated by reference and made a part of these minutes.

Request for a Cap of \$1,000 on Privilege License Fees determined by Gross Receipts.

Ms. Tatum informed the board that the Privilege License section of the Fairmont Municipal Code, Section. 12-22, calls for businesses to submit yearly, “(4) The gross receipts of the business for the most recently completed tax year, if applicable; and (5) Any other information which the tax collector determines to be necessary.” This information is then factored into a calculation of privilege tax fees. David Lawrence, of the North Carolina School of Government, recommends that the town set a cap on such fees. The town staff is recommending that a cap of \$1,000 be set for Gross Receipts Privilege License Tax Fees.

During the process of requesting the Gross Receipts data from businesses, many questioned whether the request violates the Privacy Act. According to our research, the opinions of our attorney and attorneys at the Institute, this request does not violate any Privacy Acts presently on the books. So far, most of the businesses have sent in their gross receipts information. Commissioner Sealey was concerned that no business is going to willingly give an accurate gross receipts figure. Commissioner McCree made a motion to table the issue of the Privilege License cap until the budget workshop. Commissioner Townsend seconded the motion and it passed unanimously.

Extend the health insurance coverage for retired employees.

Ms. Tatum asked the board to extend the health insurance for retirees until such time that the attorney could recommend other alternatives. Commissioner McCree made a motion to extend the health insurance for the retired employees currently covered until such time that the attorney could recommend other alternatives. Commissioner Grantham seconded the motion and it passed unanimously.

Complaint about Bradford Pears on Main Street and discussion of the Japanese Zelkova trees on Main Street.

Mayor Gaddy advised that any citizen who wanted to speak about the trees would be given two minutes to speak. Ms. Tatum reported that on June 1, 2004, Mickey Williamson indicated that he wanted Ms. Tatum to do something about the Bradford Pear Trees on South Main Street. He showed her a cut that his son, Skylar had sustained about 4 and ½ inches long. He asked that the limbs be pruned so you can walk under them and before someone was more seriously hurt. Commissioner Grantham replied that trees don't move, people do and that they should either get out of the way or duck when walking under the trees. She does not think the trees should be pruned. Commissioner Kemp feels the Bradford Pears are beautiful trees and would hate to see them altered. He also does not see where any of the limbs are interfering with the right of way on the sidewalk.

During the last board meeting, the fate of the Japanese Zelkova Trees was discussed and tabled for further discussion at this board meeting. Ms. Tatum authorized what she thought would be a mild prune of the trees and later realized that a severe prune had been done. Ms. Tatum apologized for the confusion about the trees and takes full responsibility for the way the trees were pruned. Ms. Tatum is presently consulting with horticulturists at North Carolina State and Florida State Universities and has asked a horticulturist at the Robeson County Extension Office to personally monitor the trees during the process of re-growth.

Ms. Anne Marks felt that the trees add beauty and shade in the summer. She feels it would be a shame and disgrace to ruin the trees on the west side of the street as the others have been. She would like the trees to be left alone.

Mr. James Lennon said he read the article in the Robesonian about the trees. He felt that Commissioner McCree was the only one who made any sense in that article. He thinks the rest of the article was just a conspiracy against Ms. Tatum.

Mr. Butch Davis feels the trees were not handled properly. He wanted to know who trimmed the trees because they look terrible. He doesn't know how we are going to balance the trees except to chop off the limbs on the other side of the street. Mr. Davis asked the board who ran the town, Ms. Tatum or the council. He thinks the board needs to tell her what direction to take.

Commissioner McCree and Commissioner Currie both agreed that the Japanese Zelkova was the wrong tree for downtown. Commissioner Grantham said she did her homework on the trees. The Wooten Company got the bid to do the sidewalks and in the specifications, the Japanese Zelkova was the only tree that could be used in order to get the grant money. The purpose of using this particular tree was to make Fairmont look more like an urban community. The preparation for installing the trees was immense and included treating the holes with chemicals and installing a shield to prevent the tree from

growing 80 feet tall and 40 feet wide. Each tree also has its own special watering system. She feels very strongly that the trees should not have been touched without permission from the board. The trees could easily have been pruned away from the buildings. Commissioner Grantham said those trees were murdered and the town has been raped. Mr. James Lennon said the town has been raped in more ways than one. He said the trees were Commissioner Grantham's pet project and it was too bad they couldn't grow money.

Mayor Gaddy said the trees were cut and now we need to move on. Commissioner Grantham does not want any more trees to be cut. Mr. Rusty Perry suggested that the trees on the other side be trimmed in a more professional way instead of being left alone. Ms. Tatum apologized to the board and the citizens. She said it was not her intention to go around the board. She felt the issue that was tabled was whether to cut the trees down period, not whether they should be trimmed or not. It was an oversight on her part and it was the first time this has happened. It was not a deliberate act against the board to give permission to prune the trees. Ms. Tatum has always done what the board wanted and has apologized profusely for this incident. Ms. Tatum added that she has done everything she could to work for the betterment of this town even neglecting her own child at times.

Commissioner Grantham made a motion that none of the trees be touched until someone with experience can properly prune them at no cost to the town. Commissioner Kemp seconded the motion and it passed unanimously.

### Community Building

Commissioner Kemp has talked to Sylvia Pate at the Regional Center at UNC Pembroke about searching for additional grant money for the Community Building. Ms. Pate said she would do her best to help find additional money for the town. Ms. Tatum informed the board that she has asked USDA for a six month extension on the grant and loan money earmarked for the Community Building. The NC Parks and Recreation Trust Fund (PARTF) will reconsider our \$250,000 grant application at the end of July but they need reassurance from USDA that our money will not be pulled.

### Announcements

Maxton will host the June 2004 RCMA meeting. There will be no RCMA meetings in July and August. The Town of Fairmont will host the meeting in September.

Town Offices will be closed on Monday July 5, 2004 in observance of Independence Day.

Mr. Britt Cobb, N.C. Commissioner of Agriculture, will be in Fairmont on Wednesday, June 30 from 9:00 a.m. to 10:00 a.m. in the Fire Hall.

**Citizen Appearance**

John Jackson – update on WWTP connections

Mr. John Jackson asked when other communities like Fair Bluff and Proctorville would hook on to our Wastewater Treatment Plant. Ms. Tatum replied that Proctorville would be connected within 12 to 18 months, Cerro Gordo between 18 to 24 months and Fair Bluff between 24 to 36 months. Mr. Jackson asked if the increased revenue from these municipalities could be used to reduce the burden on our citizens.

Billy Prevatte – question on Utility Deposit increase

Mr. Prevatte asked if the proposed increases for utility deposit would affect current customers. Commissioner McCree replied that only new customers would be affected.

Mitch Ray – Complaint about double rate for sewer for out of town customers

Mr. Mitch Ray, who lives on Golf Course Road, complained about having to pay double rate for sewer or around \$44 a month. He is considering turning his sewer connection off and plans to continue to fight the annexation of the Golf Course area. Ms. Tatum stated that all sewer users outside the city limits have to pay double rates. Once those areas are annexed into town, the rate will drop down to the single rate.

Shirley Price – Retiree Health Insurance

Mrs. Shirley Price, the former Town Clerk, asked Ms. Tatum who was included in the retiree health insurance plan that the board voted tonight to extend. Ms. Tatum replied that it did not include Mrs. Price or Mrs. Dorothy Walters. Mrs. Price wanted the newspaper to reflect that the retiree health insurance did not cover her or Mrs. Walters when they worked longer for the town than the ones who are receiving it. Ms. Tatum stated that the policy in place when Mrs. Price and Mrs. Walters retired was that health insurance would be paid for the retirees until they reach the age of 65. Mrs. Price let it be known that Mrs. Jeanette Lupo also retired when Mrs. Price and Mrs. Walters did and then came back to work the next week and therefore was an employee when the policy was changed and is covered under the plan that pays health insurance for life. Mrs. Patricia Sealey, Commissioner Sealey's wife, asked the board to reconsider and provide health insurance for Mrs. Price and Mrs. Walters since they worked so long and served the town so well.

Peggy Spencer – Question about Water Quality Letter

Ms. Peggy Spencer asked about the Water Quality Letter that was recently mailed out to each household in town. She feels the letter was professionally done but the timing was bad. She questioned why the town spent money on postage and time typing and copying a letter that tells you how good or bad the water was in 2003. Ms. Tatum replied that the state requires us to send out the letter each year and we had to mail it separately since we can no longer attach anything to the water bills.

**Closed Session – Personnel and Attorney- Client Privilege**

Commissioner Sealey made a motion to go into closed session at 7:30 p.m. to prevent the disclosure of information that is deemed privileged or confidential as determined under General Statute 143-318.10(e) and to discuss personnel and attorney-client privilege as permitted under General Statute 143-318.11(a)(3,6). Commissioner McCree seconded the motion and it passed unanimously.

Mayor Gaddy, Commissioners Townsend, McCree, Sealey, Grantham, Currie, and Kemp, Katrina Tatum, Robert Price, and Jenny Larson were in attendance during closed session.

After the discussion of privileged information, attorney-client privilege and personnel, Commissioner Kemp made a motion to come out of closed session at 8:45 p.m. Commissioner Sealey seconded the motion and it passed unanimously.

There being no further business, the meeting adjourned at 8:45 p.m.

Jennifer H. Larson, CMC  
Town Clerk

## **Budget Workshop Meeting – June 23, 2004**

The Fairmont Board of Commissioners held a special budget workshop meeting on Wednesday, June 23, 2004 at 6:00 p.m. in the Council Chambers with Mayor Nedward Gaddy presiding. Commissioners present were Charles Kemp, J.J. McCree, Mary Bruce Grantham, and Wade Sealey. Commissioners Charles Townsend and Antonio Currie were absent. Commissioner Grantham arrived late and Commissioner McCree left early. Staff present included Interim Town Manager Katrina Tatum, Town Clerk Jenny Larson, Finance Director Linda Vause, and Tax Collector Rebecca Andrews. Others present included Venita Jenkins.

With a quorum present, Mayor Gaddy called the meeting to order and Commissioner Wade Sealey gave the invocation.

Ms. Tatum informed the board of changes made to the proposed 2004-2005 Budget. Since the last budget workshop, the following changes have been made either because our projections were low, or there have been staff changes or because revenue projected for receipt during 2004-2005 were received during this fiscal year.

General Fund: Sales Tax Revenue has been increased by \$16,028, adjusted due to current receipts. Franchise Tax has been increased by \$3,000, adjusted due to current receipts. Removed one Sergeant position from the Police Department, reducing the operating budget by \$37,536. These changes reduced the projected deficit from \$145,061 to \$88,496.

Water Fund: Removed Orrum Middle School Capacity Fee of \$50,000. The town received the \$50,000 during the current fiscal year. This change caused the projected surplus of \$17,751 to result in a deficit of \$32,249. The increases in the water revenue will cover major repairs to the town's water tank as well as partial salaries to help relieve the general fund. The total fund balance projected for both funds is \$120,745.

Ms. Tatum informed the board that it would take another two or three years for the town to be back on its feet. Commissioner McCree said the public does not understand that it took several years for the town to get in a hole and it will take years to get us back out.

Tax Collector Rebecca Andrews explained to the board that the business license letter asking businesses for their gross receipts was her idea. The whole purpose behind calculating business licenses based on gross receipts is to increase revenues for the town. She based her letter on a sample from the City of Lumberton. Her proposal will charge businesses \$25 for gross receipts less than \$200,000 and \$25 plus 12.5% for every thousand over \$200,000 with a maximum cap fee of \$1,000.

Commissioner Grantham arrived at 6:35 p.m. Commissioner McCree asked for permission to leave at 6:50 p.m.

Commissioner Grantham asked about the proposed increase in water deposit fees. Finance Director Linda Vause explained that the deposit money doesn't affect the budget revenues. The deposit money is a security fee used to cover unpaid bills if a resident leaves. Since the minimum utility bill is now higher, an increase to \$75 deposit for homeowners and \$150 for renters is needed to cover two months worth of bills. This increase in deposit fees does not affect current residents only new customers.

Ms. Tatum addressed ways to reduce the deficit in the general fund. By increasing privilege license revenues and reducing the police department by one officer, the deficit goes from \$88,496 to around \$62,000. None of the board members are in favor of a property tax increase. After discussion, they agreed to take the salary for the manager's position out of the budget. This decision eliminated the deficit/fund balance for the general fund.

There being no further business, Commissioner Sealey made a motion, seconded by Commissioner Kemp to adjourn the meeting at 7:40 p.m.

Jennifer H. Larson, CMC  
Town Clerk

## **Special Meeting – June 29, 2004**

The Fairmont Board of Commissioners held a special meeting on Tuesday, June 29, 2004 at 6:00 p.m. in the Council Chambers with Mayor Nedward Gaddy presiding. Commissioners present were Charles Kemp, J.J. McCree, Mary Bruce Grantham, Charles Townsend and Wade Sealey. Commissioner Antonio Currie was absent. Staff present included Interim Town Manager Katrina Tatum, Town Clerk Jenny Larson, Finance Director Linda Vause, and Tax Collector Rebecca Andrews. Others present included Scott Witten, James Lennon, and Mickey Williamson.

Mayor Gaddy called the meeting to order and Commissioner Charles Townsend gave the invocation.

Mayor Gaddy and the Board of Commissioners thanked the staff for their hard work in preparing the 2004-2005 budget.

### Public Hearing – Fiscal Year 2004-2005 Budget

Commissioner Sealey made a motion to go into Public Hearing at 6:08 p.m. to discuss the Fiscal Year 2004-2005 Budget. Commissioner McCree seconded the motion and it passed unanimously.

There were no public comments so Commissioner Grantham made a motion to come out of public hearing at 6:09 p.m. Commissioner McCree seconded the motion and it passed unanimously.

### Administrative Matters

#### Adopt 2004-2005 Budget.

Commissioner Grantham made a motion to adopt the 2004-2005 Budget. Commissioner Kemp seconded the motion and it passed unanimously. A copy of the budget ordinance is hereby incorporated by reference and made a part of these minutes.

#### Adopt 2003-2004 Amended Budget.

Commissioner Grantham made a motion to adopt the Amended 2003-2004 Budget. Commissioner Sealey seconded the motion and it passed unanimously. A copy of the amended budget ordinance is hereby incorporated by reference and made a part of these minutes.

Write-Off Uncollected Water Accounts for 2003-2004 in the amount of \$1,306.96.

Commissioner Grantham made a motion to write off uncollected water accounts for 2003-2004 in the amount of \$1,306.96. Commissioner Townsend seconded the motion and it passed unanimously. A list of these uncollected water accounts is hereby incorporated by reference and made a part of these minutes.

Release 1993 Property Taxes in the amount of \$2,621.59.

Commissioner Kemp made a motion to release uncollected 1993 property taxes in the amount of \$2,621.59. Commissioner Sealey seconded the motion and it passed unanimously. A list of these uncollected property tax accounts is hereby incorporated by reference and made a part of these minutes.

Resolution for Changes in Privilege License Fees.

Commissioner Grantham made a motion to approve the changes in the Privilege License Fee Schedule with a cap of \$1,000 for Gross Receipts. Commissioner McCree seconded the motion and it passed unanimously. A copy of this resolution is hereby incorporated by reference and made a part of these minutes.

Adopt Bank Resolution for the Fairmont Memorial Cemetery Fund.

Commissioner Kemp made a motion to approve the bank resolution for the Fairmont Memorial Cemetery Fund savings account at First Bank. Commissioner McCree seconded the motion and it passed unanimously.

There being no further business, Commissioner Grantham made a motion, seconded by Commissioner Kemp to adjourn the meeting at 6:22 p.m.

Jennifer H. Larson, CMC  
Town Clerk