

## **Regular Meeting – July 18, 2006**

The Fairmont Board of Commissioners held their regular meeting on Tuesday, July 18, 2006 at 6:00 p.m. in the Fire Hall with Mayor Charles Kemp presiding. Commissioners present were J.J. McCree, Wade Sealey, Charles Townsend, Mary Bruce Grantham, and Jay Capps. Commissioner Wayland Lennon III was absent. Staff present included Town Manager Blake Proctor, Town Attorney Rob Price, Town Clerk Jenny Larson, Public Works Director Ronnie Seals, Tax Collector Rebecca Andrews and Public Safety Director Robert Hassell. Others present included Melissa Hoggard, Shea Ann Dejarnette, Brian Freeman, Mike Deberry, and about 30 citizens.

Mayor Kemp called the meeting to order and announced that Commissioner Wayland Lennon had an excused absence from the meeting due to being out of town on business. Mayor Kemp also gave the invocation.

### **Approval of Agenda**

Commissioner Sealey made a motion to approve the agenda with the addition of Cingular Wireless request for a new fence around the cell tower. Commissioner Capps seconded the motion and it passed unanimously.

### **Mayor Presentation**

Mayor Kemp presented Pride in Fairmont certificates to the following people for fundraising volunteering, store painting, theater demolition and announcement sign participation: Fairmont Chamber of Commerce, Fairmont Development Corporation, Billie Pate Floyd, Geraldine Pittman, Reverend Robert Moore, James Wilkerson, County Commissioner Tom Taylor, County Commissioner Hubert Sealey, First Bank, Total Solutions, Lumbee Bank, Freeman Home Furnishings, BB&T, Fairmont Department Store, Dick Taylor, South Robeson Rescue, Fairmont Fire Department, Southeastern Regional Medical Center, Fairmont Community Watch, Commissioner Wayland Lennon, Rosenwald Alumni Association, Cedar Grove Baptist Church, St. John A.M.E. Church, Fairmont Womans Club, Fairmont Civitan Club, Fairmont Shriners, Fairmont Rotary Club, GPAC/Distinguished Speakers Series, Tim Page, Kathy Floyd, Brian Freeman, Johnathan Deberry, Shea Ann Dejarnette, Melissa Hoggard, Stephen F. Walker, Lilly Davis Walker, Larry Gales, and Annie Durant. These people and others will be honored at the Big Heart Banquet in February 2007. The money collected for the store painting, theater demolition and announcement sign totals \$25,000.

### **Introduction of new Town Manager, Blake Proctor**

Mayor Kemp introduced the new Town Manager, Blake Proctor. Mr. Proctor stated that he was pleased to be in Fairmont and that he had an open door policy.

### **Public Comment Period/Citizens Appearance**

No one signed up for the public comment period.

**Consent Agenda**

Upon motion by Commissioner Capps, seconded by Commissioner Townsend, it was unanimously voted to adopt the following consent agenda items:

- a. Approval of Minutes – Regular Meeting June 20 and Special Meeting June 27.
- b. Set Special Board Meeting for Friday, July 21 at 6:00 p.m. in the Council Chambers for the purpose of going into closed session to discuss personnel and attorney-client privilege as permitted under GS 143-318.11(a)(3,6).

**Administrative Matters**

Robeson County Committee of 100 appointment – Commissioner Wade Sealey.

Mr. James Monroe has requested to step down from the Robeson County Committee of 100 due to health reasons. Commissioner Wade Sealey nominated Commissioner Wayland Lennon III to replace Mr. Monroe on the Committee of 100. Commissioner Sealey made a motion to appoint Commissioner Wayland Lennon III to the Robeson County Committee of 100. Commissioner Capps seconded the motion and it passed unanimously. Commissioner Grantham expressed thanks to Mr. Monroe for his years of service on the committee.

Voluntary annexation petition – 103 Lewis Street

Mr. David Revels, owner of 103 Lewis Street, would like to voluntarily annex into the city limits. Commissioner Grantham made a motion to adopt Resolution 06-01 directing the Town Clerk to investigate a petition for voluntary annexation on the property located at 103 Lewis Street. Commissioner Sealey seconded the motion and it passed unanimously. A copy of this resolution is hereby incorporated by reference and made a part of these minutes.

Award bid on MLK Revitalization CDBG project

Town Manager Blake Proctor stated two bids were received on the MLK Revitalization CDBG project, one from Empire Construction Co., Inc. for \$89,869 and one from Frank Horne Construction, Inc. for \$73,822. Mr. Proctor recommended awarding the contract to low bidder Frank Horne Construction, Inc. Commissioner Capps made a motion to award the bid on the MLK Revitalization CDBG Project to Frank Horne Construction, Inc. for \$73,822. Commissioner Townsend seconded the motion and it passed unanimously.

Welcome Sign landscaping – Robeson County Agriculture Extension agents.

Ms. Shea Ann DeJarnette and Ms. Melissa Hoggard, with the Robeson County Agriculture Extension office, presented designs for new landscaping around the four town welcome signs. Several businesses and organizations have volunteered to donate the plants and materials and the 4-H Junior Master Gardeners and the Master Gardeners will do the work. Mr. Larry Gales from UNC Pembroke designed the new low maintenance landscaping plan. Commissioner Grantham made a motion to accept the new landscaping plan for the welcome signs. Commissioner Townsend seconded the motion and it passed unanimously.

Downtown Mini-Park landscaping proposal.

Mr. Brian Freeman with Landscape South presented a design for the downtown green space mini-park at the site of the old Capitol Theater. The park will have a curved brick walkway with crepe myrtles for shade, three or four benches, New York style street lighting, black wrought iron fences and a patio area for dining. Mr. Freeman estimates the cost of the mini-park to be between \$4,000 and \$7,000. Once funds are available, it will take approximately two and a half weeks to complete the work. Commissioner Townsend made a motion that Mayor Kemp and Landscape South proceed with fundraising for the Downtown Mini-Park and to complete the work when funds are available. Commissioner Capps seconded the motion and it passed unanimously.

Discuss removing Japanese Zelkova trees on Main Street – Robeson County Agriculture Extension agents.

Ms. Melissa Hoggard with the Robeson County Agriculture Extension office and Mr. Brian Freeman with Landscape South gave a report of the Japanese Zelkova trees on Main Street. Ms. Hoggard explained that Japanese Zelkova trees make good street trees but not good sidewalk trees because they grow so tall and have roots up to 100 feet long. These roots can cause sidewalk, sewer line and building foundation damage. Mr. Freeman explained that the trees are already causing sidewalk damage and the root barriers installed with the trees will not last. One tree is already dead and the cost to properly maintain them will be \$2,500 annually. They recommended that the trees be cut down and the holes covered with concrete planters. Commissioner Grantham made a motion to cut down the trees because they were beautiful at one time but they are not anymore. Commissioner Sealey seconded the motion. Mayor Kemp stated that the trees would not be removed right away in order to give the community a chance to understand why it has to be done. Public Works Director Ronnie Seals wanted clarification on whether his department would remove the trees or Landscape South. Commissioner Grantham revised the motion to state that the Fairmont Public Works Department will remove the Japanese Zelkova trees on Main Street in the near future with the assistance of Landscape South if necessary. Commissioner Sealey seconded the motion and it passed unanimously.

Downtown Business District – topics for discussion and possible action:

Commissioner Capps made a motion to table the discussion of the Downtown Business District until the Fairmont Revitalization Committee, the Fairmont Chamber of Commerce and Town Manager Blake Proctor can meet and discuss recommendations for action. Commissioner Grantham seconded the motion and it passed unanimously.

Request from Trinity United Methodist Church to replace 50 feet of sidewalk on west side of church and split cost with the Town.

Ms. Nancy Faulk, of Trinity United Methodist Church, would like to replace 50 feet of the sidewalk on the west side of the church at a cost of \$1,500. The church is requesting the Town pay one half of the cost and the church will pay the other half. Commissioner Grantham made a motion to honor Trinity United Methodist Church's request to pay for one half of the \$1,500 cost to replace 50 feet of sidewalk on the west side of the church. Commissioner Sealey seconded the motion and it passed unanimously.

Agreement for Administrative Services FY 06 NCHFA Urgent Repair Program with The Wooten Company.

Commissioner Townsend made a motion to accept the agreement for Administrative Services for FY 06 NCHFA Urgent Repair Program with The Wooten Company. Commissioner McCree seconded the motion and it passed unanimously. A copy of this agreement is hereby incorporated by reference and made a part of these minutes.

Cingular Wireless request for fence around cell tower

Cingular Wireless has had vandalism problems at the site of the new cell tower on Marion Stage Road. The wooden fence around the site makes it easier for vandalism to occur. Cingular would like to install a chain link fence for better security with wooden slats for beautification. Commissioner Grantham made a motion to allow Cingular Wireless to erect a chain link fence with wooden slats around the cell tower site. Commissioner Capps seconded the motion and it passed unanimously.

**Mayor Input**

Mayor Kemp distributed minutes from the Neighborhood Zone meetings that were held in June. The next round of Neighborhood Zone meetings will take place in September.

Mayor Kemp thanked the Public Works and Public Safety Departments for their assistance during the theater demolition.

**Commissioners Input**

Commissioner McCree requested a drainage status report from Hobbs, Upchurch and Associates for the August meeting.

**Manager Input**

Mr. Proctor announced there will be a Public Hearing on CDBG budget amendments at the August 15 meeting at 6:00 p.m. prior to the regularly scheduled board meeting.

**Announcements**

Community Watch will meet on Tuesday, July 25<sup>th</sup> at 7:00 p.m. in the Courtroom.

National Night Out will be Tuesday, August 1<sup>st</sup> from 6:00 to 8:00 p.m. in the Fairmont Community Park.

“Park it with the Mayor” – Saturday, August 5<sup>th</sup> at 10:00 a.m. at the Fairmont Community Park.

Regular Town Board meeting, Tuesday, August 15<sup>th</sup> at 6:00 p.m. in the Council Chambers.

**Adjournment**

There being no further business, the meeting adjourned at 7:07 p.m.

Jennifer H. Larson, CMC  
Town Clerk

### **Special Board Meeting – July 21, 2006**

The Fairmont Board of Commissioners held a special meeting on Friday, July 21, 2006 at 6:00 p.m. in the Council Chambers with Mayor Charles Kemp presiding. Commissioners present were Wade Sealey, Mary Bruce Grantham, Wayland Lennon, III, J. J. McCree, Charles Townsend and Jay Capps. Town Attorney Robert Price, Town Clerk Jenny Larson and Public Safety Director Robert Hassell were also present.

Mayor Kemp called the meeting to order at 6:30 p.m. He stated the purpose of the meeting was to go into closed session to discuss personnel. Commissioner Sealey made a motion to go into closed session at 6:30 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 as permitted under General Statute 143-318.11(a)(6). Commissioner Lennon seconded the motion and it passed unanimously.

Mayor Kemp, Commissioners Sealey, Grantham, Lennon, McCree, Townsend and Capps along with Robert Price, Robert Hassell and Jenny Larson were in attendance during closed session.

Commissioner Sealey made a motion to come out of closed session at 7:40 p.m. Commissioner Lennon seconded the motion and it passed unanimously.

Mayor Kemp announced that personnel was discussed and no action was taken.

There being no further business, Commissioner McCree, seconded by Commissioner Capps, motioned to adjourn the meeting at 7:40 p.m.

Jennifer H. Larson, CMC  
Town Clerk

## **Regular Meeting – August 15, 2006**

The Fairmont Board of Commissioners held their regular meeting on Tuesday, August 15, 2006 at 6:00 p.m. in the Fire Hall with Mayor Charles Kemp presiding. Commissioners present were J.J. McCree, Wade Sealey, Wayland Lennon III, Charles Townsend, Mary Bruce Grantham, and Jay Capps. Staff present included Town Manager Blake Proctor, Town Attorney Rob Price, Town Clerk Jenny Larson, Public Works Director Ronnie Seals, Finance Director Linda Vause, Tax Collector Rebecca Andrews and Public Safety Director Robert Hassell. Others present included Don Harvey, John Jackson, Christine McDaniel, R.B. Moore, Annie Durant, Jan Maynor, Pastor Carolyn Sims and about 30 citizens.

### **Public Hearing – CDBG Budget Amendment**

Town Manager Blake Proctor introduced Mr. Don Harvey with The Wooten Company. Mr. Harvey explained the need for a CDBG Budget Amendment in the MLK Avenue Revitalization Project. The overall budget of \$700,000 will remain the same, only the line items within the budget will change. The public hearing closed at 6:08 p.m.

### **Call to Order and Invocation**

Mayor Charles Kemp called the meeting to order and gave the invocation.

### **Approval of Agenda**

Mr. Proctor asked the board to move Mayor Input to the beginning of the meeting, remove Closed Session, add Resolution 06-04 North Carolina Highway Safety Program under New Business and second and final reading of Ordinance 06-101 on Fats, Oils and Greases under Unfinished Business. Commissioner Lennon made a motion to approve the agenda with the above changes. Commissioner Sealey seconded the motion and it passed unanimously.

### **Public Comment Period/Citizens Appearance**

#### **Mr. John Jackson – public comment policy**

Mr. John Jackson stated he reviewed the minutes and could not find the policy where it is required that citizens follow the chain of command before coming to the board to speak.

#### **Pastor Carolyn Sims, St. Paul A.M.E. Church - new pastor**

Pastor Carolyn Sims is the new pastor of St. Paul A.M.E. Church on Oakdale Church Road and she is willing to help Fairmont any way she can.

Mrs. Christine McDaniel – abandoned homes

Mrs. Chrisitine McDaniel, of 902 Iona Street, wanted an update on the burned and abandoned homes near her house. Mr. Proctor replied that the town is working on getting rid of all burned homes.

Mr. R.B. Moore – vicious dog

Mr. R.B. “Sonny” Moore, of Floyd Street, had a complaint about his neighbor’s dog. He feels the dog is mean and vicious and would attack anyone who came near it. Mr. Moore has talked to the police, Mr. Proctor and Mayor Kemp before asking the board for help.

Mayor Input – Seniors In Touch (S.I.T.) Program

Mayor Kemp revealed his new program called “Seniors in Touch (S.I.T.)” a way to reach out to citizens 62 and older. It is a pyramid system with four zone captains, followed by block/street captains. The zone captains are Novella Worley (North), Dosha McLean (East), Leara Pulley (South) and Justin Floyd (West).

Consent Agenda

Upon motion by Commissioner Capps, seconded by Commissioner Sealey, it was unanimously voted to adopt the following consent agenda item:

- a. Approval of Minutes – Regular Meeting July 18 and Special Meeting July 21.

Unfinished Business

Funding for Sewer Flusher Truck

Mr. Proctor received quotes from Lumbee Guaranty Bank, BB&T and First Bank on financing the Vac-Con sewer flusher truck.

<u>Bank</u>	<u>Interest Rate</u>	<u>Nine Annual Payments</u>	<u>108 Monthly Payments (Annualized)</u>
Lumbee	6.00%	\$34,407.92	\$33,720.24
BB&T	4.35%	\$31,973.49	\$31,465.44
First Bank	6.00%	\$32,919.65	\$33,857.12

Mr. Proctor recommended financing the Vac-Con sewer flusher truck with BB&T for nine years at 4.35% at an annualized cost of \$31,465.44, or \$2,622.12 per month for 108 months, the total cost being \$283,188.96. The total cost for FY 06-07 will be between \$10,488.48 (4 payments) and \$15,723.72 (6 payments), depending on when the truck is delivered. Commissioner Grantham made a motion to finance the Vac-Con sewer flusher truck with BB&T for nine years at 4.35% at an annualized cost of \$31,465.44, or \$2,622.12 per month for 108 months. Commissioner Lennon seconded the motion and it passed unanimously.

Drainage study progress – Hobbs, Upchurch and Associates

Mr. Proctor reported that Hobbs, Upchurch and Associates have submitted a schedule for the Old Field Drainage Project study.

Voluntary annexation – 103 Lewis Street, certification by clerk and adoption of Resolution 06-02 setting date of annexation public hearing for September 19, 2006 at 6:00 p.m.

Mr. Proctor reported that Town Clerk Jenny Larson has certified the petition for voluntary annexation of 103 Lewis Street. Commissioner Grantham made a motion to adopt Resolution 06-02 setting the date of annexation public hearing on 103 Lewis Street for September 19, 2006 at 6:00 p.m. Commissioner Lennon seconded the motion and it passed unanimously. A copy of this resolution is hereby incorporated by reference and made a part of these minutes.

Approval of CDBG Budget Amendments.

Commissioner Lennon made a motion to adopt the CDBG Budget Amendments for the MLK Avenue Revitalization as presented by The Wooten Company. Commissioner Townsend seconded the motion and it passed unanimously.

Second and final reading of Ordinance 06-101 – amending Chapter 50, Fats, Oils and Greases

Commissioner Grantham made a motion to adopt Ordinance 06-101 amending Chapter 50, Fats, Oils and Greases. Commissioner Townsend seconded the motion and it passed unanimously. A copy of the ordinance is hereby incorporated by reference and made a part of these minutes.

**New Business**

LRCOG Inspection/Code Assistance – Commissioner Lennon.

Commissioner Lennon introduced Mrs. Jan Maynor from the Lumber River Council of Governments. Mrs. Maynor gave the board a brief presentation on their Code Enforcement Assistance Program. Ms. Felicia Locklear was hired by the LRCOG to provide Code Enforcement on a contract basis to towns that need assistance. The cost is a \$500 annual retainer that includes a survey and report of problem areas and \$57 per hour for actual code enforcement of problems found. Commissioner Lennon made a motion to hold a workshop on Tuesday, August 29<sup>th</sup> at 6:00 p.m. in the Council Chambers to hear a detailed presentation on Code Enforcement by Ms. Felicia Locklear. Commissioner Townsend seconded the motion. Commissioner Grantham was concerned about farming out the town's code enforcement when the board just hired Mr. Proctor to

be the Code Enforcement Officer. Commissioner Lennon explained using the LRCOG will give us a survey of problem areas that Mr. Proctor can then enforce. Commissioner McCree felt Mr. Proctor should take care of the problems that already exist before adding on new ones. Mr. Proctor explained that he can do code enforcement and that using the LRCOG's services would give him a benchmark to see where the town is and where we can move forward. With no further discussion, the board unanimously voted to hold the workshop on Code Enforcement on August 29.

Community Activities Committee – Chairman Annie Durant

Community Activities Committee Chairman Annie Durant gave a report on the events held in the last year. Mrs. Durant stated that the events take a lot of time and planning and asked the Board to appoint additional members to the committee. Commissioner Capps and Lennon may appoint members and the remaining Board members may reappoint current committee members if desired. Appointments to the committee will be made at the September meeting.

Announcement regarding NC Small Town Main Street Program.

Mayor Kemp announced that Fairmont was one of three towns selected to participate in the North Carolina Small Town Main Street Program. He thanked Town Clerk Jenny Larson for her assistance in putting the grant application together. Mr. Bob Murphrey, Coordinator for the NC Small Town Main Street Program, will give a presentation on the downtown revitalization on Wednesday, September 6 at 6:00 p.m. in the Fire Hall. Mayor Kemp asked the board to adopt Resolution 06-03 adopting an agreement to participate in the North Carolina Small Town Main Street Program for 2006-2007. Commissioner Lennon made a motion to adopt Resolution 06-03 adopting an agreement to participate in the North Carolina Small Town Main Street Program for 2006-2007. Commissioner Sealey seconded the motion and it passed unanimously. A copy of the resolution is hereby incorporated by reference and made a part of these minutes.

Resolution 06-04 – North Carolina Highway Safety Program Grant

Mr. Proctor asked the board to adopt Resolution 06-04 for the North Carolina Highway Safety Program Grant. The town is receiving a \$12,000 grant with a \$3,000 local match for the purpose of purchasing a radar trailer to help reduce speeding and prevent accidents. Commissioner Grantham made a motion to adopt Resolution 06-04 for the North Carolina Highway Safety Program Grant in the amount of \$12,000. Commissioner Lennon seconded the motion and it passed unanimously. A copy of the resolution is hereby incorporated by reference and made a part of these minutes.

**Commissioners Input**

Commissioner Grantham thanked everyone for excusing her during her husband's sickness, surgery and recovery. She appreciated all the cards and phone calls.

**Manager Input**

Mr. Proctor announced that he would be attending a seminar in Raleigh tomorrow on water and wastewater and that he would be attending a seminar on marketing your community to retirees on September 11.

Mr. Proctor and Public Safety Director Robert Hassell were pleased to announce the town's purchase of a 1990 Volvo Fire Truck from the Raft Swamp Volunteer Fire Department for \$50,000. The truck meets all the Town's specifications and is in mint condition.

**Announcements**

Robeson County "Annual Industrial Appreciation Week" will be August 20 – August 26.

Reception for Town Manager Blake Proctor, Sunday, August 27 from 3:00 to 5:00 p.m. in the Fire Hall.

"Park it with the Mayor" – Saturday, September 2 at 10:00 a.m. at the Fairmont Community Park.

Town offices will be closed Monday, September 4 in observance of Labor Day.

Fairmont Chamber of Commerce, Monday, September 11, 6:30 p.m. in the Fire Hall.

Neighborhood Discussion Groups: Tuesday, September 5 – North Fairmont Zone, Rosenwald Cafeteria, 6:00 to 7:00 p.m.; Tuesday, September 12 – Central Fairmont Zone, Fairmont Middle Cafeteria, 7:00 to 8:00 p.m.; Tuesday, September 26 – South Fairmont Zone, Fire Hall, 6:00 to 7:00 p.m.

Fairmont Community Watch, Tuesday, September 26, 7:00 p.m. in the Courtroom.

Regular Town Board meeting, Tuesday, September 19h at 6:00 p.m. in the Council Chambers.

**Adjournment**

There being no further business, a motion was made and seconded to adjourn the meeting at 7:30 p.m.

Jennifer H. Larson, CMC  
Town Clerk

### **Special Board Meeting – August 29, 2006**

The Fairmont Board of Commissioners held a special meeting on Tuesday, August 29, 2006 at 6:00 p.m. in the Council Chambers with Mayor Charles Kemp presiding. Commissioners present were Wade Sealey, Mary Bruce Grantham, Wayland Lennon, III, and Jay Capps. Commissioners Charles Townsend and J.J. McCree were absent. Town Manager Blake Proctor, Town Clerk Jenny Larson, Finance Director Linda Vause, Tax Collector Rebecca Andrews and Felecia Locklear were also present.

Mayor Kemp called the meeting to order at 6:05 p.m. and Commissioner Lennon gave the invocation. Mayor Kemp stated the purpose of the meeting was to listen to a presentation by Ms. Felecia Locklear from the Lumber River Council of Governments on Code Enforcement issues.

Commissioner Lennon introduced Ms. Locklear. She presented a power point presentation on the LRCOG Code Enforcement program. Code Enforcement addresses these main problems: abandoned/junk vehicles, building structures without permits, minimum housing, weed control/overgrown lots and zoning issues.

The retainer for Ms. Locklear's services is \$500 and includes a comprehensive study of problem areas. Her hourly rate for enforcing problems is \$51.58 per hour. The town can choose what code enforcement issues it would like her to enforce and handle the rest in house.

There being no further business, the meeting adjourned at 7:00 p.m.

Jennifer H. Larson, CMC  
Town Clerk

## **Special Board Meeting – September 6, 2006**

The Fairmont Board of Commissioners held a special meeting on Wednesday, September 6, 2006 at 6:00 p.m. in the Fire Hall with Mayor Charles Kemp presiding. Commissioners present were Mary Bruce Grantham, and Jay Capps. Commissioners Charles Townsend, Wade Sealey, Wayland Lennon, III and J.J. McCree were absent. The following people also attended the meeting: Town Manager Blake Proctor, Town Clerk Jenny Larson, Finance Director Linda Vause, Tax Collector Rebecca Andrews, Public Works Director Ronnie Seals, Public Safety Director Robert Hassell, Water Collections Clerk Joyce Thompson, Town Chaplain Rev. Marc Werner, Donna Werner, Laura Kemp, Nina Johnson, Annie Durant, Dr. Christine Beserany, Butch Davis, Wanda Cox, Danny Cox, Anthony Sealey, Lenora Taylor, Dick Taylor, Linda Oliver-Link, Paul Thompson, John R. Jackson, Mary Worley, Elizabeth Haywood, Butch Lennon, Alex Collins, Sylvia Huggins, Jens Lutz, Huel Faulk, Eric Thompson, Bob Murphrey and Jason Epley.

Mayor Kemp called the meeting to order at 6:10 p.m. and announced that there was no quorum of the board. The purpose of the meeting was for Mr. Bob Murphrey to give a presentation on the North Carolina Small Town Main Street Program. Mr. Murphrey stated that Fairmont, along with Ayden and Mount Gilead, were selected by the North Carolina Department of Commerce to participate in the NC Small Town Main Street Program for 2006-2007. The Main Street Program has a four point approach: organization, design, promotion and economic restructuring. The grant provides technical assistance in the design, planning and promotion of downtown revitalization.

The first approach to the program is organization. Mr. Murphrey plans to establish a 30 person committee made up of individuals representing downtown business and property owners, chamber of commerce, bankers, real estate, existing committees, town staff, churches, civic organizations, elected officials, young people, retired people, and town residents who live near downtown. The committee will later be split into three sub-committees focusing on design, promotion and economic restructuring.

It was agreed to hold monthly Main Street committee meetings on the first Tuesday of each month at 6:00 p.m. in the Fire Hall. The next meeting will be Tuesday, October 3.

There being no further business, the meeting adjourned at 7:15 p.m.

Jennifer H. Larson, CMC  
Town Clerk

## **Regular Meeting – September 19, 2006**

The Fairmont Board of Commissioners held their regular meeting on Tuesday, September 19, 2006 at 6:00 p.m. in the Council Chambers with Mayor Charles Kemp presiding. Commissioners present were J.J. McCree, Wade Sealey, Wayland Lennon III, Charles Townsend, Mary Bruce Grantham, and Jay Capps. Staff present included Town Manager Blake Proctor, Town Clerk Jenny Larson, Public Works Director Ronnie Seals, Finance Director Linda Vause, Collections Clerk Joyce Thompson and Public Safety Director Robert Hassell. Town Attorney Rob Price was absent due to illness in his family. Others present included Town Chaplain Rev. Marc Werner, Donna Werner, John Jackson, Terry Evans and about 30 citizens.

Mayor Kemp announced that the meeting would begin with three public hearings.

### **Public Hearing – Voluntary Annexation – 103 Lewis Street**

The Public Hearing on the voluntary annexation of 103 Lewis Street began at 6:02 p.m. There was no public comment.

### **Public Hearing – USDA Rural Development – Fire Truck Loan**

The Public Hearing on the USDA Rural Development Fire Truck Loan began at 6:03 p.m. There was no public comment.

### **Public Hearing – Robeson County Solid Waste Management Plan – 3 Year Update**

The Public Hearing on the Robeson County Solid Waste Management Plan, three year update began at 6:04 p.m. There was no public comment.

### **Call to Order and Invocation**

Mayor Charles Kemp called the meeting to order at 6:05 p.m. Mayor Kemp asked everyone to keep Town Attorney Rob Price and his mother in their prayers. Town Chaplain Rev. Marc Werner gave the invocation.

### **Approval of Agenda**

Commissioner Sealey made a motion to approve the agenda. Commissioner Lennon seconded the motion and it passed unanimously.

**Public Comment Period/Citizens Appearance**

Mr. John Jackson – Coalition for Justice – LRCOG Code Enforcement services

Mr. John R. Jackson, President of the Coalition for Justice, read the following statement and requested that it be included in the minutes:

“We represent the members of an organization known as The Coalition for Justice; with the majority membership being Town of Fairmont tax paying citizens. We present the following to you and request that it be incorporated in the minutes of this meeting.

In your search for an individual to fill the manager's position, you advertised and publicly announced that the manager's position was being modified to include both, managerial and code enforcement duties and that anyone hired had to perform both duties.

The position was filled, however, within a two and a half month period; you are considering contracting with the Lumber River Council of Governments to perform the code enforcement duties at a cost of fifty (\$50.00) dollars per hour.

Members of our organization who have performed the duties of Code Enforcement Officer have calculated the time it is likely to take the Lumber River Council of Governments to perform a typical routine code enforcement violation, including travel time.

Typical Violation Actions	Hours
1. Receive, log in violation, prepare preliminary data	.25
2. Visit the violation site, assess violation requirements	.25
3. Research records for ownership & other data, document violation	2.00
4. Prepare hearing documents	.50
5. Prepare certified mailing	.25
6. Conduct hearing	.50
Total	3.75

Lumber River Council of Governments - When LRCOG performs code enforcement, travel to and from Town of Fairmont must be added. Each violation requires an initial visit and a hearing visit at the very minimum. Keep in mind that owners are also allowed to schedule meetings to discuss issues with the code enforcement officer.

1. Initial Visit To Document Violation	1.00
2. Visit to Conduct Hearing	1.00
Total	5.75

Page 3 – Regular Meeting, September 19, 2006

At 5.75 hours per violation, each violation is expected to cost at least \$287.50, plus or minus. Assuming that the town intends to aggressively enforce the code as part of its clean up effort, it is reasonable to expect that there will be at least 1 code violation per week. At \$287.50 per violation, it is reasonable to expect that the annual cost would be approximately \$14,950 per year.

As an employee of the town, my duties were Fire Chief/Code Enforcement Officer/Rehabilitation Specialist with an annual salary of forty thousand (\$40,000) dollars per year.

As an employee of the town, Katrina Tatum's duties were Interim Manager, Code Enforcement Officer, Grants Manager and Grant Writer, at fifty-four thousand three hundred (\$54,300) dollars per year.

It was advertised that the Manager/Code Enforcement Officer position pays forty-eight thousand (\$48,000) dollars per year. Adding the additional cost of fourteen thousand nine hundred fifty (\$14,950) dollars, the town's costs to secure the same duties that myself and Ms. Tatum performed would be approximately sixty two thousand nine hundred fifty (62,950.00) dollars per year.

A review of these figures would seem to demonstrate that the town was indeed fortunate to have had such capable individuals in key positions protecting and serving the citizens of Fairmont.

The saying that "You are cutting off your nose off to spite your face," seems appropriate in this case. Instead of the savings of the six thousand three hundred (\$6,300) dollars it appeared that the town was getting in hiring a new manager at the forty-eight thousand (\$48,000) dollar level, it appears that in reality, you are prepared to spend \$8,650 dollars more to achieve the same level of competency you had when Ms. Tatum and I performed the same duties.

As tax paying citizens, the Coalition for Justice wants to make it perfectly clear that we believe this contemplated action is unacceptable and deceptive.

A copy of this letter is being given to the Robesonian and the Fayetteville Observer and again, I ask that it be made a part of the minutes of this meeting, unedited.

For clarification, the Coalition for Justice will assist ANY citizen or property owner who feels they have been unfairly treated; whether intentional or unintentional.”

Terry Evans – Festival Grand Marshals

Mr. Evans suggested that in the future the Fairmont Farmer’s Festival should have more than one Grand Marshal and suggested Robeson County Commissioners Hubert Sealey and Tom Taylor.

**Consent Agenda**

Upon motion by Commissioner Grantham, seconded by Commissioner Capps, it was unanimously voted to adopt the following consent agenda item:

- a. Approval of Minutes – Regular Meeting August 15, Special Meetings August 29 and September 6.
- b. Set Issue Forum for Tuesday, October 10 at 6:00 p.m. in the Fire Hall.

**Unfinished Business**

Reorganize, appoint members to Community Activities Committee

The board appointed/reappointed the following members to the Community Activities Committee:

Mayor Kemp:	John Morgan
Commissioner Grantham:	Angie Lovin
Commissioner McCree:	Fred Hill
Commissioner Townsend:	Robert Walters
Commissioner Sealey:	Steve Floyd
Commissioner Lennon:	Butch Davis
Commissioner Capps:	still working on his appointment

LRCOG Code Enforcement services decision.

Commissioner Lennon would like to retain the Lumber River Council of Governments Code Enforcement services because it will give a detailed assessment of what the town's problems are so they can be sufficiently addressed. Commissioner Lennon stressed that using the LRCOG services is not a replacement for the town's Code Enforcement Officer. Commissioner Grantham would like for Town Manager Blake Proctor to give a monthly report on the code enforcement issues he has worked on. Commissioner McCree reiterated the town hired Mr. Proctor to perform both the jobs of Town Manager and Code Enforcement Officer. Mr. Proctor replied he can do code enforcement and that he is doing it now. He added that using the LRCOG services would give him a database to work from. Commissioner Grantham suggested waiting a year before hiring the LRCOG. Commissioner Townsend was concerned about the timing and suggested giving Mr. Proctor more time to do code enforcement on his own. Commissioner Lennon made a motion to engage the Lumber River Council of Governments Code Enforcement services at an annual retainer of \$500 to be funded from the nuisance abatement fund. Commissioner Sealey seconded the motion. The motion passed 4 to 3 with the following vote:

For:	Commissioners Lennon, Sealey, Capps, Mayor Kemp
Against:	Commissioners Grantham, McCree, Townsend

Resolution 06-05 approving financing terms for sewer flusher truck.

Commissioner Lennon made a motion to adopt Resolution 06-05 approving financing terms for the sewer flusher truck. Commissioner Grantham seconded the motion and it passed unanimously. A copy of this resolution is hereby incorporated by reference and made a part of these minutes.

Resolution 06-06 endorsing and adopting three year update of the Robeson County Solid Waste Management Plan.

Commissioner Townsend made a motion to adopt Resolution 06-06 endorsing and adopting three year update of the Robeson County Solid Waste Management Plan. Commissioner Sealey seconded the motion and it passed unanimously. A copy of this resolution is hereby incorporated by reference and made a part of these minutes.

USDA Rural Development Loan for Fire Truck and adoption of Resolution 06-07 and Resolution 06-08.

Commissioner Lennon made a motion to adopt Resolution 06-07, a Loan Resolution authorizing and providing for the incurrence of indebtedness for the purpose of acquiring a used fire truck and equipment. Commissioner Capps seconded the motion and it passed unanimously. A copy of this resolution is hereby incorporated by reference and made a part of these minutes.

Commissioner Lennon made a motion to adopt Resolution 06-08 accepting a loan from USDA Rural Development. Commissioner Grantham seconded the motion and it passed unanimously. A copy of this resolution is hereby incorporated by reference and made a part of these minutes.

Ordinance 06-102 extending corporate limits by annexing 103 Lewis Street.

Commissioner Townsend made a motion to adopt Ordinance 06-102 extending the corporate limits of the Town of Fairmont by annexing 103 Lewis Street. Commissioner McCree seconded the motion and it passed unanimously. A copy of this ordinance is hereby incorporated by reference and made a part of these minutes.

**New Business**

Donna Werner – donation to Fire Department

Mrs. Donna Werner presented a check for \$100 to the Fairmont City Fire Department on behalf of Trinity United Methodist Church's Vacation Bible School.

ABC Board donation.

Mr. Jimmy Byrne, Chairman of the Fairmont ABC Board, stated in a letter to Town Manager Blake Proctor that the ABC Store will be writing a check to the town in the amount of \$8,000. The ABC Board recognizes that the appearance of the town has a direct impact on the volume of trade the store has and for this reason, they are requesting that the funds be used in their entirety to convert the property formally occupied by the old theater into a park. Commissioner Capps made a motion to accept the generous donation of \$8,000 from the Fairmont ABC Board with the funds earmarked for the creation of a park on the old theater site on Main Street. Commissioner Sealey seconded the motion and it passed unanimously.

Mayor Input

Mayor Kemp thanked Town Manager Blake Proctor for working with the property owner in removing the debris at the corner of Trinity and Iona Streets.

Commissioners Input

Commissioner Townsend thanked the citizens for coming to the meeting and showing their support.

Commissioner McCree requested a report on the Old Field Drainage Project for the October meeting.

Commissioner Sealey thanked Town Clerk Jenny Larson for her work on the Fairmont Farmers Festival. He encouraged the citizens to take advantage of the fall clean up weeks and take pride in our town.

Commissioner Lennon is working on scheduling a date so any citizen who still has clothes at Southeast Drycleaners can get them out.

Manager Input

Mr. Proctor announced that the official population of the town is 2,732.

Announcements

Sunday, September 24 – Civitan Charity Ride, 10:00 a.m., Civitan Baseball Complex.

September 25 – October 6 – Fall Clean Up Weeks.

Tuesday, September 26 – Community Watch, 7:00 p.m., Courtroom

Tuesday, October 3 – NC Small Town Main Street Committee Meeting, 6:00 p.m., Fire Hall.

Page 7 – Regular Meeting, September 19, 2006

Saturday, October 7 – “Park it with the Mayor,” 10:00 a.m., Community Park.

Sunday, October 8 – Bluegrass Concert, 4:00 p.m., Community Park, sponsored by the Community Activities Committee.

Monday, October 9 – Fairmont Chamber of Commerce, 6:30 p.m., Fire Hall.

Tuesday, October 10 – Issue Forum, 6:00 p.m., Fire Hall.

Saturday, October 14 – Fairmont Farmers Festival Pageant, 3:00 p.m. and 6:00 p.m., E. R. Gause Auditorium, Rosenwald Elementary School.

Sunday, October 15 – Shriner’s Chicken Fry, Fire Hall.

Tuesday, October 17 – Regular Town Board Meeting, 6:00 p.m., Council Chambers.

Thursday, October 19 – LRCOG Annual Dinner Meeting, 6:00 p.m., Southeastern Agricultural Center, Lumberton.

Saturday, October 21 – 20<sup>th</sup> annual Fairmont Farmers Festival, Main Street.

**Adjournment**

There being no further business, a motion was made and seconded to adjourn the meeting at 7:00 p.m.

Jennifer H. Larson, CMC  
Town Clerk

## Issue Forum – October 10, 2006

The Fairmont Board of Commissioners held a special issue forum on Tuesday, October 10, 2006 at 6:00 p.m. in the Fairmont Fire Hall with Mayor Charles Kemp presiding. Commissioners present were Jay Capps, Wade Sealey, and Mary Bruce Grantham. Commissioners J.J. McCree, Wayland Lennon, III and Charles Townsend were absent. Staff present included Town Manager Blake Proctor, Finance Director/Deputy Town Clerk Linda Vause and Public Safety Director Robert Hassell. Others present included Terry Evans, Annie Durant, James Lennon, Maitland Hunt, Peggy Spencer, Phostenia McCrimmon, Huel Faulk and several other concerned citizens.

Mayor Kemp called the meeting to order and Town Chaplain Rev. Marc Werner gave the invocation.

Mr. Kemp explained that this was an open forum. He asked the citizens in attendance to express any concerns or questions that they might have.

Mrs. Maitland Hunt of Walnut Street complained about the water plant on Gertrude Street. The plant is operating very loudly. Mr. Proctor told Mrs. Hunt that the staff is aware of the problem. A part needed to remedy this situation has been ordered. This part has to be specifically made for our plant due to the plant's age. Mrs. Grantham added that much of our water and sewer systems are aged and need to be repaired and or replaced. The problem is the funding for the work.

Mrs. Hunt discussed the Town's water line that runs through her property. This was done many years ago. She asked that the Town provide a load of dirt for the erosion problem she is having. Mr. Proctor will check to see if the Town can do this for her.

Mr. Terry Evans asked about security plans for the upcoming Farmers' Festival. He mentioned the problems at the 2005 Festival. Public Safety Director Robert Hassell addressed Mr. Evans' concerns. Mr. Hassell stated that we would have law enforcement officers from several towns. This is part of our mutual aid agreements. Mr. Hassell anticipates at least twenty five officers. This year the fire fighters will be in uniform and have radios and be the "eyes and ears" for the police department.

Commissioner Wade Sealey commended Mr. Hassell for his work at last year's festival. Commissioner Grantham praised the Chief for this past Friday night's Fairmont High School Homecoming game. The Chief had extra officers on duty after the ball game to take care of any issues that might arise.

Mr. Evans asked if Community Watch is still active in Fairmont. Mrs. Annie Durant responded "yes." The Community Watch meets the fourth Tuesday of each month at 7:00 p.m. in the courtroom. Last month they had a presentation on internet security. This month they will be discussing the Town's curfew.

Ms. Phostenia McCrimmon asked if a date had been determined when residents can pick up their clothing articles from the now defunct dry cleaners. Mr. Proctor stated that Commissioner Lennon is working on this. He stated that when a date is determined, we will try to put that on the water bills.

Commissioner Sealey said he wished someone could buy the cleaners and open it back up. Mr. Huel Faulk said that the Town might be able to give incentives to someone who would open a cleaners in Town. Commissioner Jay Capps said that one of the problems with the old cleaners was their equipment. Much of the equipment is old and in disrepair. Ms. McCrimmon said we should start a group to "save our cleaners." Mr. James Lennon mentioned a man from Rowland that comes to Fairmont to pick up cleaning from individuals. Mr. Kemp asked Mr. Lennon to please get him the man's name and phone number.

Mr. Huel Faulk asked about the problem of gangs in Town. Chief Hassell responded that he was to attend a forum on gangs at Cedar Grove Church. Mr. Proctor asked Mr. Faulk to meet with him to discuss the problem. Commissioner Grantham said she would like to attend the meeting.

Chief Hassell reported the officers are now enforcing the current Town curfew. Mr. Hassell wants the Board to look at possibly amending our current curfew. He would like for the policy to be stricter. Chief Hassell added that his next article in the "Robeson Journal" would be about the Town's curfew.

Mayor Kemp thanked everyone for coming to the issue forum and announced the next one will be in January. There being no further business, the meeting adjourned at 7:00 p.m.

Linda Vause  
Deputy Town Clerk

## **Regular Meeting – October 17, 2006**

The Fairmont Board of Commissioners held their regular meeting on Tuesday, October 17, 2006 at 6:00 p.m. in the Council Chambers with Mayor Charles Kemp presiding. Commissioners present were J.J. McCree, Wayland Lennon III, Charles Townsend, Mary Bruce Grantham, and Jay Capps. Commissioner Wade Sealey was absent because he was out of town. Staff present included Town Manager Blake Proctor, Town Attorney Rob Price, Town Clerk Jenny Larson, Public Works Director Ronnie Seals, Finance Director Linda Vause, Tax Collector Rebecca Andrews and Public Safety Director Robert Hassell. Others present included Town Chaplain Rev. Marc Werner, Donna Werner, John Jackson, Vicky McKoy, Christine McDaniel, Huel Faulk, Annie Durant, Raymond Johnson, Nina Johnson, Peggy Spencer, Butch Davis, Bridget Bass, Webelos Pack 320, Fairmont Farmers Festival Queens and about 20 citizens.

Mayor Kemp announced that the meeting would begin with a public hearing.

### **Public Hearing – Project Metal-Wire**

The Public Hearing on Project Metal-Wire began at 6:01 p.m. Town Manager Blake Proctor explained that Project Metal-Wire involves a 30,000 square foot expansion with a total investment of \$6 million for Phase I and \$2 million for Phase II. It will create 30 jobs in Phase I and 30-40 jobs in Phase II. The project will meet the county average wage rate of \$9.50 an hour. A Level I Incentive Grant for the project will consist of a 50% property tax reduction for five years. The Robeson County Board of Commissioners has already approved their portion of the incentive grant. Mayor Kemp closed the public hearing at 6:05 p.m.

### **Call to Order and Invocation**

Mayor Charles Kemp called the meeting to order at 6:05 p.m. Mayor Kemp asked everyone to remember Town Attorney Robert Price and his family in their prayers. Mr. Price's mother passed away today. Town Chaplain Rev. Marc Werner gave the invocation.

### **Mayor Presentations**

#### **Recognition of Webelos Pack 320 and their Den Leader**

Mayor Kemp recognized Webelos Pack 320 and their Den Leader, Bridgett Bass. The pack members are Daniel Bass, T.J. Livingston, Sebastian Kohlhaas, Trenton Lawson, Tyler Beal, Dylan Floyd, Bryan Collier and Zack Lovette. Sebastian Kohlhaas asked Mayor Kemp what he does as Mayor of Fairmont. Mayor Kemp responded that he conducts town board meetings, keeps office hours, keeps the board advised of things going on in town but his main job is to be a cheerleader to keep the citizens enthusiastic, energetic and excited about the town.

Presentation of Pride in Fairmont Certificates

Mayor Kemp presented a Pride in Fairmont Certificate to Butch Davis, President of the Fairmont Civitan Club, for showing pride by supporting young people with the Civitan baseball program and the charity motorcycle rides including the ride in memory of Billy Wilcox.

Mayor Kemp also had a Pride in Fairmont Certificate for Angie Lovin but she was unable to attend the meeting. Mrs. Lovin has shown pride in Fairmont with her work organizing Fairmont soccer and the Fairmont Farmers Festival Pageant.

Recognition of newly crowned Fairmont Farmers Festival Queens

Mayor Kemp introduced the 2006-2007 Fairmont Farmers Festival Queens. They are Wee Miss Ruby Parker, Little Miss Melissa Britt, Tiny Miss Yasmon Carter, Junior Miss Elizabeth Rogers, Teen Miss Terri Britt, Miss Brittany Lovette, Mini Ambassador Courtney McCormick and Miss Ambassador Brianna Hunt. Miss Ambassador Brianna Hunt presented Mayor Kemp and Chief Robert Hassell with framed pictures of the 2005-2006 queens and thanked them for their support.

**Approval of Agenda**

Commissioner Sealey made a motion to approve the agenda. Commissioner McCree seconded the motion and it passed unanimously.

**Public Comment Period/Citizens Appearance**

Ms. Vicky McKoy – Board agendas

Ms. Vicky McKoy, of 703 Martin Luther King Drive, expressed appreciation for the flyers and newsletters sent to area churches and businesses. She sees this as a positive way to keep citizens informed and involved. She suggested sending board agendas to the churches and businesses as well as placing copies in the water department so the public can know ahead of time what will be discussed at the meetings. Ms. McKoy feels that getting board agendas ahead of time will encourage citizens to be more actively involved in the governing of the town.

Mrs. Christine McDaniel – update on abandoned houses near her home

Mrs. Christine McDaniel asked for an update on the abandoned houses near her home. Mr. Proctor responded that the home at 900 Iona Street is on a list of houses the town hopes to burn as part of a fire training exercise. The owner of the property behind Mrs. McDaniel plans to renovate it in the next couple of months.

**Consent Agenda**

Upon motion by Commissioner Capps, seconded by Commissioner Lennon, it was unanimously voted to adopt the following consent agenda item:

- a. Approval of Minutes – Regular Meeting September 19, 2006.

**Unfinished Business**

Ordinance 06-103 adopting revised Fairmont Code of Ordinances.

Commissioner Grantham was concerned about adopting the revised code of ordinances without reviewing it to make sure everything was legal and correct. Town Attorney Robert Price agreed that a review should be made before adopting the ordinances. Commissioner Grantham made a motion to table adopting the revised code of ordinances until the November board meeting to give the board a chance to review the book. Commissioner McCree seconded the motion and it passed unanimously.

Update on Old Field Drainage Project.

Mr. Proctor gave the board an update on the Old Field Drainage Project. Hobbs, Upchurch & Associates have estimated the construction cost to be \$61,552.00. Mr. Proctor proposed that the new CDBG application be for the Old Field area so that the money from the grant will pay for the drainage improvement costs. There will be a public hearing on the new CDBG application at the November board meeting. Commissioner Lennon suggested talking to the banks about a loan for next year's budget in case the town does not get the CDBG grant. Commissioners McCree and Grantham asked to tour the Old Field area with Public Works Director Ronnie Seals to get a better understanding of the drainage improvement plan. They also asked that any citizen interested in the plan also be allowed to attend. Commissioner McCree asked for a timeline on the Old Field Drainage project. Mr. Proctor replied that the CDBG public hearing would be held at the November meeting and that the town should know by February if the CDBG grant is approved. The town should be able to get bids out and start work in April.

Recess

Mayor Kemp called for a five minute recess at 6:47 p.m. to discuss an issue with Mr. Proctor. Mayor Kemp called the meeting back to order at 6:52 p.m.

**New Business**

Project Metal-Wire.

Commissioner Grantham made a motion to approve a Level I Incentive Grant for Project Metal-Wire with the grant being contingent upon the company meeting the following parameters: an investment of \$6 million in Phase I, creation of 30 jobs and starting wages of at least \$9.50 an hour. Commissioner Townsend seconded the motion and it passed unanimously.

Request for Community Activities Committee to explore presenting a spring weekend street festival similar to one held in Dillon, SC., with report to be made at the December board meeting.

Mayor Kemp explained that Mr. Bob Murphrey with the North Carolina Small Town Main Street Program suggested the town consider hosting a second festival to compliment the Farmers Festival. Mayor Kemp asked Community Activities Committee Chairman Annie Durant to have her committee study the possibility of a spring weekend street festival with a report to be made at the December board meeting. Mrs. Durant responded the committee will meet in November and will work hard to come back to the board with something feasible.

Discuss erecting a master sign for all town civic clubs.

Commissioner Grantham suggested erecting a master sign to attach the civic groups' signs so people coming into town will know what Fairmont has to offer. The board agreed to study the sign suggestion and discuss it further at the November board meeting.

Discuss placing speed bumps in play areas.

Commissioner Grantham suggested placing simple speed bumps on streets where there are lots of children playing, especially near recreation areas. She said it is not expensive to put down a metal form and cover it with asphalt. The board agreed to place speed bumps on the November agenda and install according to need.

**Mayor Input**

Mayor Kemp announced that the Town of Fairmont, along with four non-profit groups, applied for and were awarded 500 azaleas. The plants will be picked up from Raleigh next week and Melissa Hoggard with the Robeson County Agricultural Extension office will help with their placement around town. The upgrade of the four entrance signs will be completed by the end of the year with the work being completed by the Robeson County 4-H.

Mayor Kemp read an announcement from U.S. Congressman Mike McIntyre. The Town of Fairmont has received a \$300,000 federal grant from USDA Rural Development to establish a revolving loan fund to assist small businesses and create jobs. Initially, the town will loan funds to DayStar Embroidery & Screenprint to expand their commercial cleaning business and create 20-25 jobs.

Mayor Kemp passed out copies of the minutes from his Neighborhood Zone meetings.

Mayor Kemp also thanked Town Clerk Jenny Larson for her work on the Fairmont Farmers Festival.

### **Commissioners Input**

Commissioner Capps announced that his appointment to the Community Activities Committee is Mary Lou Sealey.

Commissioner Grantham announced the creation of a gang committee composed of herself, Huel Faulk, Public Safety Director Robert Hassell and Town Manager Blake Proctor. The committee is recommending changing the curfew so that anyone under 18 is kept off the streets after curfew begins at 11:00 p.m. Mr. Proctor is drafting an ordinance for first reading for the November meeting.

### **Manager Input**

Mr. Proctor has sent out letters to property owners whose houses would be suited for controlled burns as fire training exercises. The property owners of 307 S. Walnut Street and the corner of Cottage and Powell Street have given their written permission. The property at 107 McDaniel Street is in the process of filing for a building permit to be renovated and the property at 205 Morro Street has already burned to the ground.

Mr. Proctor is also working on several ordinance amendments including curfew, signs and nuisance abatement.

Mr. Proctor requested the board consider authorizing a long term comprehensive plan for the Town of Fairmont. The plan will take several months to complete and will include public input and participation. Mr. Proctor will put the plan on the November board agenda.

Mr. Proctor is also looking at creating a Building Inspection Department that will generate the money it takes to operate.

**Announcements**

Saturday, October 21 – 20<sup>th</sup> annual Fairmont Farmers Festival, Main Street. Dignitary reception, Museum 9:00 a.m. Parade, 10:00 a.m. Warehouse dance featuring Goldrush, Hi-Dollar Warehouse, 9:00 p.m.

Tuesday, October 24 – Fairmont Community Watch, Courtroom, 7:00 p.m.

Tuesday, October 31 – Halloween trick or treating hours 5:30 to 8:00 p.m.

Tuesday, October 31, - Mad Scientist Dr. Electrode (Mayor Kemp) will give out candy to town kids on the front porch of Town Hall from 6:30 to 7:30 p.m.

Saturday, November 4 – “Park it with the Mayor” (weather permitting) 10:00 a.m., Fairmont Community Park.

Tuesday, November 7 – Election Day.

Friday, November 10 – Town Office closed in observance of Veteran’s Day.

Saturday, November 11 – Veterans Day Program, Town Hall and Memorial Park, 7:30 – 8:00 a.m. The service will include a flag lowering and raising, the playing of taps, speakers, the offering of flags to all veterans, and a wreath placement at the memorial marker. All area veterans regardless of when or where they served, or their branch of service, are cordially invited to this program in their honor. Coffee and donuts will be served.

Saturday, November 11 – “Trash to Treasure” sponsored by the Community Activities Committee. Town Hall parking lot, 8:00 a.m. to 12:00 noon. Selling spaces will be for rent in the parking spaces of town hall and items sold will range from antiques, collectables, attic treasures, yard sale items and junk.

Saturday, November 18 – Lumberton Christmas Parade. Mayor Kemp will be participating as a guest.

Tuesday, November 21 – Regular Town Board meeting, Council Chambers, 6:00 p.m.

Wednesday, November 22 – Town Employee/Family Cookout, Fire Hall, 12:00 noon.

Thursday, November 23 and Friday, November 24 – Town offices closed in observance of Thanksgiving.

Tuesday, November 28 – Robeson County Municipal Association meeting hosted by the Town of Fairmont. First Baptist Church Fellowship Hall, South Main Street at 7:00 p.m. Mr. Bob Murphrey, NC Small Town Main Street Coordinator will be the guest speaker.

**Adjournment**

There being no further business, a motion was made and seconded to adjourn the meeting at 7:15 p.m.

Jennifer H. Larson, CMC  
Town Clerk

## **Regular Meeting – November 21, 2006**

The Fairmont Board of Commissioners held their regular meeting on Tuesday, November 21, 2006 at 6:00 p.m. in the Council Chambers with Mayor Charles Kemp presiding. Commissioners present were J.J. McCree, Wayland Lennon III, Wade Sealey, Charles Townsend, Mary Bruce Grantham, and Jay Capps. Staff present included Town Manager Blake Proctor, Town Attorney Robert Price, Town Clerk Jenny Larson, Public Works Director Ronnie Seals, Finance Director Linda Vause, Tax Collector Rebecca Andrews and Public Safety Director Robert Hassell. Others present included Town Chaplain Rev. Marc Werner, Donna Werner, Jim Bell, Laura Kemp, Ron Ross, Fairmont High School Girls Tennis Team and about 50 citizens.

Mayor Kemp announced that the meeting would begin with a public hearing.

### **Public Hearing – CDBG application**

The public hearing on the CDBG application opened at 6:02 p.m. Mr. Jim Bell, Senior Community Development Specialist with The Wooten Company, gave an overview of the CDBG application process. The area to be considered for the next CDBG grant is the Old Field area including Stafford and Canal Streets. The application is due February 1, 2007. The CDBG program is very competitive and it will be May or June before the town will know if the application is approved for funding. Mr. Bell said the town could apply for funds ranging from \$850,000 to \$1,000,000. The drainage and infrastructure needs, plus the condition of the homes in the Old Field area, should give the town a very competitive application. Terry Evans asked if the town had a backup plan for fixing the drainage problems if the CDBG application is not approved. Commissioner Grantham replied that the town will borrow the money to do the work. The public hearing closed at 6:21 p.m.

### **Call to Order and Invocation**

Mayor Charles Kemp called the meeting to order at 6:21 p.m. and wished everyone a Happy Thanksgiving. Town Chaplain Rev. Marc Werner gave the invocation.

### **Mayor Presentations**

#### **Recognition of Fairmont High School Girls Tennis Team**

Mayor Kemp recognized the Fairmont High School Girls Tennis Team for being 2006 Conference Champions.

#### **Presentation of Pride in Fairmont Certificates**

Mayor Kemp presented a Pride in Fairmont Certificate to the son of Mr. and Mrs. Tom Zindros for their 17 years of business in Fairmont with You'll Love It Pizza. Mr. Zindros recently sold the business.

**Approval of Agenda**

Commissioner Lennon made a motion to approve the agenda. Commissioner Sealey seconded the motion and it passed unanimously.

**Public Comment Period/Citizens Appearance**

No one signed up for the Public Comment Period.

**Consent Agenda**

Upon motion by Commissioner Grantham, seconded by Commissioner Capps, it was unanimously voted to adopt the following consent agenda item with the change of adding an “s” to Webelo in the October 17 minutes.

- a. Approval of Minutes – Issue Forum, October 10, 2006 and Regular Meeting October 17, 2006.

**Unfinished Business**

Ordinance 06-103 adopting revised Fairmont Code of Ordinances.

Commissioner Grantham made a motion to adopt Ordinance 06-103 adopting the revised Fairmont Code of Ordinances. Commissioner Townsend seconded the motion and it passed unanimously. This ordinance is hereby incorporated by reference and made a part of these minutes.

Discuss erecting a master sign for all town civic clubs.

Commissioner Grantham has been contacting sign and fence companies about the possibility of erecting a master sign for all the town civic clubs. She suggested tabling the sign idea until more information can be gathered and the civic clubs contacted. Commissioner Grantham made a motion to table the erection of a master sign for all town civic clubs for two to three months. Commissioner Capps seconded the motion and it passed unanimously.

Discuss placing speed bumps in play areas.

Town Manager Blake Proctor asked the board to give him authority to place speed bumps in recreation and play areas to slow down traffic. Commissioner Grantham made a motion to give the Town Manager authority to place speed bumps in recreational or play areas for the protection of citizens as he deems necessary. Commissioner Townsend seconded the motion and it passed unanimously. Commissioner Lennon asked that the residents be queried before installation of any speed bumps.

Appearance Committee report – Mrs. Laura Kemp.

Mrs. Laura Kemp, Co-Chairman of the Fairmont Appearance Committee, gave a report to the board. She announced that the committee has morphed into the design sub-committee of the Small Town Main Street Committee. They are working with Amanda Bosch to create a downtown that will be inviting. Some of the improvements that have taken place include the removal of the trees, new mural painting in the theater park, free azaleas planted in the community park and the information sign at the library. Mrs. Kemp said people are noticing even the smallest changes and it is increasing pride in Fairmont.

Discussion of Boys and Girls Club.

Mr. Ron Ross with the Lumberton Boys and Girls Club gave a presentation on what Fairmont would have to do to sponsor a club. The national Boys and Girls Club would give seed money for the first year of operation. Mr. Ross feels the town could run a storefront club for around \$42,000 to \$45,000 a year. Mr. Ross asked the board to consider budgeting \$15,000 for the Boys and Girls Club for 2008 because the national club would cover the expenses for the first year. The balance of the money can be raised with grants and fundraising, including joint ventures with the Lumberton club. Commissioner Sealey made a motion to have Mr. Ron Ross with the Boys and Girls Club to come back to the January board meeting to present a budget proposal. Commissioner Grantham seconded the motion and it passed unanimously.

Acceptance of donation of property from Fairmont Civitan Club.

Mr. Proctor asked the board to accept a non-warranty deed of .58 acres from the Fairmont Civitan Club to the Town of Fairmont for the purpose of industrial development. Commissioner Lennon made a motion to accept the donation of property from the Fairmont Civitan Club for the purpose of industrial development. Commissioner Grantham seconded the motion and it passed unanimously.

**New Business**

Resolution 06-10 - Transfer of property to Committee of 100.

Mr. Proctor asked the board to adopt Resolution 06-10, transferring two pieces of property from the Town of Fairmont to the Committee of 100. The purpose of this resolution is so the Committee of 100 can directly transfer the property to an industry. Mr. Proctor explained that a public entity cannot transfer property to a private entity. Commissioner Lennon made a motion to adopt Resolution 06-10, to transfer two pieces of property to the Committee of 100. Commissioner Capps seconded the motion and it passed unanimously. A copy of this resolution is hereby incorporated by reference and made a part of these minutes.

CDBG application.

Mr. Proctor announced that the first public hearing was held earlier tonight and that the application will be approved at the second public hearing in January.

Ordinance 06-104, Amending Section 132.04, curfew for minors.

Mr. Proctor read Ordinance 06-104, amending Section 132.04, curfew for minors:

**AN ORDINANCE OF THE TOWN OF FAIRMONT, ROBESON COUNTY, NORTH CAROLINA, AMENDING SECTION 132.04, CURFEW FOR MINORS, OF THE CODE OF ORDINANCES BY ADDING THERETO, LANGUAGE TO INCLUDE UNDER THE CURFEW REGULATION, OLDER MINORS; AND ESTABLISHING AN EFFECTIVE DATE.**

**Now, therefore, be it ordained** by the Town of Fairmont Board of Commissioners that the Fairmont Code of Ordinances is hereby amended as follows:

**Section 1.** That Section 132.04 (B) is hereby amended by redefining the term “**MINOR**” to read as follows:

“**MINOR.** A person who has not reached his or her eighteenth birthday and is not married, emancipated or a member of the armed services of the United States; the term **MINOR** shall include juvenile minors and adolescent minors.”

**Section 2.** That Section 132.04 (B) is hereby further amended by adding thereto definitions to read as follows:

“**JUVENILE MINOR.** A minor as defined herein who has not reached his or her sixteenth birthday.

**ADOLESCENT MINOR.** A minor as defined herein who has reached his or her sixteenth birthday, but has not reached his or her eighteenth birthday.”

**Section 3.** That Section 132.04 (D)(1) is hereby amended in its entirety to read as follows:

“(1) Time limits. It is unlawful for any juvenile minor to be or remain upon any public place as defined in this chapter in the town between 11:00 p.m. and 6:00 a.m. on Monday through Sunday.

It shall be unlawful for any adolescent minor to be or remain upon any public place as defined in this chapter in the town between midnight and 6:00 a.m. on Monday through Sunday.”

**Section 4.** That this ordinance shall become effective immediately upon its passage and adoption.

Commissioner Lennon made a motion to adopt Ordinance 06-104, amending Section 132.04, curfew for minors on its first reading. Commissioner Grantham seconded the motion and it passed unanimously. Town Attorney Robert Price said the ordinance did not require a second reading since it was approved unanimously. A signed copy of the ordinance is hereby incorporated by reference and made a part of these minutes.

NCLM Vision Survey and adopt Resolution 06-09 supporting the NCLM Strategic Directions Initiative.

Town Clerk Jenny Larson asked the board to participate in the North Carolina League of Municipalities Vision Survey and to adopt Resolution 06-09 supporting the NCLM Strategic Directions Initiative. Commissioner Grantham made a motion to adopt Resolution 06-09 supporting the NCLM Strategic Directions Initiative. 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.

Land Purchase – Louie Bodenhamer (Lot on North Walnut Street).

Mr. Proctor announced he received a letter from Mr. Louie Bodenhamer of Rowland, who is interested in purchasing the town owned lot on North Walnut Street (Township 30 Map 2 Block 1 Lot 7). Town Attorney Robert Price said Mr. Bodenhamer needs to make a specific offer for the property and suggested the minimum offer be the tax value of \$52,550. Mr. Proctor said he would talk to Mr. Bodenhamer and get a negotiated offer. Commissioner Grantham made a motion to explore the possibility of selling the town owned property on North Walnut Street through negotiated offer, advertisement and upset bid. Commissioner Capps seconded the motion and it passed unanimously.

Request for Community Activities Committee to plan and present a Martin Luther King Program on January 15, 2007.

Ms. Annie Durant, Chairman of the Community Activities Committee, said the 2007 calendar of events is ready but needs final approval from the committee. She would like to present the calendar of events at the December board meeting, which will include a program for Martin Luther King, Jr. Day. Commissioner Sealey made a motion to support the Community Activities Committee plans for a Martin Luther King, Jr. Day program. Commissioner Grantham seconded the motion and it passed unanimously.

Glenda Jackson, RCC – discuss WIA Youth Services.

Mrs. Glenda Jackson from RCC discussed the Workforce Investment Act (WIA) Youth Services program. The program is designed for youth ages 16-21 who are income eligible, pregnant, dropouts, etc. The program pays tuition for occupational skills such as CNA, medical technology, and auto repair. The program also gives each youth paid work experience which counts toward a high school diploma as well as providing transportation and child care services. One of the participants, Alicia, is working at Town Hall in the afternoons.

Discussion of need for Comprehensive Plan.

Mr. Proctor asked the board to give him the authority to move forward with a Comprehensive Plan for the town. He will need input from the Planning Board as well as the public and it should take 6 to 10 months to complete. Commissioner Capps made a motion to give Town Manager Blake Proctor the authority to go forward with the town's Comprehensive Plan. Commissioner Lennon seconded the motion and it passed unanimously.

**Mayor Input**

Mayor Kemp announced that his "Seniors in Touch" program was up and running. There will be a Christmas social for the seniors in mid-December and plans to have monthly bingo sessions in the future.

Mayor Kemp complimented Annie Durant, John Morgan and the rest of the Community Activities Committee for the successful "Trash to Treasure" program held on Veteran's Day.

Mayor Kemp thanked Commissioner Lennon for his work on getting Southeast Cleaners to open up one final time so citizens could get out their clothing.

**Commissioners Input**

Commissioner Townsend feels the town's curfew treats kids as criminals and asked the board to look at every possible avenue to establish a Boys and Girls Club in town.

Commissioner Grantham asked to be excused to leave for the Fairmont Rotary Auction, being held tonight at the high school, due to her duties with the Interact Club.

Commissioner Lennon announced he would not be able to attend the January or February board meetings due to work conflicts. He asked about the possibility of setting up phone conferencing so he could participate in the meetings.

**Manager Input**

Mr. Proctor announced that he is working on a revised sign ordinance and hopes to have it ready by the December board meeting.

**Announcements**

Wednesday, November 22 – Town Employee/Family Cookout, Fire Hall, 12:00 noon.

Wednesday, November 22 – Public Safety Department Awards and Recognition Banquet, 7:00 p.m. in the Fire Hall.

Page 7 – Regular Meeting, November 21, 2006

Thursday, November 23 and Friday, November 24 – Town offices closed in observance of Thanksgiving.

Monday, November 27 – Fats, Oils and Greases informational meeting, 7:00 p.m., Council Chambers. This meeting is to inform restaurant owners of the new laws and requirements.

Tuesday, November 28 – Robeson County Municipal Association meeting hosted by the Town of Fairmont. First Baptist Church Fellowship Hall, South Main Street at 7:00 p.m. Mr. Bob Murphrey, NC Small Town Main Street Coordinator will be the guest speaker.

Thursday, November 30 – Drew Levinson’s documentary “Lasting Impressions” will air on North Carolina Public Television at 10:00 p.m.

Saturday, December 2 – Marietta Christmas Parade, 11:00 a.m.

Sunday, December 3 – Fairmont Christmas Festival, 3:00 - 5:00 p.m., front porch of Town Hall. Soloists and groups will provide Christmas music. Featured soloist will be Lauren Miller. Mayor Kemp will light the Christmas Tree in the park at 5:00 p.m. Children can get their pictures taken with Santa Claus from 5:00 -7:00 p.m. in the lobby of Town Hall. R.J.’s Photography will take a 4x6 photo for \$5.00.

Tuesday, December 5 – NC Small Town Main Street Committee meeting, 6:00 p.m. in the Fire Hall.

Tuesday, December 12 – All Three Neighborhood Zone meetings (North, South, Central) will have a year end meeting at the Fairmont Middle School cafeteria from 6:00 to 7:00 p.m.

Tuesday, December 19 – Regular Town Board meeting, 6:00 p.m. in the Council Chambers.

Thursday, December 21 – Town Employee Christmas luncheon, 12:00 noon in the Fire Hall.

Sunday, December 24 – “Santa Visits the Kids” 5:00 to 8:00 p.m. Any in town parent who wishes to have Santa personally deliver a gift to their home on Christmas Eve should bring a pre-wrapped gift for each child to the Fairmont Police Department no later than Monday, December 18<sup>th</sup> and fill out a residence address and delivery time form. Santa will personally deliver the gifts on Christmas Eve on the Fire Truck.

Friday, December 22, Monday, December 25 and Tuesday, December 26 – Town offices closed in observance of Christmas.

Monday, January 1 – Town offices closed for New Year’s Day.

### **Adjournment**

There being no further business, a motion was made and seconded to adjourn the meeting at 7:45 p.m.

Jennifer H. Larson, CMC  
Town Clerk

## **Regular Meeting – December 19, 2006**

The Fairmont Board of Commissioners held their regular meeting on Tuesday, December 19, 2006 at 6:00 p.m. in the Council Chambers with Mayor Charles Kemp presiding. Commissioners present were J.J. McCree, Wayland Lennon III, Wade Sealey, Charles Townsend, Mary Bruce Grantham, and Jay Capps. Staff present included Town Manager Blake Proctor, Town Attorney Robert Price, Town Clerk Jenny Larson, Public Works Director Ronnie Seals, Finance Director Linda Vause, Tax Collector Rebecca Andrews Water Collections Clerk Joyce Thompson and Public Safety Director Robert Hassell. Others present included Donna Werner, Jim Bell, Frank McCree, Sr., Christine McDaniel, Terry Evans, Peggy Spencer, Rev. and Mrs. Leonard Bergman, and Annie Durant.

Mayor Kemp announced that the meeting would begin with a public hearing.

### **Public Hearing – CDBG FY '04 closeout**

The public hearing on the CDBG FY'04 closeout opened at 6:01 p.m. Mr. Jim Bell, Senior Community Development Specialist with The Wooten Company, gave an overview of the work done during the '04 MLK Revitalization CDBG project. The total cost of the project was \$700,000. Twenty-four people were assisted with 9 homes demolished, 6 people relocated, 4 homes replaced and 6 homes rehabilitated. There was also water and drainage improvements and one street paved.

The public hearing closed at 6:04 p.m.

### **Call to Order and Invocation**

Mayor Charles Kemp called the meeting to order at 6:04 p.m. and wished everyone a joyous and safe holiday and a prosperous new year. Mayor Kemp offered condolences to Commissioner Jay Capps on the recent passing of his father. Mayor Kemp also gave the invocation.

### **Mayor Presentations**

#### **Recognition of former Commissioner Frank McCree, Sr. for his appointment to the North Carolina Board of Funeral Service by Governor Mike Easley.**

Mayor Kemp recognized former Commissioner Frank McCree, Sr. for his appointment to the North Carolina Board of Funeral Service by Governor Mike Easley. This state board oversee regulation of funeral homes, their licenses and investigates complaints. Mr. McCree has been the owner of Community Funeral Home for 45 years. He also owns McCree Grocery, is a deacon and former school teacher and was a Fairmont Town Commissioner for 8 years. Mayor Kemp read the certificate of appointment from Governor Easley and presented Mr. McCree with a certificate.

Reading of letter and plaque from National League of Cities.

Mayor Kemp read a letter and presented a plaque to the Town from the National League of Cities for 20 years of membership in the organization.

Donation of piano to town by Mrs. Donna Werner of Trinity United Methodist Church.

Mrs. Donna Werner, Music Director of Trinity United Methodist Church, donated a piano to the Town. The piano will be housed in the Fire Hall until the Community Building is built.

Tribute in Honor of Mr. T.D. Killens

Mayor Kemp offered the following remarks in honor of Mr. T. D. Killens, a part-time employee of the Town of Fairmont, who passed away on Friday December 8, 2006:

The shade is drawn for the final time. Darkness creeps upon the floor. The hour is late. A sadness falls upon a face, then more. Hushed voices speak. A tear tracks a cheek. Then quiet. A new day. Sunshine. More work. More toil. A chance to live again.

And thus is the epitaph of T. D. Killens written. Or is it? Can a man who shrunk from the limelight ever be far from it? Was he not a caring man? A man of God? A man who boldly stood with right and held up a hand to wrong? A family man who knew his duty was to raise children to be pillars of society. A man whose hands bespoke his efforts. And did he not do all these?

Surely a man such as this should enjoy a further taste from the river of life. But indeed, Mr. T. D. Killens' thirst had already been quenched. He had tasted the divine liquid and had journeyed for 77 years upon God's earth. He had plowed the rows and knew each one very well. He had guided many in their journey along life's path. He held small fingers in his hand and wiped away their tears. He made the shadows go away. He embraced his beloved. He squeezed her hand. Yes, it was time. Time for him to go. Time to go down the hill.

Today we mourn his absence. We lament his passing. We look around for him only to find a shadow, a memory. But do we not smile when we hear his name? Can we not see his quickened pace, the white gloves, hear his wisdom, feel the calm he offered? Let us celebrate this mans life, not lament his loss. Let us look into his children's heart and find the greatness he offered them. Let us learn the lessons he taught others so well. And then let us smile and go out into the sun. Out from the darkness. The sadness. And be happy Mr. T. D. Killens once walked with us on this earth. What a glorious feeling that should be for us all.

Mayor Kemp presented a framed copy of the tribute to Mr. Killens' children: Dale Rogers and Alexander Killens.

Approval of Agenda

Town Manager Blake Proctor asked that two items be added to the agenda under New Business: Ordinance 06-106 Burning or Burying Garbage and Refuse Prohibited and Proposed donation of Badger buildings to the town. Commissioner Lennon made a motion to approve the agenda with the additional items. Commissioner Sealey seconded the motion and it passed unanimously.

**Public Comment Period/Citizens Appearance**

Christine McDaniel – abandoned house and burned house near her home

Ms. Christine McDaniel asked for an update on the abandoned house and burned house near her home. Mr. Proctor replied that the owner of the abandoned house plans to rehabilitate it after Christmas. The Fire Department plans to use the burned house as a fire exercise.

R.B. Moore – complaint about vicious dog.

Mr. R.B. Moore complained about the mean and vicious dog owned by his neighbor. He feels the town is not enforcing its ordinances. Mr. Moore said if something was not done about the dog that he would kill the dog if it attacked him or his family.

Terry Evans – old Premiumwear/In 7 building

Mr. Terry Evans, of 104 W. Pine Street, wanted to let the citizens know it was a business decision that McKee Craft purchased the old Premiumwear/In 7 building. They plan to improve and upgrade their business. It was not their intention to undercut or hurt anyone.

**Consent Agenda**

Upon motion by Commissioner Lennon, seconded by Commissioner Sealey, it was unanimously voted to adopt the following consent agenda items with one correction to the November 21 minutes that Commissioner Grantham had to leave early because of her responsibilities at the school during the Rotary Club auction.

- a. Approval of Minutes –Regular Meeting November 21, 2006.
- b. Set Issue Forum for January 9, 2006 at 6:00 p.m. in the Fire Hall.

Mayor Kemp asked for the board to give a voice vote on all future votes because of the digital recording of the meeting and that he will announce the results after each vote for the record.

**Unfinished Business**

Report from Community Activities Committee on 2007 Calendar of Events.

Mrs. Annie Durant, Chairman of the Community Activities Committee, stated the committee met on December 6 to discuss the calendar of events for 2007. The first event will be a Martin Luther King Jr. Day celebration on Monday, January 15 at 12:00 p.m. at the E.R. Gause Auditorium at Rosenwald Elementary School. There will be a Senior Social in February, Bingo in March, Easter Egg Hunt and Trash to Treasure in April, Day in the Park in May, Senior Bingo in June and August, Bluegrass Concert in September, Senior Bingo in October and Trash to Treasure in November. Mrs. Durant added that the Seniors in Touch Christmas Social was a big success with over 150 people attending.

Resolution 06-11 Repealing and Rescinding Resolution 06-10, conveying property to the Committee of 100 and approving the return of property conveyed to the Town by the Fairmont Civitan Club.

Mr. Proctor read the following Resolution 06-11:

**A RESOLUTION OF THE TOWN OF FAIRMONT, ROBESON COUNTY, NORTH CAROLINA, REPEALING AND RESCINDING RESOLUTION 06-10, CONVEYING PROPERTY TO THE COMMITTEE OF 100; APPROVING THE RETURN OF PROPERTY CONVEYED TO THE TOWN BY THE CIVITAN CLUB; AND ESTABLISHING AN EFFECTIVE DATE.**

**WHEREAS**, the Fairmont Civitan Club has conveyed certain property to the Town of Fairmont, said property described further in Resolution 06-10; and,

**WHEREAS**, the Town of Fairmont has adopted said Resolution 06-10, approving the conveyance of certain property as further described in said Resolution to the Robeson County Committee of 100 for the purposes of industrial development; and,

**WHEREAS**, it has been ascertained that that certain private property formerly known as the In-7 Building, and which was to be sold with the above-enumerated properties is no longer available for purchase by the industrial prospect alluded to in Resolution 06-10; and,

**WHEREAS**, neither the deed conveying title to the Town of Fairmont by the Fairmont Civitan Club, nor the deed conveying title of the property as described in Resolution 06-10 have been recorded in the Office of the Register of Deeds;

**NOW, THEREFORE, BE IT RESOLVED** by the Fairmont Board of Commissioners as follows:

1. That Resolution 06-10 is hereby repealed and rescinded in its entirety.
2. That the deed conveyed to the Town by the Civitan Club on November 17, 2006, shall be conveyed back to the Civitan Club.
3. That this Resolution shall become effective immediately upon its adoption.

**PASSED AND ADOPTED** after first and only reading in full this, the 19<sup>th</sup> day of December, 2006.

Commissioner Lennon made a motion to adopt Resolution 06-11 repealing and rescinding Resolution 06-10, conveying property to the Committee of 100 and approving the return of property conveyed to the Town by the Fairmont Civitan Club. Commissioner Grantham seconded the motion and it passed unanimously. A copy of this resolution is hereby incorporated by reference and made a part of these minutes.

**New Business**

**CDBG FY 04 Closeout**

Commissioner Grantham made a motion to approve the closeout of FY 04 CDBG MLK Revitalization. Commissioner McCree seconded the motion and it passed unanimously.

Proclamation naming January as Human and Civil Rights Month in Fairmont in honor of Dr. Martin Luther King, Jr.

Mayor Kemp read a proclamation naming January as Human and Civil Rights Month in Fairmont in honor of Dr. Martin Luther King, Jr.:

**PROCLAMATION  
HUMAN AND CIVIL RIGHTS MONTH**

**Whereas**, the Town of Fairmont wishes to promote and advance the cause of human and civil rights and,

**Whereas**, Dr. Martin Luther King Jr. strived valiantly to achieve the aforementioned rights for all citizens and,

**Whereas**, treating all citizens equally with dignity and respect is a noble cause and,

**Whereas**, all citizens in Fairmont should place a high value on the human and civil rights of others and,

**Whereas**, January 15, 2007 is Dr. Martin Luther King Jr.'s birthday;

**Now, Therefore**, I, Charles Kemp, Mayor of the Town of Fairmont, do hereby proclaim January 2007 as

***“Human and Civil Rights Month”***

In the town of Fairmont and encourage all citizens to promote fellowship and good will to each other and, in the name and spirit of Dr King, advance the cause of human and civil rights to all.

Proclaimed this the 19<sup>th</sup> day of December, 2006.

Commissioner Lennon made a motion to adopt the proclamation naming January 2007 as Human and Civil Rights Month. Commissioner Grantham seconded the motion and it passed unanimously. A copy of this proclamation is hereby incorporated by reference and made a part of these minutes.

Proposal from Thomas Auto Repair to remove abandoned, junked and nuisance vehicles.

Mr. Proctor sent out proposals to towing companies as part of the effort to clean up abandoned vehicles in town. Thomas Auto Repair was the only company to send in a proposal. Town Attorney Robert Price had one small problem with the proposal and that is the issue of disposing of the vehicle as they see fit. Mr. Price stated that the general statutes have guidelines that must be followed. Mr. Proctor said he would make that change. Commissioner Lennon made a motion to enter into an agreement with Thomas Auto Repair to remove abandoned, junked and nuisance vehicles. Commissioner Capps seconded the motion and it passed unanimously. Commissioner Sealey asked how long a property owner would have to comply after receiving a notice of violation. Mr. Proctor replied that a property owner would have 15 days to fix the violation before the vehicle was towed.

Appointment of Planning Board Members.

Mr. Proctor explained the need of involving the Planning Board in developing a Comprehensive Plan for the town. Commissioner McCree asked Mr. Proctor if the board members had been contacted to see if they are willing to serve. Mr. Proctor replied no but that he would contact them to see if they have continued interest in serving on the Planning Board. Mr. Proctor asked the board to reappoint three members whose term has expired: Fitzhugh Sealey, Dorothy McCormick and Ronald Hughes. Commissioner Grantham made a motion to reappoint Fitzhugh Sealey, Dorothy McCormick and Ronald Hughes to the Planning Board. Commissioner Lennon seconded the motion and it passed unanimously.

Discussion of draft Ordinance 06-105 adding new Chapter 96, Signs and Signage, regulating the placement, erection, and maintenance of signs within the town.

Mr. Proctor introduced the draft of Ordinance 06-105, adding a new Chapter 96, Signs and Signage, regulating the placement, erection and maintenance of signs within the town. Mr. Proctor explained that the current codes only have snippets here and there dealing with signs. This ordinance is a draft for the board to discuss and make suggestions to over the next month. Commissioner Sealey did not like the section on political signs and vowed not to vote for it. Mr. Proctor explained that he made the ordinance as tough as possible because it would be easier to ease up on some restrictions than to make them harder.

Discussion of Proctorville wastewater system.

Mr. Proctor explained that the Town of Proctorville wants Fairmont to take over their wastewater system. Public Works Director Ronnie Seals explained that Proctorville will start tying homes onto Fairmont's wastewater system the second week of January. Fairmont has agreed to take the sewer and maintain the lines but Proctorville has no one to do billing or read meters. Mr. Seals suggested the Fairmont board have a joint meeting with the Proctorville board to work out a solution. Mr. Proctor stated the current agreement is Fairmont will read the master meter and send a bill to Proctorville for its bulk sewer use but it would be up to Proctorville to bill their residents. Commissioner Grantham said Fairmont could not do the billing for Proctorville because their rates would have to be higher than ours to protect our citizens. Mr. Proctor suggested that a committee of 2 or 3 board members meet with some board members from Proctorville to work out a solution. Commissioner Lennon felt that a committee would be unproductive and suggested Mr. Proctor come up with recommendations that would be amenable to Fairmont. Commissioner McCree asked for a copy of the contract with Proctorville and Mr. Proctor said he would get copies to the board.. Mr. Seals explained that Proctorville wants more than what is in their contract with Fairmont. He stated that Proctorville has 68 homes that plan to hook onto the sewer system.

Ordinance 06-106 Burning and burying of trash in city limits prohibited

Mr. Proctor read proposed Ordinance 06-106:

**AN ORDINANCE OF THE TOWN OF FAIRMONT, NORTH CAROLINA, AMENDING SECTION 52.07, BURNING OR BURYING GARBAGE AND REFUSE PROHIBITED, OF CHAPTER 52, SOLID WASTE, OF THE FAIRMONT CODE OF ORDINANCES TO REGULATE BURNING OF BRUSH, LIMBS, ETC, WITHIN THE TOWN; AND ESTABLISHING AN EFFECTIVE DATE.**

**NOW THEREFORE**, be it resolved by the Board of Commissioners of the Town of Fairmont, North Carolina as follows:

**Section 1.** That Section 52.07, Burning or Burying of Garbage or Refuse Prohibited, of the Fairmont Code of Ordinances, is hereby amended to read in its entirety as follows:

**“§ 52.07 BURNING OR BURYING GARBAGE AND REFUSE PROHIBITED; EXCEPTIONS.**

Except as herein provided, it shall be unlawful to burn or set fire to, or to bury any garbage or refuse for the purpose of disposal. (1988 Code, §19-7) Penalty, see § 52.99.

The above notwithstanding, tree limbs, brush, and shrubbery, but not leaves or grass, may be burned under a controlled burn upon receipt of a burn permit from the Public Safety Director. Burn Permits shall be \$50.00, and shall be allowed in the sole discretion of the Public Safety Director. Commercial burn permits shall be \$250, plus \$100 for each acre or partial acre burned.”

**Section 2.** That this ordinance shall become effective immediately upon its adoption.

Several of the commissioners were not aware that burning garbage and refuse was a problem. Commissioner Lennon made a motion to table Ordinance 06-106. Commissioner Sealey seconded the motion and it passed unanimously.

Offer to donate Badger buildings to the town.

Mr. Proctor informed the board that he received a letter from Mr. Jerry Carr, President of Badger Sportswear. Mr. Carr would like to donate their property at 512 Sandy Street to the town. Mr. Proctor also received an email from Suzanne Bendet who owns the property across the street from Badger. She would like to sell the property to the town for \$30,000 but would accept \$10,000. Mr. Proctor said the town should not dismiss either offer but the town does not have \$10,000 to purchase the second property. He suggested that maybe the Committee of 100 would be interested. The board took no action on either offer.

**Mayor Input**

Mayor Kemp had a productive meeting with U.S. Congressman Mike McIntyre on funding for the Community Building.

Page 8 – Regular Meeting, December 19, 2006

Mayor Kemp announced plans for a monthly window display contest and a yard of the month contest to help build pride in Fairmont.

Mayor Kemp announced there will be a one hour public hearing on the Old Field CDBG application on Tuesday, January 16 at 5:00 p.m. in the Fire Hall.

Mayor Kemp gave a brief report on the combined Neighborhood Discussion Groups meeting held on December 12 at the Fairmont Middle School Cafeteria.

### **Commissioners Input**

Commissioner Sealey was concerned about scooters cutting across parking lots without stopping. He wanted to know if an ordinance could be written to prevent it.

Commissioner Lennon announced he would be out of state for the regular board meetings in January and February. He asked if it would be possible to participate in the meetings remotely by telephone. Attorney Rob Price had some concerns about voting over the telephone. Commissioner McCree suggested having a skeleton agenda with non-controversial items instead. Commissioner Lennon was amenable to that idea.

Commissioner Capps congratulated Terry Evans on being appointed to the proposed horse arena board by County Commissioner Hubert Sealey.

Commissioner Grantham was concerned about hog and chicken houses being built too close to town. She asked Mr. Proctor to write an ordinance prohibiting commercial hog and chicken houses from being built in the town's one mile ETJ.

Commissioner Lennon suggested that the board start having budget meetings in January.

Commissioner Townsend has talked to Chief Hassell about applying for grants for drug and crime prevention that can be used to help fund a Boys and Girls Club.

Commissioner Grantham expressed disappointment that the town has not received any Homeland Security funds for a new fire truck. Chief Hassell responded that the town has applied for funds and should be notified within three weeks about receiving \$260,000 for a new fire truck.

Commissioner Grantham suggested Chief Hassell attend the Public Safety Conferences in Clinton and Elizabethtown.

Commissioner Lennon thanked Mayor Kemp for his informative weekly emails on upcoming events.

Commissioner Grantham asked to be notified by telephone rather than email in the future when there is a death in a town employee or board member's family.

**Manager Input**

Mr. Proctor contacted Mr. Louie Bodenhamer about his request to purchase a town lot on Walnut Street. Mr. Bodenhamer has withdrawn his offer and is going to use a lot in Rowland for his business.

Mr. Proctor announced that he would be attending the Main Street Conference in Morganton on January 24 and January 25.

Next month, Mr. Proctor is going to start the “Caught you doing something right” program. If a citizen catches an employee of the town doing something right they will be given a card to fill out and mail to Mr. Proctor. There will be a monthly winner and an “Employee of the Quarter” based on the monthly winners.

Mr. Proctor also informed the board about a property owner who is complaining that his building was demolished by the town three years ago without his permission. Mr. Proctor is still investigating this complaint.

**Announcements**

Thursday, December 21 – Town Employee Christmas luncheon, 12:00 noon in the Fire Hall.

Sunday, December 24 – “Santa Visits the Kids” 5:00 to 8:00 p.m. Santa will personally deliver the gifts on Christmas Eve on the Fire Truck.

Friday, December 22, Monday, December 25 and Tuesday, December 26 – Town offices closed in observance of Christmas.

Monday, January 1 – Town offices closed for New Year’s Day.

Tuesday, January 2 - Small Town Main Street Committee meeting, 6:00 p.m., Fire Hall.

Monday, January 8 - Chamber of Commerce, 6:30 p.m., Fire Hall.

Tuesday, January 9 - Issue Forum, 6:00 p.m., Fire Hall.

Monday, January 15 - Martin Luther King Jr. Day program, Time and location to be announced.

Monday, January 15 - Town offices closed for Martin Luther King, Jr. Day.

Tuesday, January 16 - Regular Town Board meeting, 6:00 p.m. in the Council Chambers.

Saturday, January 20 - Fairmont Youth Summit, 10:00 a.m. to 12:00 noon in the Fire Hall.

Tuesday, January 23 - Fairmont Community Watch, 7:00 p.m., in the Courtroom.

**Adjournment**

There being no further business, a motion was made and seconded to adjourn the meeting at 7:48 p.m.

Jennifer H. Larson, CMC  
Town Clerk

### **Issue Forum – January 9, 2007**

The Fairmont Board of Commissioners held a special issue forum on Tuesday, January 9, 2007 at 6:00 p.m. in the Fairmont Fire Hall with Mayor Charles Kemp presiding. Commissioner Mary Bruce Grantham was present. Commissioners Jay Capps, Wade Sealey, J.J. McCree, Wayland Lennon, III and Charles Townsend were absent. Staff present included Town Manager Blake Proctor and Town Clerk Jenny Larson. Others present included Rev. Marc Werner, Rev. and Mrs. Leonard Bergman, Pastor Linda Moody and Terry Evans.

Mayor Kemp called the meeting to order and announced there was no quorum but since no action was to be taken that the meeting would proceed. Town Chaplain Rev. Marc Werner gave the invocation.

Mr. Kemp explained that this was an open forum. He asked the citizens in attendance to express any concerns or questions that they might have.

Pastor Linda Moody asked for some information on the Martin Luther King Jr. Day celebration. Mayor Kemp responded that the celebration will be Monday, January 15 at 12:00 noon at the E.R. Gause Auditorium of Rosenwald Elementary School. Rev. Martine Spencer and the Jonesville Choir will perform and there will be refreshments afterward in the school cafeteria.

Pastor Linda Moody is sponsoring a County Wide Choir for at risk children ages 7-25. She is looking for adult leaders, sponsors and peer leaders to assist with this endeavor. The next choir practice is Saturday, January 13 at 9:30 a.m. in the Fire Hall. She would like to have a 100 member choir and give a concert in July. Mayor Kemp said he would come by Saturday to meet the choir and give his support. He also asked Pastor Moody to be a guest on his radio show to help promote the choir.

Commissioner Grantham praised the Public Safety Department for their quick response when Mr. Webster Leonard died this week at McDonalds. Pastor Moody also praised the department for their assistance when her bookstore was broken into.

Mr. Terry Evans asked about the water leak at the library. Mr. Proctor replied that it could take up to two months to replace the carpet and fix the ceiling tiles. The books will have to be taken out to dry. Mayor Kemp said the locks were going to be changed as well. Pastor Moody asked if the old YO! building was being used because she feels it would make a good computer lab. Mr. Proctor suggested that Mr. Bob Fisher with the county library use it temporarily to dry out the books. Mr. Proctor is also looking into the possibility of applying for a grant to purchase the building to move the library since the current library building does not have handicap accessible bathrooms.

Mayor Kemp asked Mr. Evans if he saw the article in The Robesonian about McKee Craft getting a federal loan to expand their business. Mayor Kemp and the town are very supportive of McKee Craft and the expansion of their business.

Mr. Evans asked about the negative letters being sent out by "Battlecat." Mayor Kemp said there was nothing the board could do but if the person(s) behind the letters are every discovered that he would personally make sure they are prosecuted. Commissioner Grantham agreed because the letters especially trash her, her husband and the mayor. Mayor Kemp said the best thing to do is ignore the letters because it is just the words of a sick mind crying out for attention. Mr. Evans always reads the letters secondhand but gave the last letter to the S.B.I. for fingerprint analysis.

Mayor Kemp thanked everyone for coming to the issue forum. There being no further business, the meeting adjourned at 6:40 p.m.

Jennifer H. Larson, CMC  
Town Clerk

## **Regular Meeting – January 16, 2007**

The Fairmont Board of Commissioners held their regular meeting on Tuesday, January 16, 2007 at 5:00 p.m. in the Fire Hall with Mayor Charles Kemp presiding. Commissioners present were J.J. McCree, Wade Sealey, Charles Townsend, Mary Bruce Grantham, and Jay Capps. Commissioner Capps arrived at 5:58 p.m. Commissioner Wayland Lennon III was absent due to work requirements out of state. Staff present included Town Manager Blake Proctor, Town Attorney Robert Price, Town Clerk Jenny Larson, Public Works Director Ronnie Seals, and Public Safety Director Robert Hassell. Others present included Town Chaplain Rev. Marc Werner, Jim Bell, Don Harvey and about 50 citizens.

Mayor Kemp announced that the meeting would begin with a public hearing.

### **Public Hearing – CDBG application for the Old Field area**

The public hearing on the CDBG application for the Old Field area opened at 5:01 p.m. Mr. Don Harvey, with The Wooten Company, gave an overview of the proposed project area which includes Canal, Stafford and Marvin Streets. The maximum amount the town can apply for is \$850,000.

Mr. Huel Faulk, 106 Jenkins Street, asked how the drainage problem would be alleviated. Mr. Harvey replied that there are a variety of methods that could be used including curb and gutter or a deep ditch along Morro Street.

Ms. Mary Albritton, 608 Marvin Street, stated the water gathers beside her mother's house and sits in the field. The water also sits in the canal and is causing a breeding ground for mosquitoes. Town Manager Blake Proctor said he was trying to get in touch with Army Corp of Engineers to see about cleaning out the canal. Mayor Kemp added he would contact U.S. Congressman Mike McIntyre for his assistance.

Ms. Alice McNair, 706 Stafford, said water pours out of the manhole covers during heavy rains and that some of it is sewer because she has seen scraps of toilet paper. Mr. Harvey replied that there are inflow and infiltration issues during heavy rains because the storm water drainage is tied into the sewer system.

Ms. Marion Manning, 621 Stafford Street, said water sits under her house and she has had to put in five floors in seven years because of it. Ms. Christine Faison, 710 Stafford Street, agreed that water pools under her house. She had a ditch dug to carry water to the canal and just put a new floor in her bedroom a month ago because the wood was rotten.

Ms. McNair complained that the storm drains are covered up most of the time with dirt and leaves. She has cleaned them out herself several times.

Ms. Dosha Smith, 602 Marvin Street, asked if the four foot tall manhole in her backyard could be moved. Mr. Harvey replied the manhole is that tall because the area is in a 100 year flood plain and the state will not allow it to be lowered. Mr. Proctor added that it could be moved but it would be very expensive and not easy to do.

Mayor Kemp asked Mr. Harvey to explain how the CDBG selection process works. Mr. Harvey replied that it is a complicated process and there is not a tremendous amount of money available. Each application receives points and is very competitive. Only 25% of the applications are chosen for funding. The maximum amount that can be spent on a house is \$40,000 for a substantial renovation.

Mr. Faulk asked if the town would work out another solution to the drainage problems if the town does not get the CDBG funding. Mr. Proctor replied that the town will go to the state and look for special funding. There is also the possibility of contacting FEMA and getting money to buy the homes since the area is in a flood plain.

Mr. Harvey explained the CDBG application is for a concentrated needs project that includes housing needs as well as infrastructure like drainage. They did a survey of the entire area, all of which has severe needs. The Wooten Company decided to take a systematic approach starting at Cottage Street along ditch to Canal Street and down Canal Street two thirds of the way. The money will be spent predominantly on housing rehabilitation, twelve in total, along with street needs including alleviating some of the drainage problems.

Mr. John Jackson asked about the CDBG grant for the Old Field area that was done back in the mid-eighties and whether that would have an impact on the application. Mr. Harvey said it should not be a problem from the state's standpoint since the previous grant was over twenty years ago. Mr. Jackson asked why the grant application was not focused primarily on the drainage problem. Mr. Harvey replied that the application would not be funded if it did not include housing needs.

The public hearing closed at 5:55 p.m.

### **Call to Order and Invocation**

Mayor Charles Kemp called the meeting to order at 6:00 p.m. and explained that Commissioner Lennon was excused due to out of town business. Town Chaplain Rev. Marc Werner gave the invocation.

### **Mayor Presentations**

Recognition of three students who have been outstanding role models of racial harmony and togetherness.

Mayor Kemp presented certificates of recognition to three students who have been outstanding role models of racial harmony and togetherness. The students are Eliziah McKellar, Rosenwald Elementary School, Brittany Roberts, Fairmont Middle School and Monique Floyd, Fairmont High School.

Presentation of Certificates of Appreciation to Fire Department for helping with Santa Visit.

Mayor Kemp presented certificates of appreciation to Public Safety Director Robert Hassell and members of the Fire Division for their assistance with the Santa Visits the Kids program held on Christmas Eve.

Presentation of new title and uniform – Assistant Chief Danny Parker

Chief Robert Hassell announced that Lieutenant Danny Parker will now have the title of Assistant Chief of Police and presented him with a white uniform shirt.

**Approval of Agenda**

Commissioner Sealey made a motion to approve the agenda. Commissioner Townsend seconded the motion and it passed unanimously.

**Public Comment Period/Citizens Appearance**

Huel Faulk – Boys and Girls Club

Mr. Huel Faulk, 106 Jenkins Street, spoke in favor of establishing a Boys and Girls Club in Fairmont.

**Consent Agenda**

Upon motion by Commissioner Capps, seconded by Commissioner Sealey, it was unanimously voted to adopt the following consent agenda items.

- a. Approval of Minutes –Regular Meeting December 19, 2006 and Issue Forum January 9, 2007.

**Unfinished Business**

Boys and Girls Club budget presented by Mr. Ron Ross

Mr. Ron Ross with the Boys and Girls Club asked the board to budget \$15,000 for a club in Fairmont. The national club will provide the seed money for the first year and it will take six or seven months to approve the establishment of a club in Fairmont. Mr. Ross reassured the board that there was plenty of time to write grants and obtain donations for the club's proposed operating budget of \$45,000. Commissioner Townsend made a motion to accept the proposal to bring a Boys and Girls Club to Fairmont and to budget \$15,000 for the operation of the club in subsequent years following FY 2007-2008. Commissioner McCree seconded the motion and it passed unanimously.

Proctorville Wastewater System

Mr. Proctor announced that he will meet with the Town of Proctorville later this month to work out an agreement on sewer services.

Ordinance 06-105 Signs and Signage – discussion only

Mr. Proctor asked the board for their input on his draft ordinance on signs and signage. He would like to make changes and have the ordinance ready for a first reading by the next board meeting. Commissioners Sealey and Grantham said they would come by Mr. Proctor's office at a later date to give their comments on the ordinance.

Ordinance 06-106 Burning refuse prohibited

Mr. Proctor gave the first reading of the burning refuse ordinance at the December meeting. He made some adjustments to the ordinance and read it aloud to the board:

**ORDINANCE 06-106**

**AN ORDINANCE OF THE TOWN OF FAIRMONT, NORTH CAROLINA, AMENDING SECTION 52.07, BURNING OR BURYING GARBAGE AND REFUSE PROHIBITED, OF CHAPTER 52, SOLID WASTE, OF THE FAIRMONT CODE OF ORDINANCES TO REGULATE BURNING OF BRUSH, LIMBS, ETC, WITHIN THE TOWN; AND, ESTABLISHING AN EFFECTIVE DATE.**

**NOW THEREFORE**, be it resolved by the Board of Commissioners of the Town of Fairmont, North Carolina, as follows

**Section 1.** That Section 52.07, Burning or Burying of Garbage or Refuse Prohibited, of the Fairmont Code of Ordinances, is hereby amended to read in its entirety as follows:

**“§52.07 BURNING OR BURYING OF GARBAGE, REFUSE, AND VEGETATIVE MATTER PROHIBITED; EXCEPTIONS.**

1. It shall be unlawful to burn or set fire to, or to bury any garbage, refuse or other vegetative matter for the purpose of disposal.
2. The above notwithstanding, tree limbs, brush, shrubbery, and grass may be burned under a controlled burn upon receipt of a burn permit from the Public Safety Director. Burn Permits shall be \$50.00, and shall be allowed in the sole discretion of the Public Safety Director. Commercial burn permits shall be \$250, plus \$100 for each acre or partial acre burned.
3. Leaves from a private residence may be burned under a controlled burn after approval by the Public Safety Director. The burning of leaves shall not require a burning permit.”

**Section 2.** That this ordinance shall become effective immediately upon its adoption.

Commissioner Capps made a motion to adopt Ordinance 06-106 amending Section 52.07 burning or burying of garbage, refuse and vegetative matter prohibited. Commissioner Sealey seconded the motion and Mayor Kemp opened the floor for discussion. Commissioner Grantham wanted to be able to burn leaves without getting approval of the Public Safety Director. Commissioner Townsend felt \$50 was excessive for burning limbs and leaves. Commissioner Capps withdrew his motion and no further action was taken.

Old Field CDBG grant application.

Commissioner McCree asked Mr. Harvey why the Wooten Company chose to address only part of the drainage problem in the Old Field area. Mr. Harvey responded that to have a competitive grant application you must include both the housing and infrastructure needs. The town can fix a portion of the problem with this round of CDBG funding and hope to get future funding to do the rest of the area or find other funding sources to correct all the drainage issues. Commissioner McCree made a motion to proceed with the Old Field CDBG grant application as prepared by The Wooten Company. Commissioner Townsend seconded the motion and it passed unanimously. Mr. Harvey asked the board for a local commitment of funds to make the application more competitive and said the funds can be spent over two budget years. Mr. Proctor said the town could afford to commit \$37,500 in local funds toward the CDBG application. Commissioner McCree made a motion to commit a local match of \$37,500 toward the Old Field CDBG grant application. Commissioner Grantham seconded the motion and it passed unanimously.

New Business

Ordinance 07-107 Regulation of commercial hog and poultry farms

Mr. Proctor read the following ordinance on the regulation of commercial hog and poultry farms to the board:

**ORDINANCE 07-107**

**AN ORDINANCE OF THE TOWN OF FAIRMONT, NORTH CAROLINA, AMENDING SECTION 154.014, BONA FIDE FARMS EXEMPT, OF CHAPTER 154, ZONING, OF THE FAIRMONT CODE OF ORDINANCES; ADDING THERETO A NEW SECTION 154.015, COMMERCIAL POULTRY HOUSES AND HOG FARMS REGULATED, OF SAID CHAPTER 154, ZONING; AND, ESTABLISHING AN EFFECTIVE DATE.**

**NOW THEREFORE**, be it resolved by the Board of Commissioners of the Town of Fairmont, North Carolina, as follows

**Section 1.** That Section 154.014, Bona Fide Farms Exempt, of the Fairmont Code of Ordinances, is hereby amended to read in its entirety as follows:

**“§ 154.014. BONA FIDE FARMS EXEMPT.**

The provisions of this chapter shall not apply to bona fide farms. This chapter does not exercise any controls over crop lands, timber lands, pasture lands, idle or other farm lands, nor over any farm house, barn, or other farm buildings, including tenant or other houses, for persons working on the farms, as long as the houses shall be in the same ownership as the farm and located on the farm. Agricultural uses maintain the openness of the land and achieve the purposes of this chapter without the need for regulation. Residences for non-farm use or occupancy and other non-farm uses shall be subject to the provisions of this chapter.”

**Section 2.** That a new Section 154.015, Commercial Poultry houses and Hog Farms Regulated, of the Fairmont Code of Ordinances is hereby enacted, to read in its entirety as follows:

**“§ 154.015. COMMERCIAL POULTRY HOUSES AND HOG FARMS REGULATED.**

Unless otherwise specified herein, commercial poultry houses and hog farms are hereby expressly prohibited within the Town’s jurisdiction, to include the area within the Town’s Extraterritorial Jurisdiction as well as within the Town’s Corporate Limits itself.

The term “poultry” shall include chickens, turkeys, geese, and ducks; the term “hog” shall include hogs and pigs.

Commercial poultry houses and hog farms that are in existence at the adoption of this ordinance shall be grandfathered in as conditional uses.”

**Section 3.** That this ordinance shall become effective immediately upon its adoption.

Commissioner Grantham made a motion to adopt Ordinance 07-107 amending Section 154.014, bona fide farms exempt, of Chapter 154, Zoning, of the Fairmont Code of Ordinances; adding thereto a new Section 154.015, commercial poultry houses and hog farms regulated. Commissioner Townsend seconded the motion and it passed unanimously. A signed copy of this ordinance is hereby incorporated by reference and made a part of these minutes.

**Mayor Input**

Mayor Kemp congratulated Annie Durant and the Community Activities Committee for their work on the Martin Luther King Jr. Day of Celebration held at the Gause Auditorium.

Mayor Kemp announced that the second year of the neighborhood discussion meetings will start in February. He also announced that the first annual Pride in Fairmont ceremony will be February 13 at 7:00 p.m. in the Fire Hall.

Mayor Kemp has placed a red box in the water department for citizens to ask questions that will be answered on the Mayor’s weekly radio show.

**Commissioners Input**

Commissioner Grantham asked for a report on burned houses, abandoned cars and porches full of debris, boxes and such. Mr. Proctor replied that one trailer has been removed as well as two burned out houses with the owner paying for one. Mr. Proctor has ordered some red sticky citations to place on abandoned, nuisance vehicles giving the owners 15 days to remove the vehicle before it is towed. Mr. Proctor is also working on abandoned houses. He has written letters asking the owners to allow the town to conduct controlled burns but has only received one signed authorization. The last resort is to tear the homes down and put a lien on the property taxes.

**Manager Input**

Mr. Proctor announced that the FY 05-06 Audit will be presented by John Masters of S. Preston Douglas and Associates on Tuesday, February 20 at 5:30 p.m. in the Council Chambers.

Mr. Proctor asked Chief Hassell to explain the bid process for the new fire truck. Chief Hassell replied that they sent out seven bids and got two back. The fire department decided to go with Pierce and Fairmont will be the first in North Carolina to receive this type of truck which came out in November 2006.

Mr. Proctor stated he will be in Morganton from January 24 to 26 for the Main Street Conference.

Mr. Proctor would like to schedule a preliminary budget workshop and asked the board to contact him with some dates.

**Announcements**

Saturday, January 20 - Fairmont Youth Summit, 10:00 a.m. to 12:00 noon in the Fire Hall.

Tuesday, January 23 - Fairmont Community Watch, 7:00 p.m., in the Courtroom.

Tuesday, January 23 – RCMA hosted by the City of Lumberton, 7:00 p.m., at the Holiday Inn. A representative from the NCDOT will discuss county road projects.

Saturday, February 3 - Flea and Farmers Market, 7:00 a.m. to 5:00 p.m., Town Hall Parking Lot. Spaces available for \$10.

Saturday, February 3 - Super Senior Bingo, 1:00 to 3:00 p.m., Fire Hall.

Tuesday, February 6 - NC Small Town Main Street Committee, 6:00 p.m., Fire Hall. Public invited to attend.

Wednesday, February 7 - North Zone Discussion Group, 5:30 - 6:30 p.m., Rosenwald Elementary Cafeteria.

Monday, February 12 - Chamber of Commerce Social, BB&T, 4:00-5:00 p.m.

Tuesday, February 13 - Pride in Fairmont Awards/Citizen Recognition Ceremony, 7:00 p.m., Fire Hall.

Page 8 – Regular Meeting, January 16, 2007

Wednesday, February 14 - Central Zone Discussion Group, 5:30 - 6:30 p.m., Fairmont Middle School Cafeteria.

Tuesday, February 20 - Regular Town Board Meeting, 6:00 p.m., Council Chambers.

Tuesday, February 27 - South Zone Discussion Group, 6:00 - 7:00 p.m., Fire Hall.

Tuesday, February 27 - Community Watch, 7:00 - 8:00 p.m., Fire Hall.

**Adjournment**

There being no further business, a motion was made and seconded to adjourn the meeting at 7:10 p.m.

Jennifer H. Larson, CMC  
Town Clerk

### **Budget Workshop – February 15, 2007**

The Fairmont Board of Commissioners held a special budget workshop on Thursday, February 15, 2007 at 6:00 p.m. in the Fairmont Council Chambers with Mayor Charles Kemp presiding. Commissioners present were J.J. McCree, Jay Capps, Wayland B. Lennon, III, Wade Sealey and Mary Bruce Grantham. Commissioner Charles Townsend was absent. Staff present included Town Manager Blake Proctor, Town Clerk Jenny Larson, and Finance Director Linda Vause.

Mayor Kemp called the meeting to order and stated the purpose of the meeting was to have a budget workshop on Fiscal Year 2007-2008.

Town Manager Blake Proctor asked the board what they would like to see in the coming year or future years.

Commissioner Grantham would like to see more street paving and asked how the Powell Bill money is currently being spent. Mr. Proctor replied that one third of the Powell Bill money is currently being spent on salaries but he hopes to use the funds strictly for streets in the future.

Commissioner Grantham referenced the letter from the Local Government Commission that states the town's water fund has a deficit. She feels the board should consider a cost of living raise on the water and sewer bills each year to help keep the fund out of the red. Commissioner Sealey said the town cannot afford to raise rates and Commissioner Capps added that the citizens think the bills are going to come down.

Commissioner Grantham also would like to see the drainage work continued in the Old Field area. Commissioner McCree agreed and if the town is awarded the CDBG grant for the Old Field area that the town continue to budget and apply for grants until all the work in the area is completed.

Commissioner McCree would like to see pay raises for the employees. Commissioner McCree also wanted to make sure that Public Works has proper equipment since the street sweeper and the bush hog are down for repairs a lot. Mr. Proctor replied that he sent out bids and Deals on Wheels will be doing the minor repairs such as oil changes so our mechanic can focus on the heavy equipment repairs like the street sweeper.

Commissioner Sealey would like to see more sidewalks, a recreation department, and cooperation with local civic groups.

Commissioner Capps was concerned about the street sweeper not working properly. He also wanted to research the potential for a recycling program.

Commissioner Lennon stated the sewer plant is an asset and we need to focus on the future income from other municipalities tying onto our system. Commissioner Lennon would also like to see more focus on recreation.

Mayor Kemp would like to see more code enforcement, especially the demolition of dilapidated houses. Mr. Proctor said the focus will be on the least expensive houses to remove first and if the property owners do not pay for the cost of removal that it will be added as a lien to their property.

There being no further business, the meeting adjourned at 6:43 p.m.

Jennifer H. Larson, CMC  
Town Clerk

## **Regular Meeting – February 20, 2007**

The Fairmont Board of Commissioners held their regular meeting on Tuesday, February 20, 2007 at 5:30 p.m. in the Council Chambers with Mayor Charles Kemp presiding. Commissioners present were J.J. McCree, Wayland Lennon, III, Wade Sealey, Charles Townsend, Mary Bruce Grantham, and Jay Capps. Staff present included Town Manager Blake Proctor, Town Attorney Robert Price, Town Clerk Jenny Larson, Finance Director Linda Vause, Tax Collector Rebecca Andrews, Public Works Director Ronnie Seals, and Public Safety Director Robert Hassell. Others present included Terry Evans, John Masters, Huel Faulk, Jonathan Yeomans, Kierra Pittman, Mickey Williamson, R.J. Walker and about 20 citizens.

### **Call to Order and Invocation**

Mayor Charles Kemp called the meeting to order and gave the invocation.

### **Presentation of FY 05-06 Audit by S. Preston Douglas & Associates**

Mr. John Masters with S. Preston Douglas & Associates presented the audit for FY 05-06. Mayor Kemp had concerns about the letter the town received from the Local Government Commission. Mayor Kemp felt the LGC letter was misleading the board and the public. Mr. Masters said he would help Finance Director Linda Vause write a response letter to the LGC. Mr. Masters said he was surprised by the wording in the letter, especially the part about the General Fund balance. The town's fund balance was \$585,989 or 36.67% of total expenditures. The LGC would prefer it to be closer to 62.22%. Mr. Masters said the town has a pretty high undesignated fund balance compared to other towns he audits and commended the board for it. The LGC letter also had concerns about the tax collection rate of 89.52%. Mr. Masters said the LGC did not take into consideration the revaluation problems Robeson County has been going through. He added that most of his audit clients have a tax collection rate in the mid to high 80's. Mr. Masters said Fairmont had one of the best tax collection rates compared to his other audit clients. Mr. Masters explained that the Water and Sewer Fund had a deficit of \$77,065 and part of that was due to unforeseen repairs to the water tank. The annual sewer plant bond payments of \$167,008 also count for 20-25% of the total operating revenue. Commissioner Grantham was concerned that the utility bills would have to be raised. Mr. Masters replied that the town did lose some revenue when the bills were reduced. Commissioner Grantham asked about the ABC revenue. Mr. Masters stated the town received revenue for the first time in four years after their financial statements were reviewed.

### **Mayor Presentations**

#### **Industry Announcement - Harger Lightning and Grounding**

Mayor Kemp read the following statement: "Of the many worthy roles which a municipal government plays, one of the most important is that of attracting businesses to provide jobs within the community and enhance economic development. Our town government has undertaken such an effort for the past 14 months with results which have led to this public announcement tonight.

Due almost exclusively to the combined efforts of Fairmont Town Manager Blake Proctor and Robeson County Economic Development Director Greg Cummings, I am very pleased and quite excited to announce that Fairmont will be acquiring a new manufacturing concern. This company, Harger Lightning and Grounding, will be located at a facility on Highway 130 East immediately outside the town limits, providing 30 jobs initially, with perhaps as many as 85 over the next 2 years.

I personally spoke to the president of the company several weeks ago by telephone and offered him the full support and assistance of our town government in getting his company up and running smoothly. We are very grateful that this fine company has chosen to become a part of the Fairmont family and provide well paying jobs for our citizens.

Mr. Proctor's and Mr. Cummings's undying patience, unselfish dedication, and optimism have made this business acquisition possible and I want to offer my personal congratulations to both of them. They never lost hope that success would be achieved in acquiring this company.

When additional details regarding this company become available and are authorized by company officials, they will be made public through my office, by Mr. Proctor, or through the office of the Robeson County Economic Development Director."

Kierra Pittman, State Vice President of the Junior Beta Club

Mayor Kemp presented a certificate of recognition to Kierra Pittman of Fairmont Middle School who was recently elected as State Vice President of the Junior Beta Club.

Fairmont – name 100 years old

The Town of Fairmont was incorporated as Union City in 1899 but on February 7, the town celebrated it's 100<sup>th</sup> anniversary with the name Fairmont.

Proclamation – Multiple Sclerosis Awareness Week

Mayor Kemp read the following proclamation on Multiple Sclerosis Awareness Week:

“WHEREAS, MS is a chronic and disabling disease of the central nervous system in which the progression, severity and specific symptoms cannot be foreseen; and

WHEREAS, every hour of every day someone new is diagnosed with MS, a disease that can erode a person's abilities and hopes, halt a career and unravel the fabric of families; and

WHEREAS, the North Carolina Chapters of the National Multiple Sclerosis Society reports that in our state more than 10,000 people are affected by this devastating disease, and multiple sclerosis generally strikes young adults aged 20 through 40, attacking them in the prime of their lives; and

WHEREAS, the North Carolina Chapters of the National Multiple Sclerosis Society have been committed throughout the years to heightening public knowledge and insight about this devastating and disabling disease, and raising more than \$8 million to find the cure for MS and develop effective treatments for the disease, as well as provide a wide range of client programs; and

WHEREAS, research advances have brought us closer to finding the cure, much remains to be done, and services must continue to be provided to those who live with the disease; and

WHEREAS, finding the cause and developing a method of prevention for multiple sclerosis is an important task that all Americans and North Carolinians should support;

NOW, THEREFORE, I, CHARLES KEMP, Mayor of the Town of Fairmont, do hereby, proclaim March 5-11, 2007, as "MULTIPLE SCLEROSIS AWARENESS WEEK" in the Town of Fairmont and commend this observance to all our citizens.

This the 20th day of February, 2007.”

### **Approval of Agenda**

Mr. Proctor asked the board to add “Robeson County Partnership for Community Health Focus Group” under New Business. Commissioner Sealey made a motion to approve the agenda with the addition of Robeson County Partnership for Community Health Focus Group. Commissioner Lennon seconded the motion and it passed unanimously.

### **Public Comment Period/Citizens Appearance**

#### **Huel Faulk, Coalition for Justice – opposed to Ordinance 07-108**

Mr. Faulk made the following statement for inclusion in the minutes: “We, the members of The Coalition for Justice, many of whom are tax paying citizens of the Town of Fairmont, NC, hereby inform this governing body that we are completely against the Ordinance 07-108, participating in meetings via conference call based on the following:

1. Conference call meetings allow for the possibility that they could be used to make decisions concerning the affairs of the town.
2. It could exclude some board members from participation with the excuse that, “Board member \_\_\_\_\_ could not be contacted” if the conference call was made outside a regular scheduled board meeting.
3. Conference calls are permitted in emergency situations, but not as a general practice.
4. Prior to being elected, all board members were knowledgeable of regular scheduled board meetings, dates and times.
5. Business affairs of the Town can be conducted with a quorum of four (4) governing body members as defined in the town ordinance and Roberts Rule of Order.

With these facts in mind we ask the following:

1. Why are these conference calls required or needed?
2. Who determines when a conference call is needed if outside a regular scheduled board meeting date?
3. What constitutes an “emergency situation” requiring a conference call?
4. Must not these “emergency situations” be clearly defined in the council by-laws?
5. Will a vote by a majority of board members determine the decision to have a conference call or is this to be a standard practice?
6. If an action is to benefit a board member who is “conferenced called,” is that member allowed to vote on the action? Or will the board member be required to abstain from voting?

We ask that these questions be a part of your discussion and entered into the minutes as written.”

#### Terry Evans – County Horse Arena

Mr. Terry Evans reported that Robeson County is in the process of asking for funding from the General Assembly for the horse area to be located on Highway 74. Mr. Evans is opposed to raising property taxes to pay for the arena.

#### **Consent Agenda**

Upon motion by Commissioner Grantham, seconded by Commissioner Townsend, it was unanimously voted to adopt the following consent agenda item with one addition to the minutes on page three, under the Boys and Girls Club motion: “in subsequent years to FY 2007-2008.”

- a. Approval of Minutes –Regular Meeting January 16, 2007.

#### **Unfinished Business**

##### Ordinance 07-108 - participating in meetings via Conference Call.

Mr. Proctor read Ordinance 07-108, participating in meetings via Conference Call:

#### **ORDINANCE 07-108**

**AN ORDINANCE OF THE TOWN OF FAIRMONT, NORTH CAROLINA, AMENDING THE FAIRMONT CODE OF ORDINANCES BY ADDING THERETO A NEW SECTION 30.05, PROCEDURES FOR ATTENDING MEETINGS VIA TELEPHONIC DEVICES: AND ESTABLISHING AN EFFECTIVE DATE.**

**WHEREAS,** Commissioners may be called out of town on business or emergencies on the date of regular Commission meetings; and,

**WHEREAS**, it is recognized that important issues at Commission meetings should be addressed by the entire Commission;

**NOW, THEREFORE, be it ordained** by the Board of Commissioners of the Town of Fairmont, Robeson County, North Carolina, as follows:

**Section 1.** That there is hereby created a new Section 30.05, Procedures for attending meetings via Telephonic Devices, of the Fairmont Code of Ordinances, to read in its entirety as follows:

**“§ 30.05 USE OF TELEPHONIC DEVICES TO ATTEND COMMISSION MEETINGS**

- (A) When a Commissioner is unable to attend a regular Commission meeting due to being unavoidably called out of Town on either business or a personal emergency, that Commissioner may make use of a telephone conference call by speakerphone (teleconference) to participate in the Commission meeting.
- (B) Prior to utilizing a teleconference call, the affected Commissioner must make all efforts to rearrange his/her schedule to be in attendance at the meeting; it shall be the responsibility of the affected Commissioner to make arrangements for using the teleconference call method of attendance at the meeting.
- (C) Town administrative staff shall set up the speakerphone prior to the meeting; the affected Commissioner shall, at his/her own expense, call into the Town Hall at least five (5) minutes prior to the scheduled start of the meeting. Thereafter, the meeting shall proceed as if all members were in physical attendance; Commissioners attending a Commission meeting via teleconference shall be authorized to cast their vote on any issue; however, should that Commissioner’s vote be a deciding vote on an issue, that issue must be ratified at the next meeting.
- (D) Only one Commissioner at a time may make use of this meeting attendance method, and on a first-come, first-served basis, except that a personal emergency shall take precedence over a business trip. Each Commissioner may use this method of attendance up to three times in each calendar year.”

**Section 2.** That this ordinance shall become effective immediately upon its adoption.

Commissioner Lennon made a motion to adopt Ordinance 07-108, use of telephonic devices to attend commission meetings. Commissioner Capps seconded the motion. During the discussion, Commissioner Lennon explained that he does most of his work via telephone and the ordinance seemed a plausible solution in case any board member had to be out of town so they could still participate. Mr. Proctor commended the Coalition for Justice for their well thought out petition. Mr. Proctor explained that only one commissioner can use the teleconference method at a meeting and that an emergency takes precedence over a business meeting. It will be the board member’s responsibility to call in to the meeting and they cannot use the method more than three times a year. Commissioner Grantham called David Lawrence at the School of Government and he told her that the legal status is uncertain and that it has not been addressed in the court system. Mr. Lawrence told her that there would be a legal risk if the vote of the person on the conference call caused a tie or one vote majority. He advised tabling any motion until a future meeting if that was to occur. Mr. Proctor contacted the Attorney General who said there was no case or state law to prevent conference calling. Commissioner McCree had concerns what would be a reasonable excuse to allow conference calling. After further discussion, Commissioners Lennon and Capps withdrew their motion and second. Commissioner Lennon made a motion to table Ordinance 07-108 for further consideration. Commissioner Sealey seconded the motion and it passed unanimously.

**New Business**

Resolution 07-01 – establishing capitalization for the Town’s general fixed assets.

That the Town hereby establishes capitalization thresholds of (1) \$5,000 for equipment; (2) \$10,000 for vehicles having a useful life of more than three years; (3) \$1,000 for all inexhaustible assets; (4) \$20,000 for buildings; and (5) \$100,000 for infrastructure.

Commissioner Lennon made a motion to adopt Resolution 07-01, establishing capitalization for the Town’s general fixed assets. Commissioner Grantham seconded the motion and it passed unanimously. A copy of this resolution is hereby incorporated by reference and made a part of these minutes.

Resolution 07-02 – designating official to sign papers and represent the board in connection with the mosquito control grant.

Commissioner Grantham made a motion to adopt Resolution 07-02, designating Town Manager Blake Proctor as the official to sign papers and represent the board in connection with the mosquito control grant. 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.

Fairmont Civitan Club request for funding.

Mr. Mickey Williamson, representative of the Fairmont Civitan Club, asked the board to continue to help fund the T-ball and Little League baseball program. Commissioner Grantham made a motion to give the Fairmont Civitan Club \$5,000 now and the remainder of the recreation fund at the end of the fiscal year for the baseball program. Commissioner Lennon seconded the motion and it passed unanimously.

Robeson County Partnership for Community Health Focus Group

Mr. Proctor said he was contacted by Ms. Rachel Loflin about conducting a focus group among city leaders as part of a health assessment for the Robeson County Partnership for Community Health, a branch of Health Carolinians. The focus group will gather opinions on major health problems in Fairmont, services that need to be improved or added, and possible ways to improve the health of those in Fairmont. Mr. Proctor said he will attend the focus group and asked the board to let him know if they would like to participate.

**Mayor Input**

Mayor Kemp offered praise to Chief Hassell and the Fire Department for their actions during the Dr. Pittman house fire.

Mayor Kemp thanked Town Clerk Jenny Larson for the new, more professional agenda format. The agendas are now bound instead of in a folder, making it easier to use.

Mayor Kemp invited the board to attend the Town of Lake View, South Carolina's centennial festivities on March 3.

Mayor Kemp announced that the RCMA meeting is next Tuesday, February 27 in Pembroke and that they would be leaving Town Hall at 6:30 p.m.

### **Commissioners Input**

Commissioner Grantham commended Chief Hassell and Officer Anthony Day for their work on the Police Explorer Club.

Commissioner Lennon reported that he and Commissioner Townsend attended the LRCOG annual meeting in Wrightsville Beach. They were really impressed with the presentations and stated it was a good networking and learning experience.

Commissioner Townsend stated there were funds available from the county for youth programs through the North Carolina Department of Juvenile Justice and Delinquent Prevention.

### **Manager Input**

#### **Comprehensive Plan**

Mr. Proctor gave the following report on the Comprehensive Plan: "As promised and charged, I am beginning to draw together the information it will take to provide the Town a comprehensive analysis of "where we were," "where we are," "where we want to be," and "how we're going to get there." Ideally, this Comprehensive Plan will be a collaborative venture comprising the Planning Board and the Town's residents, with Town staff as facilitators; after approval by the Planning Board and concurrence of our citizenry, the Plan should be adopted as an ordinance by the Board of Commissioners.

The Fairmont Comprehensive Plan will consist of eleven "Elements;" in their order of appearance in the Plan they are:

Chapter 1. Introduction - This chapter will introduce the Plan to the reader and serve as a basic summary; it will include a section on Citizen Input.

#### **PART I. A VIEW OF FAIRMONT**

Chapter 2. A History of the Town - This chapter will guide the reader through a brief history of the community; this chapter tells us where the Town has been ... where it is "coming from."

Chapter 3. Population and Demographic Characteristics - A look at the people that have made up the Town in our past, and make it up now; a look at population changes, demographics, and economic characteristics.

Chapter 4. The Natural Support System - A look at the natural character of the area in which the Town is located - the local ecosystem, if you will- including but not limited to air quality, soil conditions, groundwater & surface waters, and natural drainage.

## PART II. AN ASSESSMENT OF WHERE WE ARE

Chapter 5. Land Use - A look at existing land uses by neighborhoods, including zoning; guidelines for future land use; and, a Future Land Use Plan.

Chapter 6. Housing - A survey of the housing stock within the Town, the condition of that housing, and a plan to rectify problem areas; needs assessment for future housing; and a Housing Plan; an overview of "blight and its causes" will also be presented.

Chapter 7. Traffic Circulation - A look at the several classifications of roads within the Town; a look at the existing traffic network, and a systems evaluation; and, a Traffic Plan to rectify problems.

Chapter 8. Recreation & Open Space - A survey and classification of existing recreation facilities and programs, both public and private, within the Town; an assessment of recreational needs; and a plan to enhance and expand leisure activities within the Town. [This Comp Plan Element will be more than vital for the reception of PARTF monies in the future.]

Chapter 9. Municipal Utilities - A survey of the water, wastewater, and storm water systems within the Town, as well as an overview of the solid waste system; and a plan to address the problems of system age and condition.

Chapter. 10.Public Safety - A look at the Town's public safety functions, including law enforcement, fire protection, rescue and ambulance services, and civil defense.

## PART III. A PLAN TO GET WHERE WE WANT TO BE IN 2027

Chapter II. Growth Management - Introducing a Growth Management Philosophy that will require the input and endorsement of the Town Commission as well as adherence by that Board; a list of development goals that the Town should strive to reach; and, objectives and policies that will be required to achieve those goals.

### Nuisance Vehicles

Mr. Proctor has tagged 18 nuisance vehicles with 8 already removed and 3 more promised to be moved. All the cars should be removed by February 23.

**Announcements**

Tuesday, February 27 – RCMA hosted by the Town of Pembroke, 7:00 p.m., Sheff’s Seafood.

Tuesday, February 27 - Community Watch, 7:00 - 8:00 p.m., Fire Hall.

Wednesday, February 28 - South Zone Discussion Group, 6:00 - 7:00 p.m., Courtroom.

Every Saturday – Flea Market, Town Hall Parking lot, 7:00 a.m. to 5:00 p.m. Space rental is \$10.

Saturday, March 3 - Super Senior Bingo, 1:00 - 3:00 p.m., Fire Hall.

Tuesday, March 6 - Small Town Main Street Committee, 6:00 p.m., Fire Hall.

Thursday, March 8 and Friday, March 9 - NCDMV Drivers License Mobile Unit, Town Hall Parking Lot, 8:00 a.m. to 5:00 p.m.

Saturday, March 10 - South Robeson Rescue Annual BBQ/Chicken Plate Sale, 11:00 a.m. to 2:00 p.m. Plates are \$6 and will be served at the station and on the streets.

Monday, March 12 - Chamber of Commerce, 6:30 p.m., Fire Hall.

Tuesday, March 20 - Regular Town Board meeting, 6:00 p.m., Council Chambers.

Tuesday, March 27 - Community Watch, 7:00 p.m., Courtroom.

**Closed Session - Personnel and Attorney Client Privilege GS 143 318.11(a)(3,6)**

Commissioner Lennon 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 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 Kemp, Commissioners Sealey, Grantham, Lennon, McCree, Townsend and Capps along with Robert Price, Blake Proctor and Jenny Larson were in attendance during closed session. The closed session was held in the third floor conference room.

Commissioner Lennon made a motion to come out of closed session at 7:58 p.m. Commissioner Sealey seconded the motion and it passed unanimously. Mayor Kemp announced that personnel and attorney client privilege had been discussed as permitted under General Statute 143-318.11(a)(3,6) and that no action was taken pending further deliberations and a report from the Town Attorney.

**Adjournment**

There being no further business, a motion was made and seconded to adjourn the meeting at 7:59 p.m.

Jennifer H. Larson, CMC  
Town Clerk

## **Regular Meeting – March 20, 2007**

The Fairmont Board of Commissioners held their regular meeting on Tuesday, March 20, 2007 at 6:00 p.m. in the Council Chambers with Mayor Charles Kemp presiding. Commissioners present were J.J. McCree, Wayland Lennon, III, Wade Sealey, Charles Townsend, Mary Bruce Grantham, and Jay Capps. Staff present included Town Manager Blake Proctor, Town Attorney Robert Price, Town Clerk Jenny Larson, Finance Director Linda Vause, Tax Collector Rebecca Andrews, Public Works Director Ronnie Seals, and Public Safety Director Robert Hassell. Others present included Town Chaplain Rev. Marc Werner, Donna Werner, Terry Evans, Huel Faulk, Michael Baker, the Fairmont High School Volleyball team and about 15 citizens.

### **Call to Order and Invocation**

Mayor Charles Kemp called the meeting to order and Town Chaplain Rev. Marc Werner gave the invocation.

### **Mayor Presentations**

#### **Recognition of Fairmont High School Girls Volleyball Team**

Mayor Kemp recognized Coach Michael Baker and the Fairmont High School Girls Volleyball Team for being 2006 Conference Champions.

#### **Chief Hassell – Public Safety Report**

Chief Hassell gave the board an update on the Public Safety Department. The department is now issuing ID tags for any town employee that wishes to have one. They are particularly useful at conferences and other situations when you need proof of where you work.

The Public Safety Department will be hosting rapid deployment training on Saturday, March 24 at Fairmont Middle School.

Chief Hassell reported that there have been five robberies with two suspects arrested. There are other suspects still at large and officers are following all leads and a reward has been offered.

### **Approval of Agenda**

Mr. Proctor asked the board to add “Manager Input” back to the agenda. Commissioner Lennon made a motion to approve the agenda with the addition of “Manager Input.” Commissioner Sealey seconded the motion and it passed unanimously.

**Public Comment Period/Citizens Appearance**

**Huel Faulk – Summer Youth Recreation Program proposal**

Mr. Huel Faulk presented a proposal on a Summer Youth Recreation Program, drafted by Coach Michael Baker. The proposed dates are June 18 to July 27, 2007 and the locations can be any of the three school gyms in Fairmont. Some of the activities include basketball, table tennis, tennis, chess, checkers, jump rope, four-square, soccer, hula-hoop, horse shoes, volleyball, handball and backgammon. The county will waive the rental fee on the gym, so the only budget costs will be \$2,400 for two employee salaries and \$1,364 for equipment for a total budget of \$3,764. Mayor Kemp thanked Mr. Faulk for his presentation and stated the board will consider the proposal in a timely manner.

**Consent Agenda**

Upon motion by Commissioner Grantham, seconded by Commissioner Lennon, it was unanimously voted to adopt the following consent agenda items:

- a. Approval of Minutes – Budget Workshop, February 15, 2007 and Regular Meeting February 20, 2007.
- b. Set Issue Forum for Tuesday, April 10 at 6:00 p.m. in the Fire Hall.
- c. Accept the Town of McDonald as a member of the Lumber River Council of Governments.
- d. Advertise 2006 delinquent taxes the week of May 21<sup>st</sup>.

**New Business**

**Resolution 07-03 – Keep Robeson County Clean and Green, Spring Litter Sweep April 16-27.**

Mayor Kemp read Resolution 07-03 – Keep Robeson County Clean and Green, Spring Litter Sweep April 16-27, 2007. During these two weeks, citizens are encouraged to clean up their properties and put unwanted items on the curb to be picked up at no charge. Commissioner Lennon made a motion to adopt Resolution 07-03. Commissioner Townsend seconded the motion and it passed unanimously. A copy of the resolution is hereby incorporated by reference and made a part of these minutes.

**Mayor Input**

Mayor Kemp announced that the landscapers are working on the park downtown and hopefully it will be finished in time for a ribbon cutting in April. Mayor Kemp will meet later this month with Ms. Amanda Bosch, from the Main Street Committee, to discuss plans for a walk through on the east side of Main Street.

Mayor Kemp thanked Town Manager Blake Proctor for his diligence in his code enforcement efforts.

### **Commissioners Input**

Commissioner McCree requested that the Summer Youth Recreation Program proposal be placed on the April agenda. He also asked if the CDBG grant application was sent in on time. Mr. Proctor replied that it was and we should get a response in two to three months.

Commissioner Grantham said that the town would be remiss if it did not thank Fred Musselwhite, and Lacy and Lillian Koonce for their assistance in bringing the new business to Fairmont. She also thanked Huel Faulk for his assistance in helping one of her student's family find a place to live after their home burned.

### **Manager Input**

Mr. Proctor announced that he has tagged nine more cars for towing. He also reminded the board to give him input on the sign ordinance.

### **Announcements**

Thursday, March 22 – RCMA hosted by the Town of Proctorville, 7:00 p.m., Proctorville Community Center. The guest speaker will be Representative Garland Pierce.

Tuesday, March 27 - Community Watch, 7:00 p.m., Courtroom.

Tuesday, April 3 - N.C. Main Street Committee, 6:00 p.m., Fire Hall.

Thursday, April 5 - Pre-Easter Employee Cookout, 11:45 a.m., Community Park.

Friday, April 6 - Town offices closed in observance of Easter.

Saturday, April 7 - Easter Egg Hunt, Ages Birth to 12 years, 10:00 a.m., Fairmont Community Park. Sponsored by the Fairmont Community Activities Committee and the Fairmont Chamber of Commerce.

Saturday, April 7 - "Park it with the Mayor," 10:00 a.m., Community Park.

Saturday, April 7 - Super Senior Bingo, 1:00 to 3:00 p.m., Fire Hall.

Monday, April 9 – Chamber of Commerce social, First Bank, 5:00 to 6:00 p.m.

Tuesday, April 10 - Town Issue Forum, 6:00 p.m., Fire Hall.

Page 4 – Regular Meeting, March 20, 2007

Thursday, April 12 and Friday, April 13 – NCDMV Mobile Unit, Town Hall parking lot, 8:00 a.m. to 5:00 p.m.

Monday, April 16 to Friday, April 27 – Spring Litter Sweep.

Tuesday, April 17 - Regular Town Board Meeting, 6:00 p.m., Council Chambers.

Saturday, April 28 - Fairmont Womanless Pageant, 6:00 p.m., Fire Hall. Spaghetti Supper \$10.00. Proceeds go to Relay for Life.

Sunday, April 29 - Benefit Lunch (BBQ Chicken) for Bill "Big Dawg" Taylor, 11:00 a.m. to 2:00 p.m., Fire Hall.

**Closed Session - Attorney Client Privilege GS 143 318.11(a)(3)**

Commissioner Sealey made a motion to go into closed session at 6:37 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 as permitted under General Statute 143-318.11(a)(3). Commissioner Lennon seconded the motion and it passed unanimously.

Mayor Kemp, Commissioners Sealey, Grantham, Lennon, McCree, Townsend and Capps along with Robert Price, Blake Proctor and Jenny Larson were in attendance during closed session. The closed session was held in the third floor conference room.

Commissioner Lennon made a motion to come out of closed session at 7:50 p.m. Commissioner Sealey seconded the motion and it passed unanimously. Mayor Kemp announced that personnel and attorney client privilege had been discussed as permitted under General Statute 143-318.11(a)(3,6) and that no action was taken pending further deliberations and a report from the Town Attorney. Mayor Kemp announced that there will be a special board meeting on Tuesday, March 27, 2007 at 6:00 p.m. to go into closed session to hear the report from the Town Attorney.

**Bob Fisher, presentation of print from Robeson County Public Library**

Mr. Bob Fisher of the Robeson County Public Library presented the board with a pen and ink print of geese. He announced the library is now open for business. Mayor Kemp thanked Mr. Fisher and his staff for their efforts in restoring the library back to its normal functions.

**Adjournment**

There being no further business, a motion was made and seconded to adjourn the meeting at 7:53 p.m.

Jennifer H. Larson, CMC  
Town Clerk

### **Special Board Meeting – March 27, 2007**

The Fairmont Board of Commissioners held a special meeting on Tuesday, March 27, 2007 at 6:00 p.m. in the Council Chambers with Mayor Charles Kemp presiding. Commissioners present were Wade Sealey, Mary Bruce Grantham, Wayland Lennon, III, J. J. McCree, Charles Townsend and Jay Capps. Town Attorney Robert Price, Town Clerk Jenny Larson and Town Manager Blake Proctor were also present.

Mayor Kemp called the meeting to order at 6:00 p.m. and gave the invocation. He stated the purpose of the meeting was to go into closed session under attorney client privilege. Commissioner Sealey made a motion to go into closed session at 6:02 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 attorney client privilege as permitted under General Statute 143-318.11(a)(3). Commissioner Lennon seconded the motion and it passed unanimously.

Mayor Kemp, Commissioners Sealey, Grantham, Lennon, McCree, Townsend and Capps along with Robert Price, Blake Proctor and Jenny Larson were in attendance during closed session. The closed session was held in the third floor conference room.

Commissioner Sealey made a motion to come out of closed session at 6:52 p.m. Commissioner Grantham seconded the motion and it passed unanimously.

Commissioner Grantham made a motion to pay former Town Manager Ben Hill \$10,454.46 as compensation for lost pay and benefits for the period he was placed on unpaid leave in 2003. Commissioner Lennon seconded the motion and it passed unanimously.

There being no further business, Commissioner McCree, seconded by Commissioner Capps, motioned to adjourn the meeting at 6:54 p.m.

Jennifer H. Larson, CMC  
Town Clerk

## **Issue Forum – April 10, 2007**

The Fairmont Board of Commissioners held a special issue forum on Tuesday, April 10, 2007 at 6:00 p.m. in the Fairmont Fire Hall with Mayor Charles Kemp presiding. Commissioners Mary Bruce Grantham and Wade Sealey were present. Commissioners Jay Capps, J.J. McCree, Wayland Lennon, III and Charles Townsend were absent. Staff present included Town Manager Blake Proctor and Town Clerk Jenny Larson. Others present included Rev. Marc Werner, Rev. and Mrs. Leonard Bergman, Pastor Linda Moody and Anne Marks.

Mayor Kemp called the meeting to order and announced there was no quorum but since no action was to be taken that the meeting would proceed. Town Chaplain Rev. Marc Werner gave the invocation.

Mr. Kemp explained that this was an open forum. He asked the citizens in attendance to express any concerns or questions that they might have.

Mrs. Anne Marks was concerned that the two big poles at the intersection of Gertrude and Walnut were blocking motorist vision and thereby making it a dangerous intersection. She asked if the power company could move one or both of the poles to increase visibility over the hill.

Mrs. Marks also voiced objections to parking only on one side of Main Street because it would make it difficult for those who walk slowly to cross the street. Mr. Proctor asked Mrs. Marks to come to the next Main Street Committee meeting on May 1. The Design subcommittee is working on the parking plan for Main Street but any changes would require approval from the NCDOT.

Pastor Linda Moody was disappointed that there were not more citizens at the meeting. Pastor Moody uses the Fire Hall every second Saturday for her county wide choir practice. She has been using the building rent free but it costs the town to operate the building. She feels the \$50 a month rent is too high for her organization. Mr. Proctor explained that the town is not allowing “freebies” in the Fire Hall. He is giving Pastor Moody a discount on the Fire Hall rent by charging a \$50 deposit and \$25 rent. The regular rental fee for the Fire Hall is \$125 with a \$175 deposit (\$300 total). Pastor Moody also mentioned giving out information on her AWARE program, which is a substance abuse awareness and prevention program.

Commissioner Sealey stated the new park on Main Street is very pretty and something we can all be proud of. Mayor Kemp announced that the dedication of Heritage Park will be Tuesday, May 1 at 5:00 p.m. Johnny’s Hot Dogs will be serving food behind the park Monday – Friday from 10:30 a.m. to 3:00 p.m.

Mayor Kemp thanked everyone for coming to the issue forum. There being no further business, the meeting adjourned at 6:45 p.m.

Jennifer H. Larson, CMC  
Town Clerk

## **Regular Meeting – April 17, 2007**

The Fairmont Board of Commissioners held their regular meeting on Tuesday, April 17, 2007 at 6:00 p.m. in the Council Chambers with Mayor Charles Kemp presiding. Commissioners present were J.J. McCree, Wayland Lennon, III, Wade Sealey, Charles Townsend, Mary Bruce Grantham, and Jay Capps. Staff present included Town Attorney Robert Price, Town Clerk Jenny Larson, Finance Director Linda Vause, Tax Collector Rebecca Andrews, Public Works Director Ronnie Seals, and Public Safety Director Robert Hassell. Town Manager Blake Proctor was absent due to illness. Others present included Town Chaplain Rev. Marc Werner, Donna Werner, Laura Kemp, Terry Evans, Huel Faulk, Vera Ford-Faulk, Novella McLean, John Jackson, April Rich, Peggy Spencer, Patricia Sealey, Rev. and Mrs. Lynn Bergman.

### **Call to Order and Invocation**

Mayor Charles Kemp called the meeting to order, announced that Town Manager Blake Proctor was absent due to illness and asked everyone to remember those touched by the recent tragedy at Virginia Tech. Town Chaplain Rev. Marc Werner gave the invocation.

### **Mayor Presentations**

#### **Proclamation – Downtown Cleanup Days**

Mayor Kemp read a proclamation declaring Downtown Cleanup Days as Friday, April 20<sup>th</sup> and Saturday, April 21<sup>st</sup>:

WHEREAS, the downtown commercial district of any community serves as its core economic base offering shopping opportunities, job creation, and economic growth; and

WHEREAS, the downtown commercial district of Fairmont boasts a long and proud history of offering shopping opportunities, job creation, and economic growth; and

WHEREAS, due to a number of reasons the downtown commercial district of Fairmont has declined over the past years both commercially and physically; and

WHEREAS, a concerted effort is now in progress by a partnership of town government officials and citizens to revive the downtown commercial district with assistance from the N. C. Small Town Main Street Program; and

WHEREAS, a group of volunteers from the design sub-committee of the N.C. Small Town Main Street Program have initiated a plan to promote a clean-up of the downtown commercial district; and

WHEREAS, these volunteers assistance and efforts will be invaluable in the overall plan of reviving the downtown commercial district;

NOW, THEREFORE, I, CHARLES KEMP, Mayor of the Town of Fairmont, do hereby, proclaim Friday April 20th and Saturday April 21st as “DOWNTOWN CLEANUP DAYS” in the Town of Fairmont and urge all citizens and downtown business operators to provide support and/or actual assistance to all volunteers involved in this worthwhile effort.

He presented copies of the proclamation to members of the Design Subcommittee of the Small Town Main Street Committee including Laura Kemp, Vera Ford-Faulk, Novella McLean, April Rich and Donna Werner. A copy of the signed proclamation is hereby incorporated by reference and made a part of these minutes.

Chief Hassell – Fire Truck update

Chief Hassell presented pictures of the Town’s new fire truck paid for with a Homeland Security Grant. Pierce Manufacturing built the truck which is currently on display at the Fire Department Instructor’s Conference (FDIC) in Indianapolis, Indiana. The truck should be delivered on either April 26 or 27. It will be the first truck of its kind in North Carolina.

**Approval of Agenda**

Commissioner Lennon made a motion to approve the revised agenda. Commissioner Capps seconded the motion and it passed unanimously.

**Public Comment Period/Citizens Appearance**

Huel Faulk, Summer Youth Recreation Program

Mr. Huel Faulk spoke in support of the Summer Youth Recreation Program. He has several volunteers who would like to help coordinate the program.

John Jackson, opposition to Ordinance 07-108

Mr. John Jackson, President of The Coalition for Justice, read the following statement regarding opposition to Ordinance 07-108:

“We the members of The Coalition For Justice submit to you the following five items, pointing out why the proposal to conduct town board meetings via telephone is unacceptable.

1. It would take two (2) additional phone lines (two jacks), one in the executive meeting room and one in the regular meeting room which would be an added expense.
2. Conversations on these lines may be overheard by unwanted guests, bringing up the matter of confidentiality.
3. It would appear that our elected officials cannot function with five (5) of the six members present. Are the five of you telling the citizens of the Town of Fairmont that you lack the skills, knowledge or the ability to function with five members? We do not think that the majority of the citizens would submit to this change to accommodate the request of one board member. (Or was this the plan of others?) If a board member is absent, we feel he/she should not be able to cast a vote on the issues at hand.
4. This request seems to suggest that some or one of the board is attempting to have full control of the board although a member is absent. We feel this would be an injustice to the citizens of the Town of Fairmont.
5. Finally the Voting Rights Act of 1965 was renewed this year. It states, ‘only those qualifications, prerequisite, standard, practices or procedure may be enforced and only changed provided such qualifications, prerequisite, standard, practice or procedures are submitted by a Chief Legal Officer or the appropriate officials.’ It seems that your request for change must be approved by the Attorney General.

You are being informed that a challenge will be submitted to the appropriate agencies.”

Terry Evans – County Commissioner Hubert Sealey forum

Mr. Terry Evans reported that County Commissioner Hubert Sealey recently hosted a citizen forum in the Fire Hall. Topics discussed included paving Highway 41 through Fairmont and sewer connections for the Eastside Park community.

**Consent Agenda**

Commissioner Grantham asked for a change in her comments under the Commissioner Input section of the March 20 minutes. The correction should read: “the town would be remiss if it did not thank Fred Musselwhite, and Lacy and Lillian Koonce for their assistance in bringing the new business to Fairmont.” Upon motion by Commissioner Capps, seconded by Commissioner Sealey, it was unanimously voted to adopt the following consent agenda items with corrections:

- a. Approval of Minutes – Regular Meeting March 20, 2007 and Special Meeting March 27, 2007.

**Old Business**

Summer Youth Recreation Program.

Mayor Kemp talked to Superintendent Johnny Hunt about using the Fairmont Middle School gym for the summer youth recreation program. The Robeson County Recreation Department is fully prepared to assist the town with logistical help and equipment. It will be an 8 to 10 week program using unspent town recreation funds as well as forthcoming funds from an unnamed source.

Ordinance 07-108 – Attending meetings via telephonic devices.

Mayor Kemp brought Ordinance 07-108 – attending meetings via telephonic devices before the board. The ordinance has been discussed at two prior meetings and reads as follows:

AN ORDINANCE OF THE TOWN OF FAIRMONT, NORTH CAROLINA, AMENDING THE FAIRMONT CODE OF ORDINANCES BY ADDING THERETO A NEW SECTION 30.05, PROCEDURES FOR ATTENDING MEETINGS VIA TELEPHONIC DEVICES: AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, Commissioners may be called out of town on business or emergencies on the date of regular Commission meetings; and,

WHEREAS, it is recognized that important issues at Commission meetings should be addressed by the entire Commission;

NOW, THEREFORE, be it ordained by the Board of Commissioners of the Town of Fairmont, Robeson County, North Carolina, as follows:

Section 1. That there is hereby created a new Section 30.05, Procedures for attending meetings via Telephonic Devices, of the Fairmont Code of Ordinances, to read in its entirety as follows:

“§ 30.05 USE OF TELEPHONIC DEVICES TO ATTEND COMMISSION MEETINGS

- (A) When a Commissioner is unable to attend a regular Commission meeting due to being unavoidably called out of Town on either business or a personal emergency, that Commissioner may make use of a telephone conference call by speakerphone (teleconference) to participate in the Commission meeting.
- (B) Prior to utilizing a teleconference call, the affected Commissioner must make all efforts to rearrange his/her schedule to be in attendance at the meeting; it shall be the responsibility of the affected Commissioner to make arrangements for using the teleconference call method of attendance at the meeting.
- (C) Upon request, Town administrative staff shall set up the speakerphone prior to the meeting; the affected Commissioner shall, at his/her own expense, call into the Town Hall at least five (5) minutes prior to the scheduled start of the meeting. Thereafter, the meeting shall proceed as if all members were in physical attendance; Commissioners attending a Commission meeting via teleconference shall be authorized to cast their vote on any issue; however, should that Commissioner’s vote be a deciding vote on an issue, that issue must be ratified at the next meeting.
- (D) Only one Commissioner at a time may make use of this meeting attendance method, and on a first-come, first-served basis, except that a personal emergency shall take precedence over a business trip. Each Commissioner may use this method of attendance up to three times in each calendar year.”

Section 2. That this ordinance shall become effective immediately upon its adoption

PASSED AND ADOPTED after first reading in full this the 17<sup>th</sup> day of April, 2007.

Commissioner Grantham stated there were issues in Columbus County about voting on controversial issues by telephone. Town Attorney Robert Price said the law is not clear on voting by telephone. He recommended changing the last part of subsection (C) to read “that vote should not count and the matter addressed at a future meeting.” Commissioner Lennon acknowledged that he brought up attending meetings by telephone because of the travel schedule for his job.

Commissioner Lennon made a motion to adopt Ordinance 07-108, attending meetings via telephonic devices with an amendment to the last part of subsection (C), changing it to read: “that vote should not count and the matter addressed at a future meeting.” Commissioner Capps seconded the motion and it passed by a vote of 4 to 2. The vote went as follows:

For: Commissioners Capps, Grantham, Lennon, Sealey  
Against: Commissioners McCree, Townsend

A signed copy of this ordinance is hereby incorporated by reference and made a part of these minutes.

**New Business**

**Resolution 07-04 – Moratorium on storefront churches on downtown Main Street.**

Mayor Kemp read Resolution 07-04 – Moratorium on storefront churches on downtown Main Street:

A RESOLUTION OF THE TOWN OF FAIRMONT, NORTH CAROLINA, FINDING CAUSE FOR A MORATORIUM ON STOREFRONT CHURCHES ON DOWNTOWN MAIN STREET; PROVIDING EXCEPTIONS; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, in order to enhance the economic standing of the Town’s downtown business district, the addition of a “Historic Downtown” zoning district is being contemplated as an addition to Use Districts in the Fairmont Zoning Code; and

WHEREAS, the Town of Fairmont is currently in the process of updating and expanding its zoning laws to, among other things, provide for the inclusion of such a Historic Downtown zoning district; and,

WHEREAS, non-commercial establishments within said Historic Downtown district may be contrary to the concept of this vision of a resurgent enterprise area; and,

WHEREAS, the issue of storefront churches and ministries shall be addressed in the said new Zoning Code;

NOW, THEREFORE, be it resolved by the Board of Commissioners of the Town of Fairmont, Robeson County, North Carolina, as follows:

Section 1. Moratorium declared

- A. Effective immediately upon the adoption of this Resolution, the Town of Fairmont hereby places a moratorium on the introduction, placement, or operation of any church from any storefront on Main Street between its juncture with Railroad Street and its juncture with Cottage Street.
- B. Said moratorium shall extend to April 30, 2008, or to the date of adoption of a new Zoning Ordinance, whichever shall occur first.

Section 2. Exceptions

- A. Those churches that are extant in the area of Main Street as defined in Section 1 (A) above shall be exempt from said moratorium; however, should any such churches close, that storefront shall not again open as a church.
- B. Storefront churches shall not be prohibited on Center Street or Red Cross Street.

Section 3. This resolution shall become effective immediately upon its adoption.

PASSED AND ADOPTED after first and only reading in full this the 17<sup>th</sup> day of April, 2007.

Commissioner Grantham made a motion to adopt Resolution 07-04, Moratorium on storefront churches on downtown Main Street. Commissioner Lennon seconded the motion and it passed with a vote of 4 to 2. The vote went as follows:

For: Commissioners Capps, Grantham, Lennon, Sealey  
Against: Commissioners McCree, Townsend

A signed copy of this resolution is hereby incorporated by reference and made a part of these minutes.

Resolution 07-05 – Declaring 1976 Chevy LaFrance Fire Truck as surplus.

Mayor Kemp read Resolution 07-05 – Declaring 1976 Chevy LaFrance Fire Truck as surplus:

A RESOLUTION AUTHORIZING THE TOWN MANAGER TO SELL A SURPLUS MOTOR VEHICLE BY PRIVATE NEGOTIATION AND SALE

WHEREAS, the Town of Fairmont has in its possession one vehicle which is surplus to the town,

WHEREAS, said vehicles has a value of Two Thousand Five Hundred Dollars \$2,500.00, and,

WHEREAS, N.C.G.S. 160A-266 empowers the Town to dispose of personal property valued at less than \$30,000.00 by private negotiation and sale and N.C.G.S. 160A-267 requires the adoption of this resolution when disposal of property by private sale is contemplated;

NOW, THEREFORE, BE IT RESOLVED by the Town Council of the Town of Fairmont that the following vehicle is hereby declared to be surplus to the needs of the Town of Fairmont and that the Town Manager is hereby authorized to dispose of said personal property at fair market value of not less that \$1,000 by private negotiation and sale in conformance with the provisions of North Carolina General Statute 160A-267:

1976 Chevy LaFrance Fire Truck, value \$2,500

Adopted this 17<sup>th</sup> day of April, 2007.

Commissioner Grantham asked if the truck was an American LaFrance. Chief Hassell responded that it was a Chevrolet chassis with an American LaFrance body. Commissioner Capps made a motion to adopt Resolution 07-05, Declaring 1976 Chevy LaFrance Fire Truck as surplus. Commissioner Lennon seconded the motion and it passed unanimously. A signed copy of this resolution is hereby incorporated by reference and made a part of these minutes.

Resolution 07-06 – Endorsing use of Golden L.E.A.F. funds for Community Building.

Mayor Kemp announced that he and Town Manager Blake Proctor met in Raleigh with the Golden L.E.A.F. staff about the Community Building. They have agreed to accept the town's grant application in June. The grant application is for \$600,000 with \$400,000 going toward construction and \$200,000 for operating expenses. Mayor Kemp read Resolution 07-06 – Endorsing use of Golden L.E.A.F. funds for Community Building:

A RESOLUTION OF THE TOWN OF FAIRMONT, NORTH CAROLINA, ENDORSING THE USE OF GOLDEN L.E.A.F. FUNDS FOR THE ESTABLISHMENT OF AN INTERDISCIPLINARY FACILITY WITHIN THE CORPORATE LIMITS OF THE TOWN; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, it has been identified that there is a dire need for an Interdisciplinary Facility in south Robeson County to serve the wide variety of social and economic requirements of this community; and,

WHEREAS, said social and economic needs include, but are not limited to, both formal continuing educational activities and informal, non-credit classes; industrial pre-employment instruction as well as periodic continuing job training; social and civic gatherings for groups of all sizes; and, both structured and informal indoor recreational activities for youth and adults; and,

WHEREAS, the Town has already successfully completed a Golden L.E.A.F. grant for the purpose of equipping classrooms within such an Interdisciplinary Complex with furnishings, and providing computer technology to those classrooms, but is unable to fully utilize said furnishings and electronic devices due to the lack of adequate facilities; and,

WHEREAS, funds from Golden L.E.A.F will allow the Town to provide the envisioned facilities for the use of the citizens of south Robeson County as well as Town residents, within a building already identified and to be acquired for this purpose;

NOW, THEREFORE, be it resolved by the Board of Commissioners of the Town of Fairmont, Robeson County, North Carolina, as follows:

Section 1. The Board of Commissioners of the Town of Fairmont do hereby fully and heartily endorse the request for funding from the Golden L.E.A.F. Foundation to renovate and upgrade facilities for the purpose of establishing an Interdisciplinary Facility within the Town to be utilized by all the citizens of south Robeson County.

Section 2. This resolution shall become effective immediately upon its adoption.

PASSED AND ADOPTED after first and only reading in full this the 17<sup>th</sup> day of April, 2007.

Commissioner Lennon made a motion to adopt Resolution 07-06, Endorsing use of Golden L.E.A.F. funds for Community Building. Commissioner Townsend seconded the motion and it passed unanimously. A signed copy of this resolution is hereby incorporated by reference and made a part of these minutes.

Resolution 07-07 – Clean Water Act of 2007.

Mayor Kemp read Resolution 07-07 – Clean Water Act of 2007:

A RESOLUTION OF THE TOWN OF FAIRMONT, NORTH CAROLINA, SUPPORTING AND ENDORSING HOUSE BILL 127 AND SENATE BILL 208, CALLING FOR A PUBLIC REFERENDUM TO APPROVE NEW CLEAN WATER BONDS, THE ACT TO BE KNOWN AS THE CLEAN WATER ACT OF 2007; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, North Carolina’s continued prosperity depends on protecting the State’s water resources for current use and future generations; and,

WHEREAS, North Carolina is expected to grow by 3.5 million people to exceed 12 million by the year 2030, placing pressures on the State’s water resources and on local water providers; and,

WHEREAS, North Carolina’s businesses, traditional and emerging industries all depend on reliable supplies of clean water, reasonable utility costs, well-maintained water infrastructure and an attractive natural environment; and,

WHEREAS, the 1998 Clean Water Bonds delivered significant benefits to North Carolina communities and citizens, supporting 1,103 projects in 97 counties, which:

- Helped create or retain 42,000 jobs
- Corrected major regulatory violations in 97 communities
- Addressed failing septic systems and contaminated wells in 59 counties
- Resulted in 50 communities receiving sewer service for the first time
- Encouraged regional efficiencies, and sound planning, and conservation practices; and,

WHEREAS, North Carolina’s public water, sewer, and storm water utilities will require investments totaling \$16.63 billion to keep pace with necessary improvements and population growth over the next 25 years, including \$6.85 billion in investments within the next five years.

NOW, THEREFORE, be it resolved by the Board of Commissioners of the Town of Fairmont, Robeson County, North Carolina, as follows:

Section 1. That the Board of Commissioners of the Town of Fairmont does hereby urge the North Carolina General Assembly to enact the “Clean Water Act of 2007,” which provides for a \$500 million bond issue to be expended over the next five years, and an annual appropriation of \$50 million in recurring funding to address urgent needs.

Section 2. This resolution shall become effective immediately upon its adoption.

PASSED AND ADOPTED after first and only reading in full this the 17<sup>th</sup> day of April, 2007.

Commissioner Grantham made a motion to adopt Resolution 07-07, Clean Water Act of 2007. Commissioner Lennon seconded the motion and it passed unanimously. A signed copy of this resolution is hereby incorporated by reference and made a part of these minutes.

**Mayor Input**

Mayor Kemp announced that Heritage Park will be dedicated on Tuesday, May 1 at 5:00 p.m. It has taken 17 months for the park to become a reality. Mr. Bob Murphrey with the Main Street program will be present to make remarks. Alan and Rose Tencati of Johnny's Hot Dogs will also be present. They will be operating behind the park on Monday – Friday from 10:30 a.m. to 3:00 p.m.

Mayor Kemp thanked the Civitan Club for the wonderful Little League opening ceremony and the tribute to Terry Deese.

**Commissioners Input**

Commissioner Townsend had concerns about the moratorium on downtown churches. He would hate to put them out because he does not think the churches would do anything to make downtown an unpleasant place. Commissioner Townsend also voted against the ordinance on attending meetings via telephonic devices because he would hate for technology to cause the board to get into a public oversight or get into a rush and cause the town some problems.

Commissioner Lennon thought the Easter cookout for the town employees was nice. He thanked the Public Works and Police Departments for repairing the fire hydrant on Good Friday. Commissioner Lennon mentioned that over 200 kids are playing Little League ball this year.

**Manager Input**

There was no Manager Input due to Town Manager Blake Proctor being out due to illness.

**Announcements**

Monday, April 16 to Friday, April 27 – Spring Litter Sweep.

Tuesday, April 24 – Robeson County Municipal Association, 7:00 p.m., R.E. Hooks Community Center, St. Pauls. Dr. Charles Chrestman will be the guest speaker.

Tuesday, April 24 - Community Watch, 7:00 p.m., Courtroom.

Saturday, April 28 – Dedication of Donald Bonner Public Library in Rowland, 12:00 noon.

Saturday, April 28 - Fairmont Womanless Pageant, 6:00 p.m., Fire Hall. Spaghetti Supper \$10.00. Proceeds go to Relay for Life.

Page 10 – Regular Meeting, April 17, 2007

Sunday, April 29 - Benefit Lunch (BBQ Chicken) for Bill "Big Dawg" Taylor, 11:00 a.m. to 2:00 p.m., Fire Hall.

Tuesday, May 1 - Heritage Park Dedication, 5:00 p.m., Downtown.

Tuesday, May 1 - Main Street Meeting, 6:00, Fire Hall.

Wednesday, May 2 - North Discussion Group, Rosenwald Cafeteria 5:30-6:30 p.m.

Saturday, May 5 - Flea Market, 7:00 - 5:00, Town Hall

Saturday, May 5 - "Park It with the Mayor," 10:00 a.m., Community Park.

Saturday, May 5 - Senior Bingo, 1:00 p.m., Fire Hall.

Tuesday, May 8 - Central Discussion Group, Fairmont Middle School Cafeteria, 6:00-7:00 p.m.

Monday, May 14 - Chamber Of Commerce, 6:30 p.m., Fire Hall.

Tuesday, May 15 - Regular Town Board Meeting, 6:00 p.m., Council Chambers.

Tuesday, May 22 - South Discussion Group, 6:00 p.m., Fire Hall.

Tuesday, May 22 - Community Watch, 7:00 p.m., Fire Hall.

**Closed Session - Attorney Client Privilege GS 143 318.11(a)(3)**

Commissioner Sealey 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 attorney client privilege as permitted under General Statute 143-318.11(a)(3). Commissioner Grantham seconded the motion and it passed unanimously.

Mayor Kemp, Commissioners Sealey, Grantham, Lennon, McCree, Townsend and Capps along with Robert Price, and Jenny Larson were in attendance during closed session. The closed session was held in the third floor conference room.

Commissioner Sealey made a motion to come out of closed session at 7:07 p.m. Commissioner Townsend seconded the motion and it passed unanimously. Mayor Kemp announced attorney client privilege had been discussed as permitted under General Statute 143-318.11(a)(3) and that no action was taken.

**Adjournment**

There being no further business, a motion was made and seconded to adjourn the meeting at 7:08 p.m.

Jennifer H. Larson, CMC  
Town Clerk

## **Regular Meeting – May 15, 2007**

The Fairmont Board of Commissioners held their regular meeting on Tuesday, May 15, 2007 at 6:00 p.m. in the Council Chambers with Mayor Charles Kemp presiding. Commissioners present were J.J. McCree, Wayland Lennon III, Wade Sealey, Charles Townsend, Mary Bruce Grantham, and Jay Capps. Staff present included Town Manager Blake Proctor, Town Attorney Robert Price, Town Clerk Jenny Larson, Finance Director Linda Vause, Tax Collector Rebecca Andrews, Public Works Director Ronnie Seals, and Public Safety Director Robert Hassell. Others present included Town Chaplain Rev. Marc Werner, Laura Kemp, Terry Evans, Mickey Williamson, Alice Caulder, Jack and Rose Johnson, Butch Lennon, Gaines Grantham, Jonathan Yeomans, R. J. Walker, Army Major Matt Patterson, Navy Chief Dwayne Collins, Marine Sgt. Timothy Ward, Air Force Sgt. Robb Jones and several citizens.

### **Call to Order and Invocation**

Mayor Charles Kemp called the meeting to order and Town Chaplain Rev. Marc Werner gave the invocation.

### **Mayor Presentations**

#### **Chief Hassell and National Police Week**

Public Safety Director Robert Hassell explained that this is National Police Week, a time to remember law enforcement officers who lost their lives in the line of duty. Chief Hassell stated that May 15 is Police Memorial Day and read the poem “A Cop on the Take.”

#### **Fairmont High School Valedictorian and Salutatorian**

Mayor Kemp announced that the Fairmont High School Valedictorian and Salutatorian will be recognized at the June meeting. Commissioner Grantham announced that the Valedictorian is Sarah Graham and the Salutatorian is Jennifer Floyd.

#### **Donation for Recreation from Medical Development Board.**

Mr. Butch Lennon was present representing the South Robeson Medical Development Board. The board’s goal is to improve the health and wellness of our citizens. They have agreed to provide financial assistance to the town for year round recreation beginning July 1, 2007 to June 30, 2008 in the amount of \$25,000. There will be a ceremonial check presentation closer to July 1. Commissioner Capps made a motion to accept the \$25,000 donation from the South Robeson Medical Development Board for the purpose of funding recreation for fiscal year 2007-2008. Commissioner Grantham seconded the motion and it passed unanimously. Commissioner Grantham thanked her husband, Gaines Grantham, for his effort in bringing the recreation program idea to the medical board.

Military Personnel guests and reading of Proclamation – Armed Forces Day in Fairmont, May 19, 2007.

Mayor Kemp read the following Proclamation naming May 19, 2007 as Armed Forced Day in Fairmont:

“ARMED FORCES APPRECIATION DAY IN FAIRMONT, NC

WHEREAS, the United States has a long and proud history of supporting and honoring the brave men and women who have served in our armed forces; and

WHEREAS, from time to time our citizens are called upon to temporarily halt their normal life routine in order to serve in the armed forces; and

WHEREAS, during these time members of the armed forces are often placed in dangerous or perilous situations and are often stationed in locations far from their homes and loved ones for lengthy periods of time; and

WHEREAS, all Americans continue to enjoy basic liberties and freedoms which have been preserved or obtained by unselfish acts and bravery of these members of the armed forces; and

WHEREAS, citizens of Fairmont, N.C. are now currently serving as members of the armed forces of our county and have been separated from loved ones and their friends.

NOW, THEREFORE, I, Charles Kemp, Mayor of the Town of Fairmont, do hereby proclaim Saturday, May 19, 2007 as ARMED FORCES APPRECIATION DAY in the Town of Fairmont and commend this observance to all citizens by asking them to:

1. display the American Flag visibly from sunrise to sunset in all possible appropriate manners.
2. communicate with a current member of the Armed Forces and acknowledge appreciation to them.
3. to pause during the day, reflecting upon the many freedoms our citizens possess, and expressing silently a word of thanks to those members of the Armed Forces who have helped maintained these freedoms.

A signed copy of this proclamation is hereby incorporated by reference and made a part of these minutes.”

Mayor Kemp then read a poem about Armed Forces Appreciation Day and read a list of area citizens currently serving in the Armed Forces. He announced that his radio show guest for Saturday will be Sgt. Carver Campbell of the U.S. Army. Mayor Kemp introduced Mrs. Alice Caulder and thanked her for making bears with the colors of the different branches of the Armed Forces. Mayor Kemp introduced representatives from each branch of the Armed Forces, presented them with gift bags and gave them a chance to speak. Army Major Matt Patterson presented a certificate of appreciation to the town for letting the Army reserve unit complete their weapons training at the qualifying range down at the landfill. Navy Chief Dwayne Collins, Marine Sgt. Timothy Ward and Air Force Tech Sgt. Robb Jones are all recruiters for the Armed Forces and thanked the community for their hospitality and support.

**Ten Minute Recess**

Mayor Kemp called for a ten minute recess at 6:32 p.m. to give the board and citizens a chance to speak with the military representatives. The meeting resumed at 6:42 p.m.

**Approval of Agenda**

Town Manager Blake Proctor asked the board to add “Bishop Hill property” under New Business. Commissioner Lennon made a motion to approve the agenda with the addition of “Bishop Hill property” under New Business. Commissioner Sealey seconded the motion and it passed unanimously.

**Public Comment Period/Citizens Appearance**

There were no citizens signed up to speak during the Public Comment Period.

**Consent Agenda**

Upon motion by Commissioner Grantham, seconded by Commissioner Sealey, it was unanimously voted to adopt the following consent agenda item:

- a. Approval of Minutes – Issue Forum, April 10, 2007 and Regular Meeting April 17, 2007.

**Old Business**

**Discussion and decision on purchase of Community Building property.**

Mayor Kemp announced that State Senator David Weinstein has asked for \$600,000 for the Community Building in the state budget. Mayor Kemp also announced that Town Manager Blake Proctor just finished the process of applying for a Golden L.E.A.F. grant for the Community Building in the amount of \$504,850. Mr. Proctor talked with Mr. Rick Parker of Parrish Realty and asked for the right of first refusal on the Pope’s building on South Main Street. An offer was tendered and the town made a counter offer of \$50,000 with \$25,000 being in cash and the other \$25,000 as a tax write-off. Mr. Proctor asked the board for approval to go forward with the purchase of the Pope’s building using the funds remaining in the Community Building account. Commissioner Lennon made a motion to proceed with the disbursement of \$25,000 for the purchase of the Pope’s building for use as the Community Building. Commissioner Capps seconded the motion and it passed unanimously.

Review and approval of Recreation element of the Comprehensive Plan.

Mr. Proctor presented the recreation and open space element of the Comprehensive Plan to the board for their approval. The recreation element needs to be in place in order to apply for future P.A.R.T.F. grants. Commissioner Lennon made a motion to approve the recreation element of the Comprehensive Plan. Commissioner Grantham seconded the motion and it passed unanimously. A copy of the recreation and open spaces element is hereby incorporated by reference and made a part of these minutes.

**New Business**

Ordinance 07-109 – Amending Traffic Schedule on State Secondary Road System (Golf Course Road/Highway 130 Bypass).

Town Manager Blake Proctor read Ordinance 07-109 – Amending Traffic Schedule on Golf Course Road/Highway 130 Bypass:

“AN ORDINANCE OF THE TOWN OF FAIRMONT, NORTH CAROLINA, AMENDING THE FAIRMONT CODE OF ORDINANCES BY AMENDING CHAPTER 75, TRAFFIC SCHEDULES, OF TITLE VII, TRAFFIC CODE: AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, the Board of Commissioners of the Town of Fairmont is desirous of adopting a 45 mph speed limit for Golf Course Road/State Highway 130 Bypass between South Walnut Street and Old Stage Road; and,

WHEREAS, the adoption of said speed limit requires a change in the Traffic Schedule for Fairmont;

NOW, THEREFORE, be it ordained by the Board of Commissioners of the Town of Fairmont, Robeson County, North Carolina, as follows:

Section 1. That Schedule 1. Speed Limits, of Chapter 75, Traffic Schedules, of Title VII, Traffic Code, of the Fairmont Code of Ordinances is hereby amended as follows:

Declare the following speed limits

<u>Speed Limit</u>	<u>Route</u>	<u>Description</u>
45	NC 130	From SR 2298 to SR 2238
35	NC 130	From SR 2298 to SR 2238, to a point 0.19 miles north of SR 2298. (Fairmont High School – school speed zone in effect from 30 minutes before until 30 minutes after school begins and ends on school days only)

Rescind the following speed limit

<u>Speed Limit</u>	<u>Route</u>	<u>Description</u>
55	NC 130	From SR 2298 to SR 2238

Section 2. That this ordinance shall become effective immediately upon its adoption

PASSED AND ADOPTED after first reading in full this the 15th day of May, 2007.”

Commissioner Lennon made a motion to adopt Ordinance 07-109 – Amending Traffic Schedule on State Secondary Road System (Golf Course Road/Highway 130 Bypass). Commissioner Grantham seconded the motion and it passed unanimously. A signed copy of this ordinance is hereby incorporated by reference and made a part of these minutes. Mr. Proctor said the ordinance would be sent to the NCDOT in order to get the new speed limit signs posted.

Request for assistance – Border Belt Museum.

Mr. Proctor informed the board that he received a request for assistance from the Border Belt Museum. They have requested \$1,000 from next year's budget. Mr. Proctor said the town has funds available to give them \$500 now and still budget \$1,000 for next year. Commissioner Lennon made a motion to give \$500 to the Border Belt Museum and to consider a budget appropriation of \$1,000 in next year's budget. Commissioner Sealey seconded the motion and it passed unanimously.

Resolution 07-08 – Agreement to continue participation in the North Carolina Small Town Main Street Program.

Mr. Proctor read the long title of Resolution 07-08 – Agreement to continue participation in the North Carolina Small Town Main Street Program:

“A RESOLUTION OF THE TOWN OF FAIRMONT, NORTH CAROLINA, AGREEING TO CONTINUE PARTICIPATION IN THE NORTH CAROLINA SMALL TOWN MAIN STREET PROGRAM; AND, ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, the North Carolina Department of Commerce, Division of Community Assistance, Office of Urban Development has established a Small Town Main Street Program to provide technical assistance in downtown revitalization, utilizing the “Main Street Four-Point Approach” of Organization, Design, Promotion and Economic Restructuring, to selected small towns in eastern North Carolina; and

WHEREAS, several towns were selected to receive a more detailed level of service incorporating all of the “Main Street Four Points”; and

WHEREAS, in 2006, the Department of Commerce selected the Town of Fairmont to participate in the program and the Town wishes to continue its participation for an additional year; and

WHEREAS, To the extent feasible, the technical assistance and expenses for the Program technical staff will be provided by the Department of Commerce at no charge to the Town; however, reimbursement for some travel related expenses may be requested of the Town; and

WHEREAS, both parties agree that a high level of community participation and commitment is required on the part of the Town and community in order to ensure that the program is as successful as possible:

NOW, THEREFORE, be it resolved by the Board of Commissioners of the Town of Fairmont, Robeson County, North Carolina, as follows:

Section 1. that the Town hereby agrees to continue its participation in the North Carolina Small Town Main Street Program and to abide by the following conditions:

1. The Town will actively participate in the Small Town Main Street Program for an additional period of no less than twelve (12) months beginning July 1, 2007.
2. The Town will designate a contact person in the community for the technical assistance team to coordinate with in order to provide continuity and leadership for the effort.
3. The Town will continue to maintain a volunteer committee and working subcommittees that are representative of the entire community, to provide focus for the program.
4. The Town will continue its support for the volunteer committee and will assist the committee and team in conducting community projects and any other necessary activities.
5. The Town will cooperate with the technical assistance team and support the community vision and plan of action.
6. The Town will continue to implement the plan of action to the fullest extent possible.
7. The Town will continue to develop and actively participate in local and regional partnerships and networks, and share resources and information gained through the Program with other communities in the region.
8. The Town agrees to consider reimbursement of certain travel related expenses if necessary to continue the Program, the request for such expenses to be submitted for approval prior to incurring them.

Section 2. This resolution shall become effective immediately upon its adoption

PASSED AND ADOPTED after first and only reading in full this the 15<sup>th</sup> day of May, 2007.”

Commissioner Grantham made a motion to adopt Resolution 07-08 – Agreement to continue participation in the North Carolina Small Town Main Street Program. Commissioner Capps seconded the motion and it passed unanimously. A signed copy of this resolution is hereby incorporated by reference and made a part of these minutes.

Resolution 07-09 – Supporting naming the portion of Interstate 74 through Robeson County as the “American Indian Highway.”

Mr. Proctor read the long title of Resolution 07-09 – Supporting naming the portion of Interstate 74 through Robeson County as the “American Indian Highway”:

“A RESOLUTION OF THE TOWN OF FAIRMONT, NORTH CAROLINA, SUPPORTING THE RE-NAMING OF THAT PART OF INTERSTATE 74 PASSING THROUGH ROBESON COUNTY AS THE “AMERICAN INDIAN FREEWAY;” AND ESTABLISHING AN EFFECTIVE DATE

WHEREAS, Interstate 74 (“I-74”) passes through Robeson County and is bounded on the north by Scotland County and on the south by Columbus County; and

WHEREAS, for decades I-74 has been a major connector highway which has played a prominent role in the agricultural, industrial, economic, cultural and social fabric of Robeson County by linking this rural area to other parts of the State and the Nation; and,

WHEREAS, I-74 intersects with I-95, providing Robeson County with access from coastal North Carolina to travelers from New York to Florida; and,

WHEREAS, in recognition of the importance of I-74 as a link to many major locals, the North Carolina Department of Transportation has undertaken to widen this highway and to connect it with I-73; and,

WHEREAS, the lives of generations of Native American Indian families have been intertwined with I-74, as they have traveled this highway to attend colleges, to take goods to markets, or to expand businesses into other parts of the State; and,

WHEREAS, the Native Americans of Robeson County make up the largest American Indian population of any county in the state of North Carolina, and by renaming I-74 to the “Native American Highway” it will honor the heritage of all of the Native American Indians and will acknowledge the contributions of generations of Native Americans to the Robeson County region.

NOW, THEREFORE, be it resolved, by the Board of Commissioners of the Town of Fairmont, North Carolina as follows:

Section 1. that the Board of Commissioners of the Town of Fairmont, North Carolina fully supports the re-naming of that part of Interstate 74 which passes east and west through Robeson County to be known as the “American Indian Freeway” to honor and acknowledge all American Indians, regardless of their tribal affiliations, and respectfully calls upon its representatives in the North Carolina Legislature to enact such legislation to carry out this important task.

Section 2. This resolution shall become effective immediately upon its adoption.

PASSED AND ADOPTED after first and only reading in full this the 15<sup>th</sup> day of May, 2007.”

Commissioner Grantham had concerns about renaming I-74. She suggested leaving a portion as the Andrew Jackson Highway since he was a U.S. President and name another portion closer to Pembroke “American Indian Freeway.” Commissioner Sealey stated that there was also a proposal to name part of the road in honor of U.S. Congressman Mike McIntyre. After further discussion, the board decided to wait and see what the other municipalities in Robeson County do.

Resolution 07-10 – Declaring three vehicles as surplus.

Mr. Proctor read the long title of Resolution 07-10 – Declaring three vehicles as surplus:

**“RESOLUTION AUTHORIZING THE TOWN MANAGER TO SELL SURPLUS MOTOR VEHICLES BY PRIVATE NEGOTIATION AND SALE**

WHEREAS, the Town of Fairmont has in its possession three vehicles which are surplus to the town,

WHEREAS, said vehicles have a collective value of two thousand five hundred dollars (\$2,500) and,

WHEREAS, N.C.G.S. 160A-266 empowers the Town to dispose of personal property valued at less than \$30,000.00 by private negotiation and sale and N.C.G.S. 160A-267 requires the adoption of this resolution when disposal of property by private sale is contemplated;

NOW, THEREFORE, BE IT RESOLVED by the Town Council of the Town of Fairmont that the following vehicles are hereby declared to be surplus to the needs of the Town of Fairmont and that the Town Manager is hereby authorized to dispose of said personal property at fair market value of not less than \$250 to \$500 per vehicle by private negotiation and sale in conformance with the provisions of North Carolina General Statute 160A-267:

- 1996 Ford Crown Victoria, (Poor – engine not running), value \$500
- 1996 Ford Crown Victoria, (Fair/Poor – some mechanical problems), value \$1,000
- 1996 Ford Crown Victoria, (Fair/Poor – some mechanical problems), value \$1,000

Adopted this 15<sup>th</sup> day of May 2007.”

Commissioner Grantham made a motion to adopt Resolution 07-10 – Declaring three vehicles as surplus. Commissioner Townsend seconded the motion and it passed unanimously. A signed copy of this resolution is hereby incorporated by reference and made a part of these minutes.

### Bishop Hill Property

Town Manager Blake Proctor reminded the board of the old Callahan’s TV property on Main Street that was deeded to the town and later deeded to Bishop Thomas Hill. In the deed there is a stipulation that the property be fixed up or it reverts back to the town. That was eight years ago and no improvements have been made to the property. Town Attorney Rob Price explained to the board that the deed was not written where the property would automatically revert back to the town. Mr. Price talked to Bishop Hill about deeding the property back to the town. Bishop Hill asked for the \$800 he paid for the property. After discussion with Mr. Proctor about the cost of litigation, Mr. Price suggested offering \$400 instead. Bishop Hill owes 2006 taxes in the amount of \$147.63. After discussion, Commissioner Lennon made a motion for Town Attorney Rob Price to go back and ask Bishop Hill for the deed to the old Callahan’s TV property without offering any money. Commissioner Capps seconded the motion and it passed unanimously.

### Mayor Input

Mayor Kemp announced that the town will be sponsoring its very first official Memorial Day ceremony on Monday May 28<sup>th</sup> at 9:00 a.m. in the area located between the flag pole and parking lot of town hall. The 45 minute program will include a flag raising/lowering ceremony conducted by soldiers from the 2/232 Army Reserve Unit from Lumberton, playing of taps, inspirational words from speakers, reading of Memorial Day poems, offering of poppies and small American flags to those who attend, and in a gesture of remembrance to all those who have lost their lives in military action Lynn (Pittman) Atkinson and Ronald Pittman, sister and brother of Charles T. Pittman, will place a specially prepared wreath in Memorial Park across from town hall. Charles Pittman, a native of Fairmont and oldest son of former Police Chief Charlie Pittman, was killed in action in the mid 1960’s in Vietnam.

Mayor Kemp announced that Robeson County will be hosting the next RCMA meeting on Thursday, May 24 at Fuller's BBQ in Lumberton.

Mayor Kemp thanked Town Manager Blake Proctor for completing the Golden L.E.A.F. grant application for the Community Building as well as for his code enforcement efforts in cleaning up the town.

### **Commissioners Input**

There was no Commissioners Input.

### **Manager Input**

Mr. Proctor informed the board that he wrote letters on April 27 to all owners of vacant lots within the town regarding the care of their property.

Mr. Proctor gave out copies of the budget calendar for FY 2007-2008. The proposed budget will be distributed to the board on June 1. There will be a budget workshop on Tuesday, June 12 at 6:00 p.m. in the Council Chambers. There will be a Public Hearing on the FY 2007-2008 Budget on Tuesday, June 19 at 6:00 p.m. in the Council Chambers. There will be a second budget workshop if needed on Tuesday, June 26 at 6:00 p.m. in the Council Chambers. Finally, the FY 2007-2008 budget and the amended FY 2006-2007 budget will be adopted on Thursday, June 28 at 6:00 p.m. in the Council Chambers.

Mr. Proctor passed out a flyer to the board from the N.C. Division of Air Quality about not burning outdoors.

Mr. Proctor also thanked everyone for their support during his eye surgery and other medical procedures.

### **Announcements**

Mayor Kemp announced that the town's new fire truck was on display in the town hall parking lot.

Tuesday, May 22 - South Discussion Group, 6:00 p.m., Fire Hall.

Tuesday, May 22 - Community Watch, 7:00 p.m., Fire Hall.

Monday, May 28 - Town Offices Closed for Memorial Day.

Monday, May 28 - Memorial Day Program, 9:00 a.m., Town Hall grounds.

Saturday, June 2 - Senior Bingo, 1:00-3:00 p.m., Fire Hall.

Page 10 – Regular Meeting, May 15, 2007

Saturday, June 9 - “Park it with the Mayor,” 10:00 a.m., Heritage Park in Downtown Fairmont. Bring a lawn chair for comfort.

Tuesday, June 5 - Small Town Main Street Meeting, 6:00 p.m., Fire Hall.

Thursday, June 14 and Friday, June 15 - NCDMV Mobile Driver’s License Unit, Friday, 9:00 a.m. to 5:00 p.m., Thursday, 8:00 a.m. to 4:00 p.m. Town Hall parking lot

**Closed Session - Attorney Client Privilege GS 143 318.11(a)(3,6)**

Mayor Kemp announced that closed session was inadvertently placed on the agenda and that there was no need to have it.

**Adjournment**

There being no further business, a motion was made and seconded to adjourn the meeting at 7:30 p.m.

Jennifer H. Larson, CMC  
Town Clerk

## **Budget Workshop – June 12, 2007**

The Fairmont Board of Commissioners held a special budget workshop on Tuesday, June 12, 2007 at 6:00 p.m. in the Fairmont Council Chambers with Mayor Charles Kemp presiding. Commissioners present were J.J. McCree, Jay Capps, Charles Townsend, Wade Sealey and Mary Bruce Grantham. Commissioner Wayland B. Lennon, III was absent and officially excused. Staff present included Town Manager Blake Proctor and Finance Director Linda Vause.

Mayor Kemp called the meeting to order at 6:06 p.m. and gave the invocation. Mayor Kemp stated the purpose of the meeting was to have a budget workshop on Fiscal Year 2007-2008. Commissioner Sealey arrived at 6:15 p.m.

Town Manager Blake Proctor explained his plan to review every street block in town and rate them based on condition. The streets with the highest scores will be paved first. Mr. Proctor is also working on a Capital Assets Management Plan that will be discussed at a later date.

Mr. Proctor explained that the FY 2008 budget has a total reduction of \$524,721 or 16% in the three major funds. The General Fund budget is \$1,736,290, a reduction of \$256,741 or 12.9% below the FY 2007 amount of \$1,993,031. There is an increase in the Buildings and Grounds portion due to expenses previously paid out of Powell Bill. There is also a new Leisure Services Department which will comprise every cultural and recreational service the town provides. The Utility Fund budget is \$915,250, a reduction of \$268,260 or 22.6% below the FY 2007 amount of \$1,183,510. The reductions in both the General and Utility Funds are due to the purchases of the fire trucks and flusher truck. The Powell Budget is \$105,000 with \$74,500 allocated for road paving and the rest used for equipment including the purchase of an asphalt roller.

Commissioner Grantham questioned the proposed \$33,000 revenue from privilege licenses. With video poker machines officially banned as of July 1, 2007, the town will lose \$15,000 in revenue since each machine brought in \$1,000. Mr. Proctor said he would reduce the figure. Commissioner Grantham also had concerns about inflated revenue with a tax collection rate of 96%. The town usually averages a collection rate of 92%-93%. Mr. Proctor replied that the two new industries coming to town will increase the tax revenue.

Mr. Proctor discussed a letter from Town Attorney Rob Price stating an increase of his hourly rate from \$90 to \$120 an hour. Mr. Price's current retainer is \$200 month. Mr. Proctor asked the board to allow him to negotiate a higher retainer of \$700 a month, which would include attending board meetings, and a lower hourly rate.

Commissioner Grantham commended Mr. Proctor for straightening out the Powell Bill Fund.

Page 2 – Budget Workshop, June 12, 2007

Commissioner McCree asked if the Police Department was getting compensation time. Mr. Proctor replied that the maximum amount of compensation time for the Police Department is 480 hours. Commissioner McCree asked if the other departments received compensation time as well. Mr. Proctor replied that the other full time employees get a maximum of 240 hours. Commissioner McCree asked if the Public Safety Director was exempt from compensation time. Mr. Proctor explained that Chief Hassell, Public Works Director Ronnie Seals and he were exempt employees who cannot be paid overtime but could accrue compensation hours at straight time according to the Fair Labor Standards Act. Commissioner McCree asked if their compensation time would have to be paid out if they left and Mr. Proctor agreed that it would be.

There being no further business, the meeting adjourned at 7:15 p.m.

Linda W. Vause  
Finance Director/Deputy Town Clerk

## **Regular Meeting – June 19, 2007**

The Fairmont Board of Commissioners held their regular meeting on Tuesday, June 19, 2007 at 6:00 p.m. in the Council Chambers with Mayor Charles Kemp presiding. Commissioners present were J.J. McCree, Wayland Lennon III, Wade Sealey, Charles Townsend, Mary Bruce Grantham, and Jay Capps. Staff present included Town Manager Blake Proctor, Town Attorney Robert Price, Town Clerk Jenny Larson, Finance Director Linda Vause, Public Works Director Ronnie Seals, and Public Safety Director Robert Hassell. Others present included Town Chaplain Rev. Marc Werner, Laura Kemp, Terry Evans, Mickey Williamson, Jonathan Yeomans, R. J. Walker, Gaines Grantham, Lois Carter, Huel Faulk, Annie Durant, Peggy Spencer, John Jackson, Jerry Stephens, Patricia Sealey, Earlene Ashley, Butch Lennon, Odell Hunt, Robert Inman and several citizens.

### **Call to Order and Invocation**

Mayor Charles Kemp called the meeting to order and announced that the town's new sewer flusher truck is parked out in the parking lot next to the old one for the citizens to see. Town Chaplain Rev. Marc Werner gave his final invocation as Town Chaplain. He and his wife have been reassigned to a church in Fayetteville.

### **Mayor Presentations**

#### **Recognition of Town Chaplain Marc Werner**

Mayor Kemp presented a Certificate of Appreciation to outgoing Town Chaplain Rev. Marc Werner. Mayor Kemp said it was sad to see him leave because his guidance and community involvement will be missed.

Mayor Kemp had recognized Mrs. Donna Werner, former Main Street Committee Chairman, at the last Main Street meeting and asked that the following statement be recorded in the minutes:

“For the past year, Mrs. Donna Werner has served as Chairperson of the N.C. Small Town Main Street Committee in Fairmont and has brought enthusiasm, commitment, and devotion to this vital group. She is an asset as a citizen of this community and a splendid leader. Our first year efforts to revitalize the downtown have been successful due in large part to her leadership skills and concern for her community. Upon resuming our revitalization task in the fall, her absence will be sorely felt but there is an organization in the community where she and Rev. Werner will soon reside just waiting for her leadership ability. Our loss will be definitely be their gain. I wish her much joy, happiness, and success in her future endeavors.”

#### **Check presentation to Recreation from South Robeson Medical Development Board.**

Mr. Butch Lennon and members of the South Robeson Medical Development Board presented a check for \$25,000 to the town for recreation. Mr. Lennon feels the money will help our citizens gain skills needed to maintain healthier lifestyles.

Recognition of Roderick Griffin, former ACC Basketball Player of the Year

Mayor Kemp presented a Certificate of Appreciation to Roderick Griffin. Mr. Griffin is a Fairmont native who was ACC Basketball Player of the Year during his time at Wake Forest University. Mr. Griffin was drafted by the Denver Nuggets and currently plays for the European Basketball League in Italy and Spain.

**Public Hearing – Fiscal Year 2007-2008 Budget**

Commissioner Lennon made a motion to open a Public Hearing at 6:15 p.m. to discuss the Fiscal Year 2007-2008 Budget. Commissioner Sealey seconded the motion and it passed unanimously.

Mr. Terry Evans asked if the property tax rate would remain the same. Town Manager Blake Proctor affirmed that the tax rate as well as all fees and other charges would remain the same. Mayor Kemp announced there will be another budget workshop on Tuesday, June 26<sup>th</sup> and the budget will be officially adopted on Thursday, June 28<sup>th</sup>.

There being no other comments, Commissioner Lennon made a motion to close the Public Hearing at 6:17 p.m. Commissioner Sealey seconded the motion and it passed unanimously.

**Public Hearing – Economic Development CDBG application – Harger Lightning & Grounding**

Commissioner Lennon made a motion to open a Public Hearing at 6:17 p.m. to discuss the Economic Development CDBG application for Harger Lightning & Grounding. Commissioner Sealey seconded the motion and it passed unanimously.

Mr. Proctor explained that this is the first of two required public hearings on the Economic Development CDBG application to extend sewer and build a lift station for Harger Lightning & Grounding. The industry will be located in the old R.J. Reynolds building across from the cemetery on Highway 130. The company plans to request annexation into the city limits and will eventually employ 75 people.

There being no other comments, Commissioner Capps made a motion to close the Public Hearing at 6:20 p.m. Commissioner Townsend seconded the motion and it passed unanimously.

**Approval of Agenda**

Mayor Kemp asked for recreation to be added under “Old Business.” Commissioner Lennon made a motion to approve the amended agenda by adding recreation under “Old Business.” Commissioner Sealey seconded the motion and it passed unanimously.

**Public Comment Period/Citizens Appearance**

Huel Faulk - Recreation

Mr. Faulk asked for an update on the proposed budget for the recreation program. Mayor Kemp responded that recreation will be discussed on the agenda under “Old Business.”

Lois Carter – Eastside Park sewer

Ms. Lois Carter, of 277 Stackhouse Road, passed out and read a letter from Millicent Strickland, Grant Administrator for Robeson County to County Manager Ken Windley regarding sewer for Eastside Park. The letter reads as follows:

“I spoke to Mayor Charles Kemp and Blake Proctor, Town Manager for the Town of Fairmont in reference to the sewer for Eastside Park. The following circumstances remain the same for the town:

- (a) They will not annex the area.
- (b) They will not maintain any sewer system in that area.
- (c) The Town will not change from their normal out-of-town sewer rate for the residents.
- (d) The minimum sewer rate for a town resident is \$21.00 while an out of town resident is \$41.00.”

Ms. Carter asked Mayor Kemp and Mr. Proctor how they can have the authority to make decisions without talking to the whole board first. All she wants is for the town to hook Eastside Park up to sewer and any decision made should be voted on by the board.

Commissioner Townsend asked Mayor Kemp if the agenda could be amended to respond to Ms. Carter’s request. Mayor Kemp said no but that Ms. Carter could be on next month’s agenda.

Terry Evans – Interstate 74 renaming

Mr. Terry Evans spoke against renaming the portion of Interstate 74 through Robeson County as the “American Indian Freeway.” He feels that the U.S.D.O.T. should be the agency responsible for naming the road.

**Consent Agenda**

Upon motion by Commissioner Lennon, seconded by Commissioner Capps, it was unanimously voted to adopt the following consent agenda items:

- a. Approval of Minutes –Regular Meeting May 15, 2007.
- b. Set Issue Forum for Tuesday, July 10 at 6:00 p.m. in Fire Hall.

**Old Business**

Resolution 07-09 – Supporting naming the portion of Interstate 74 through Robeson County as the “American Indian Freeway.”

Mr. Proctor read the long title of Resolution 07-09 – Supporting naming the portion of Interstate 74 through Robeson County as the “American Indian Freeway”:

“A RESOLUTION OF THE TOWN OF FAIRMONT, NORTH CAROLINA, SUPPORTING THE RE-NAMING OF THAT PART OF INTERSTATE 74 PASSING THROUGH ROBESON COUNTY AS THE “AMERICAN INDIAN FREEWAY;” AND ESTABLISHING AN EFFECTIVE DATE”

Commissioner Lennon made a motion to table adopting Resolution 07-09 – Supporting naming the portion of Interstate 74 through Robeson County as the “American Indian Freeway” until the July board meeting. Commissioner Grantham seconded the motion and it passed unanimously.

**Recreation**

Mayor Kemp explained that there was a death in the family of Fairmont Middle School Principal Canady and that Mickey Williamson will be contacting her about using the gym for the summer recreation program. Mr. Williamson is also getting in touch with the list of volunteers provided by Mr. Huel Faulk.

Mr. Faulk explained that six sets of uniforms have already been purchased for a recreational program for troubled youth over the age of 16 and is dependent on the council to help them out. Mayor Kemp suggested that Mr. Faulk, Mr. Proctor and Mr. Williamson meet to work out all the details for the summer program. They agreed to meet on Wednesday afternoon at 6:00 p.m. in Mr. Proctor’s office. Commissioner McCree requested that recreation be placed back on the July agenda.

**New Business**

Discussion/Direction regarding placement of a traffic light at the intersection of Walnut and Jenkins Streets.

Mr. Proctor explained that there is a lot of traffic at the intersection of Walnut and Jenkins Streets but that he is not sure if the N.C.D.O.T. would authorize a traffic light. Commissioner Sealey would like the N.C.D.O.T. to do a traffic count study because it is hard to see around the corner and someone could get killed. A traffic light would also slow down the speed pattern in town and citizens would not have to pull halfway out into the road to see if other cars are coming. Mr. Proctor said he would contact the N.C.D.O.T tomorrow to put in the traffic study request.

Resolution 07-11 – Contracting with the Robeson County Board of Elections and approving the agreement for provision of services.

RESOLUTION 07-11

A RESOLUTION OF THE TOWN OF FAIRMONT, NORTH CAROLINA, CONTRACTING WITH THE ROBESON COUNTY BOARD OF ELECTIONS; APPROVING THE AGREEMENT FOR PROVISION OF SERVICES; AND ESTABLISHING AN EFFECTIVE DATE

NOW, THEREFORE, be it resolved, by the Board of Commissioners of the Town of Fairmont, North Carolina as follows:

Section 1. That the Board of Commissioners of the Town of Fairmont, North Carolina agrees that it is in the best interest of the Town and Robeson County to contract with the Robeson County Board of Elections for the provision of electoral services.

Section 2. That the Board further approves that certain agreement between the Town and the Board of Commissioners as presented and made a part of this Resolution.

Section 3. This resolution shall become effective immediately upon its adoption

PASSED AND ADOPTED after first and only reading in full this the 19<sup>th</sup> day of June, 2007

Commissioner Lennon made a motion to adopt Resolution 07-11 – Contracting with the Robeson County Board of Elections and approving the agreement for provision of services. Commissioner Sealey seconded the motion and it passed unanimously. A signed copy of this resolution and agreement is hereby incorporated by reference and made a part of these minutes.

Resolution 07-12 – Application for CDBG for Economic Development to benefit Harger Lightning & Grounding

RESOLUTION 07-12

A RESOLUTION OF THE TOWN OF FAIRMONT, NORTH CAROLINA, AUTHORIZING THE TOWN'S APPLICATION FOR A COMMUNITY DEVELOPMENT BLOCK GRANT FOR ECONOMIC DEVELOPMENT; AUTHORIZING THE MAYOR AND/OR THE TOWN MANAGER TO SIGN DOCUMENTATION IN BEHALF OF THE TOWN; AND ESTABLISHING AN EFFECTIVE DATE

WHEREAS, the Town of Fairmont Board of Commissioners has previously indicated its desire to assist in economic development efforts within the Town; and,

WHEREAS, the Board of Commissioners has scheduled and will hold two public hearings concerning the proposed application for Community Development Block Grant funding to benefit the Harger Lightning & Grounding; and,

WHEREAS, the Board of Commissioners wishes the Town to pursue a formal application for Community Development Block Grant – Economic Development funding to benefit Harger Lightning & Grounding; and,

WHEREAS, the Board of Commissioners certifies it will meet all federal and state regulatory and statutory requirements of the Programs;

NOW THEREFORE, be it resolved by the Town of Fairmont Board of Commissioners as follows:

Section 1. That, upon receipt of the Grant Agreement and Funding Approval for the 2007 Economic Development project by the N.C. Department of Commerce, Commerce Finance Center, the Mayor and/or Town Manager are hereby authorized to proceed with the execution of documents.

Section 2. That said Mayor and/or Town Manager are hereby further authorized to execute daily grant related documentation which includes documentation such as the environmental review record, grant agreement, general correspondence between the Town and the proposed business and/or the funding agency (as necessary). Any documentation, which reflects a change in the original scope of work and/or amendment related activities, must be brought before the Fairmont Board of Commissioners for approval.

Section 3. That the Town of Fairmont is authorized to submit a formal application to the North Carolina Department of Commerce for approval of a Community Development Block Grant for Economic Development to benefit Harger Lightning & Grounding..

Section 4. That this resolution shall become effective immediately upon its adoption

PASSED AND ADOPTED after first and only reading in full this the 19<sup>th</sup> day of June, 2007

Commissioner Lennon made a motion to adopt Resolution 07-12 – application for CDBG for Economic Development to benefit Harger Lightning & Grounding. Commissioner Grantham seconded the motion and it passed unanimously. A signed copy of this resolution is hereby incorporated by reference and made a part of these minutes.

#### Sewer extension assessment policy

Mr. Proctor explained that the N.C. Department of Commerce requires that a sewer extension assessment policy be adopted when applying for an Economic Development CDBG. Commissioner Lennon made a motion to adopt the sewer extension assessment policy for Harger Lightning and Grounding. Commissioner Grantham seconded the motion and it passed unanimously. A copy of the assessment policy is hereby incorporated by reference and made a part of these minutes.

#### Mayor Input

#### Golden LEAF grant award

Mayor Kemp commended Mr. Proctor for his work on the Golden LEAF grant for the Community Center.

Letter from N.C. Department of State Treasurer.

Mayor Kemp read a letter from the N.C. Department of State Treasurer praising the town for its progress in increasing the fund balance. Mayor Kemp thanked the staff for their hard work in this area.

Fireworks, Bluegrass and More

Mayor Kemp invited everyone to the town's July Fourth celebration to be held on Sunday, July 1 at 7:00 p.m. in the Community Park. There will be two hours of entertainment followed by fireworks. The event is free and everyone is encouraged to bring their lawn chairs.

Department of Public Safety Wellness Center

Mayor Kemp invited all the board members to visit the new employee wellness center located in the old Dr. Dan Floyd's office next to Ideal Florist. The center will be open soon for use by all employees and their families.

**Commissioners Input**

Commissioner Townsend asked that Eastside Park's request for sewer be added to the July agenda.

Commissioner Grantham announced that she will not be seeking reelection in the fall due to personal reasons.

Commissioner Lennon commended Mr. Proctor and the town staff for their work on the budget.

Commissioner Sealey announced that the Fairmont Shrine Club will be holding a Chicken Fry on Sunday, June 24 from 11:00 a.m. to 2:00 p.m. in the Fire Hall. Plates are \$6.00 and proceeds go to the crippled children's hospital.

**Manager Input**

Mr. Proctor announced that he attached violation notices on eight abandoned, junked and nuisance vehicles and none had to be towed. Mr. Proctor is currently looking for a new towing company since the previous company backed out of its contract with the town.

**Announcements**

Mayor Kemp announced that the town's new employee Wellness Center, located on South Main Street next to Ideal Florist, is now open.

Thursday, June 21 – RCMA meeting to be hosted by the Town of Red Springs, 7:00 p.m., Community Building.

Sunday, June 24 – Reception for Rev. and Mrs. Marc Werner, 3:00 p.m. to 5:00 p.m., Trinity Methodist Church Fellowship Hall.

Tuesday, June 26 – Community Watch, 7:00 p.m., Courtroom.

Tuesday, June 26 – Special Budget Workshop (if necessary), 6:00 p.m., Council Chambers.

Thursday, June 28 – Special Board Meeting to adopt FY 07-08 Budget, 6:00 p.m., Council Chambers.

Sunday, July 1 - "Fireworks, Bluegrass & More," Fourth of July Celebration, Community Park, 7:00-9:00 p.m.

Wednesday, July 4 – Town Offices closed in observance of Independence Day.

Saturday, July 7 - 7:00 a.m., Flea Market, Town Hall Parking Lot, 10:00 a.m. "Park It With The Mayor" Heritage Park, 1:00-3:00 p.m. Senior Bingo Fire Hall.

Tuesday, July 10 - Town Issue Forum, 6:00 p.m., Fire Hall.

Thursday, July 12 and Friday, July 13 - NCDMV Mobile Driver's License Unit, 8:00 a.m. to 5:00 p.m., Town Hall parking lot.

Tuesday, July 17 – Regular Town Board Meeting, 6:00 p.m., Council Chambers.

Tuesday, August 7 - National Night Out sponsored by Fairmont Community Watch, 6:00 - 8:00 p.m., Fairmont Community Park.

**Closed Session – Personnel and Attorney Client Privilege GS 143 318.11(a)(3,6)**

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 and attorney client privilege as permitted under General Statute 143-318.11(a)(3,6). Commissioner McCree seconded the motion and it passed unanimously.

Page 9 – Regular Meeting, June 19, 2007

Mayor Kemp, Commissioners Sealey, Grantham, Lennon, McCree, Townsend and Capps along with Robert Price, Blake Proctor and Jenny Larson were in attendance during closed session.

Commissioner Sealey made a motion to come out of closed session at 7:28 p.m. Commissioner Lennon seconded the motion and it passed unanimously. Mayor Kemp announced that personnel and attorney client privilege had been discussed as permitted under General Statute 143-318.11(a)(3,6) and that no action was taken.

**Adjournment**

There being no further business, a motion was made and seconded to adjourn the meeting at 7:28 p.m.

Jennifer H. Larson, CMC  
Town Clerk

## **Budget Workshop – June 26, 2007**

The Fairmont Board of Commissioners held a special budget workshop on Tuesday, June 26, 2007 at 6:00 p.m. in the Fairmont Council Chambers with Mayor Charles Kemp presiding. Commissioners present were Wayland B. Lennon, III, Jay Capps, and Mary Bruce Grantham. Commissioners absent were J.J. McCree, Charles Townsend, and Wade Sealey. Staff present included Town Manager Blake Proctor, Town Clerk Jenny Larson and Finance Director Linda Vause.

Mayor Kemp called the meeting to order at 6:02 p.m. and Commissioner Lennon gave the invocation. Mayor Kemp stated the purpose of the meeting was to have a budget workshop on Fiscal Year 2007-2008.

Town Manager Blake Proctor reduced the amount of privilege license revenue from \$33,000 to \$15,000 and increased other revenue line items by \$18,000 so the total budget figures did not change.

Commissioner Grantham was still concerned about inflated revenue with a tax collection rate of 96%. She felt a 93% collection rate seemed more appropriate.

Mr. Proctor discussed a memo concerning his negotiations with Town Attorney Rob Price. The new arrangement will include a monthly retainer of \$720 for his first six (6) hours billed each month and his attendance at board meetings. All time billed in excess of six hours would be at the rate of \$100.00 per hour. Mr. Proctor and Mr. Price will review all agendas prior to the meetings and Mr. Price will only attend those meetings where his presence is necessary. It was further agreed that all contacts with Mr. Price would be through Mr. Proctor unless the matter concerns the manager, in which case, the contact would be via the Mayor.

Mr. Proctor went over his inventory of streets. He surveyed all the streets in three days. He announced that the worst street in town is the Town Hall parking lot but since it will cost around \$30,000 to pave, it will not be done this year. The second worst street is Red Cross Street. Some of the other streets in need of paving include Davis, Linden, Magnolia, Maple, McDaniel, Pinecrest, Shockett, and Trinity.

There being no further business, there was a motion and second to adjourn at 6:20 p.m.

Jennifer H. Larson, CMC  
Town Clerk

## **Special Meeting – June 28, 2007**

The Fairmont Board of Commissioners held a special meeting on Thursday, June 28, 2007 at 6:00 p.m. in the Council Chambers with Mayor Charles Kemp presiding. Commissioners present were Wade Sealey, Mary Bruce Grantham, Wayland Lennon, III and Jay Capps. Commissioners absent were J.J. McCree and Charles Townsend. Staff present included Town Manager Blake Proctor, Town Clerk Jenny Larson and Finance Director Linda Vause.

Mayor Kemp called the meeting to order and gave the invocation.

### **Public Hearing – Harger Lightning & Grounding**

Commissioner Lennon made a motion to open a Public Hearing at 6:01 p.m. to discuss the Economic Development CDBG application for Harger Lightning & Grounding. Commissioner Grantham seconded the motion and it passed unanimously.

Town Manager Blake Proctor announced that this was the second required public hearing on the Economic Development CDBG application for Harger Lightning & Grounding. There were no other comments.

Commissioner Grantham made a motion to close the Public Hearing at 6:04 p.m. Commissioner Capps seconded the motion and it passed unanimously.

### **Administrative Matters**

#### **Approval of 2.5% end of probation salary increase for Town Manager**

Mr. Proctor explained to the board that all general employees receive a 2.5% end of probation salary increase after six months of employment. The Board of Commissioners has to approve this increase for the manager and due to an oversight it was not done in January. Commissioner Capps made a motion to grant a 2.5% end of probation salary increase to Town Manager Blake Proctor retroactive to January 1, 2007. Commissioner Grantham seconded the motion and it passed unanimously.

#### **Adopt 2007-2008 Fiscal Year Budget**

The Fiscal Year 2007-2008 Budget keeps the tax rate at .69 cents per hundred dollar valuation and includes a 3% cost of living salary increase for all employees. Commissioner Grantham made a motion to adopt the 2007-2008 Fiscal Year Budget in the amount of \$2,834,776.00. Commissioner Lennon seconded the motion and it passed unanimously. A copy of the 2007-2008 budget is hereby incorporated by reference and made a part of these minutes.

Adopt 2006-2007 Amended Fiscal Year Budget

Mr. Proctor explained that the 2006-2007 Amended Fiscal Year Budget had to use \$50,942.66 from the General Fund Balance and \$110,652.85 from the Utility Fund Balance. Commissioner Lennon made a motion to adopt the 2006-2007 Amended Fiscal Year Budget in the amount of \$4,255,346.26. Commissioner Grantham seconded the motion and it passed unanimously. A copy of the 2006-2007 amended budget is hereby incorporated by reference and made a part of these minutes.

Write Off Uncollected Water Accounts for 2006-2007 in the amount of \$1,573.76.

Mayor Kemp explained that the customers on the charge-off list will have to pay the amount owed if they move back into town and open another water account. Commissioner Grantham made a motion to write off uncollected water accounts for 2006 - 2007 in the amount of \$ 1,573.76. Commissioner Capps seconded the motion and it passed unanimously. A copy of the uncollected water accounts is hereby incorporated by reference and made a part of these minutes.

Release 1996 Property Taxes in the amount of \$2,819.78.

Commissioner Lennon made a motion to release 1996 property taxes in the amount of \$2,819.78. Commissioner Grantham seconded the motion and it passed unanimously. A copy of the 1996 property tax accounts are hereby incorporated by reference and made a part of these minutes.

There being no further business, the meeting adjourned at 6:20 p.m.

Jennifer H. Larson, CMC  
Town Clerk