

### **Special Meeting – July 12, 2007**

The Fairmont Board of Commissioners held a special meeting on Thursday, July 12, 2007 at 6:00 p.m. in the Council Chambers with Mayor Charles Kemp presiding. Commissioners present were Wade Sealey, J.J. McCree, Charles Townsend, Mary Bruce Grantham, and Jay Capps. Commissioner Wayland Lennon, III was absent due to being out of town on business. Town Manager Blake Proctor was also absent due to a doctor's appointment. Staff present included Town Clerk Jenny Larson and Public Safety Director Robert Hassell. Other present included County Manager Ken Windley, County Commissioner Hubert Sealey, County Commissioner Jerry Stephens, Lois Carter, Jimmy Gilchrist, Terry Evans, Gosnold Floyd, and Jonathan Yeomans.

Mayor Kemp called the meeting to order at 6:05 p.m. and gave the invocation. Mayor Kemp explained the purpose of the meeting was to discuss the Eastside Park community's sewer request.

#### **Eastside Park – sewer request**

Mayor Kemp explained that the only action the Town of Fairmont has taken on Eastside Park's request for sewer was in October 2004 when the board gave their support of Robeson County applying for a grant for the community.

County Manager Ken Windley spoke about the history of Eastside Park's request for sewer to clarify some issues. Robeson County submitted a grant application on behalf of Eastside Park for \$700,000 but was unable to make the 10% match of \$70,000. Even if the county had made the match, the \$700,000 was only for the first phase of the sewer installation and housing rehabilitation. It would have taken a second \$700,000 grant to complete the project. The county commissioners also had concerns about entering the sewer business. Each resident would have to pay \$40-\$50 a month just for sewer and the Eastside Park community is a low income area.

Ms. Lois Carter spoke on behalf of the Eastside Park community. Ms. Carter explained that the drainage problems and backed up septic tanks were causing major health problems for the home owners, herself included. Ms. Carter said she went to Raleigh and that she knows the money is out there. Ms. Carter said the sewer is the most important need right now and the housing rehabilitation can come later. Ms. Carter does not feel that her community is being treated fairly.

Mayor Kemp read a message from Representative Garland Pierce. Last year he worked with the Department of Commerce for funding of this project, but no results were produced. He is willing to assist again this year and would like a status report of all actions regarding the completion of this project.

Mayor Kemp assured Ms. Carter that if funding could be found to run the sewer lines to Eastside Park that he would go out there with Public Works Director Ronnie Seals and the biggest pipe wrench they can find to personally hook the community up to Fairmont's sewer plant.

There being no further business, the meeting adjourned at 6:44 p.m.

Jennifer H. Larson, CMC  
Town Clerk

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

The Fairmont Board of Commissioners held their regular meeting on Tuesday, July 17, 2007 at 6:00 p.m. in the Council Chambers 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 attended the meeting via teleconference call. Staff present included Town Manager Blake Proctor, Town Attorney Robert Price, Town Clerk Jenny Larson, Tax Collector Rebecca Andrews, Public Works Director Ronnie Seals, Recreation Director Mickey Williamson and Public Safety Director Robert Hassell. Others present included Rev. Eugene Sturdivant, Rev. Harold Salmon, Peggy Spencer, Jonathan Grissett and several citizens.

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

Mayor Charles Kemp called the meeting to order and announced that Commissioner Lennon was attending the meeting by telephone. Rev. Eugene Sturdivant gave the invocation.

### **Mayor Presentations**

#### **Recognition of new pastors – Rev. Eugene Sturdivant and Rev. Harold Salmon**

Mayor Kemp recognized two new town pastors: Rev. Eugene Sturdivant of St. John's A.M.E. and Rev. Harold Salmon of Trinity United Methodist Church.

### **Approval of Agenda**

Commissioner Grantham made a motion to approve the agenda with the deletion of the Robeson County Veteran's Service Office. Commissioner Sealey seconded the motion and it passed unanimously.

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

#### **Ms. Peggy Spencer – National Night Out**

Ms. Peggy Spencer, President of Fairmont Community Watch, invited the board and citizens to attend National Night Out on Tuesday, August 7 from 6:00 p.m. to 8:00 p.m. in the Fairmont Community Park. Badcock Furniture is donating a JVC stereo system to be raffled off with other prizes that night. Raffle tickets are \$1.00 and will be available in the water department.

**Consent Agenda**

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

Approval of Minutes – Budget Workshop, June 12, 2007, Regular Meeting June 19, 2007, Budget Workshop, June 26, 2007 and Special Meeting, June 28, 2007.

**Old Business**

**Golden LEAF Grant – Grantee Acknowledgment and Agreement.**

Town Manager Blake Proctor informed the board that the Golden LEAF Foundation requires the grantee to approve and sign a Grantee Acknowledgment and Agreement form before receiving any grant funds. Commissioner Lennon made a motion to approve the Golden LEAF Foundation Grantee Acknowledgment and Agreement for the Fairmont-South Robeson Heritage Center Initiative. Commissioner Grantham seconded the motion and it passed unanimously.

Mayor Kemp announced that representatives from the Golden LEAF Foundation, along with Senator David Weinstein, will be in town on Friday, July 27 at 2:00 p.m. for a ceremonial check presentation in front of the old Pope's/Super 10 building.

**Recreation update.**

Mr. Proctor informed the board that he and Recreation Director Mickey Williamson met with Mr. Huel Faulk last month to discuss various recreational ideas. Adult evening basketball was looked into but the schools will not allow their facilities to be used in the evenings. There will be an inaugural Jonathan Grissett Basketball Tournament on August 3-5 at the Fairmont Middle School Gym. Mr. Grissett was present to explain the idea behind the tournament. He wanted to do something to give back to the community and help get kids back on track. He hopes the tournament will grow and become an annual event.

Mayor Kemp asked for an update on the Summer Recreation Program. Mr. Williamson reported that Mr. Richard Mitchell is running the program over at the Fairmont Middle School Gym. There are currently 23 children participating. The kids participate in games and activities throughout the day. The school is also letting them use an activity bus so they can go swimming in St. Pauls and go to the movies in Lumberton.

Disposition of Bishop Thomas Hill property.

Mr. Proctor gave a history of the Bishop Hill property. The town was given the old Callahan's TV store several years ago and then sold it to Bishop Hill for \$800. The deed stated the building had to be rehabilitated within 12 months. Nothing has been done in six years. Bishop Hill wants \$800 back in exchange for returning the property to the town. If the town were to go to court it would cost more than \$800 in legal fees. Town Attorney Rob Price reported that Bishop Hill is willing to take \$400 for the property. Mr. Proctor suggested we offer Bishop Hill \$177.71 for the property which is \$400 minus the taxes owed of \$222.29. Commissioner Sealey made a motion to offer Bishop Hill \$177.71 for the property and if he does not accept for the town attorney to come back at the next meeting with the next step of action. Commissioner Grantham seconded the motion and it passed unanimously.

**New Business**

Robeson County Veteran's Service Office – overview of services and benefits by Christopher Oxendine.

Due to an emergency, Mr. Oxendine was not able to attend tonight's meeting and will present his report at the August meeting.

Discussion of Boys & Girls Club.

Mayor Kemp and Commissioner Townsend plan to work with Mr. Ron Ross of the Boys & Girls Club of Lumberton to set up a steering committee. They will report back to the board at a later date for any appropriate action.

Discussion/Direction of Capital Asset Management Program.

Mr. Proctor explained that the purpose of a Capital Asset Management Program is to establish a set of rules/guidelines that facilitates control and custody of the property of the town. Commissioner Grantham made a motion to adopt the Capital Asset Management Program. Commissioner Lennon seconded the motion and it passed unanimously. A copy of the Capital Asset Management Program is hereby incorporated by reference and made a part of these minutes.

Selection of firm for Administration and Engineering Services for the CDBG-Economic Development lift station project for Harger Lightning & Grounding

Mr. Proctor advertised for Requests for Proposals (RFPS) for the CDBG-Economic Development lift station project for Harger Lightning & Grounding in the event the grant is awarded. The town received two proposals from Hobbs, Upchurch and Associates and Koone, Noble and Associates. The two firms were judged on five criteria: previous experience on CDBG projects, ability to carry out project on schedule, experience of the

project manager and staff, understanding the needs of the town and fee schedule. Mr. Proctor said both firms were equally matched and scored a virtual tie with Hobbs, Upchurch and Associates with a slight edge. Hobbs, Upchurch and Associates also wrote the CDBG grant for the project. Commissioner Grantham stated that Mr. Lacy Koonce is primarily responsible for bringing Harger Lightning and Grounding to Fairmont. Commissioner Grantham made a motion to recommend Koonce, Noble and Associates for the Administration and Engineering services for the CDBG-Economic Development lift station project for Harger Lightning & Grounding. Commissioner McCree seconded the motion and it passed unanimously.

### **Mayor Input**

Mayor Kemp said 90 people showed up to a job fair held recently in the courtroom by a local company and that about 60 people ended up employed.

The Employment Security Commission will host a Job Fair on Thursday, July 26 from 10:00 a.m. to 2:00 p.m. in the Fire Hall. Mayor Kemp said there will be up to 25 prospective employers at the fair.

Mayor Kemp reminded the board of the Golden LEAF check presentation on Friday, July 27 at 2:00 p.m. in front of the old Pope's/Super 10 building.

### **Commissioners Input**

Commissioner McCree asked for a status report on the Old Field CDBG application. Mr. Proctor explained that the U.S. Congress has not approved HUD's budget and the state is not looking at any CDBG applications until they have the money in hand. This includes the CDBG for Harger Lightning and Grounding.

Commissioner Lennon announced that he will be in Indiana during the August board meeting but will attend by telephone.

### **Manager Input**

Mr. Proctor attached violation notices on eleven vehicles during the past month and all but one has been moved.

Mr. Proctor announced that he may have to be out of town on July 31, August 1 and 2 due to being called as a witness in a criminal case in Georgia. Mr. Proctor is taking August 10, 13 and 14 as vacation days.

**Announcements**

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

Friday, July 27 - Golden LEAF grant presentation, 2:00 p.m., Community Center site (old Pope's/Super 10)

Saturday, August 4 - 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, August 7 - National Night Out sponsored by Fairmont Community Watch, 6:00 - 8:00 p.m., Fairmont Community Park.

Wednesday, August 8 - North Zone Discussion Group, 6:00 p.m., Rosenwald Elementary School Cafeteria.

Thursday, August 9 and Friday, August 10 - NCDMV Mobile Driver's License Unit, 8:00 a.m. to 5:00 p.m., Town Hall parking lot.

Monday, August 13 - Chamber of Commerce, 6:30 p.m., Fire Hall.

Tuesday, August 14 - Central Zone Discussion Group, 6:00 p.m., Fairmont Middle School Cafeteria.

Tuesday, August 21 – Regular Town Board Meeting, 6:00 p.m., Council Chambers.

Tuesday, August 28 - South Zone Discussion Group, 6:00 p.m., Fire Hall.

Tuesday, August 28 - Community Watch, 7:00 p.m., Courtroom

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

Commissioner Sealey made a motion to go into closed session at 6:55 p.m. to prevent the disclosure of information that is deemed privileged or confidential as determined under General Statute 143-318.10(e) and to discuss personnel and attorney client privilege as permitted under General Statute 143-318.11(a)(3,6). Commissioner Grantham 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. Commissioner Lennon was in attendance via teleconference call.

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Commissioner Sealey made a motion to come out of closed session at 7:05 p.m. Commissioner Capps 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.

Personnel Policy – compensation time

Town Attorney Rob Price stated the policy on compensation time had been discussed. He clarified that salaried employees are not eligible for compensation time and those persons are responsible for their work schedule dependent on all job duties being completed. Mr. Price will research the town's personnel policy and compare it with the FLSA and report back to the board next month with any changes that need to be made.

Adjournment

There being no further business, a motion was made and seconded to adjourn the meeting at 7:12 p.m.

Jennifer H. Larson, CMC  
Town Clerk

### **Special Meeting – August 2, 2007**

The Fairmont Board of Commissioners held a special meeting on Thursday, August 2, 2007 at 6:00 p.m. in the Council Chambers with Mayor Charles Kemp presiding. Commissioners present were Wade Sealey, Wayland Lennon, III, Charles Townsend, Mary Bruce Grantham, and Jay Capps. Commissioner J.J. McCree was absent. Staff present included Town Manager Blake Proctor and Town Clerk Jenny Larson.

Mayor Kemp called the meeting to order. Mayor Kemp explained the purpose of the meeting was to approve the sale of the Badger Building to “Project Tech” and to approve the final Inflow and Infiltration Report for the Rural Center.

#### **Sale of Badger Building to “Project Tech”**

Mr. Proctor explained that the Badger Building was donated to the town on June 29, 2007. A company codenamed “Project Tech” is interested in purchasing the property for \$30,000 and has already given the town \$3,000 as a good faith retainer. Once the sale is approved by the board, Town Attorney Rob Price can complete the deed transfer in about two weeks. Commissioner Lennon made a motion to sell the Badger Building to “Project Tech” for \$30,000. Commissioner Grantham seconded the motion and it passed unanimously.

#### **Approval of the final Inflow and Infiltration Report for the Rural Center**

The Rural Center provided a grant to the town for a wastewater collection system inflow and infiltration analysis. Hobbs, Upchurch & Associates performed the study and the final report needs to be approved by the board before the grant can be closed out. Mr. Proctor informed the board that most of the town’s manholes are in terrible shape. Commissioner Grantham made a motion to approve the final Inflow and Infiltration Report for the Rural Center. Commissioner Lennon seconded the motion and it passed unanimously.

There being no further business, the meeting adjourned at 6:07 p.m.

Jennifer H. Larson, CMC  
Town Clerk

## **Regular Meeting – August 21, 2007**

The Fairmont Board of Commissioners held their regular meeting on Tuesday, August 21, 2007 at 6:00 p.m. in the Council Chambers 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 attended the meeting via teleconference call. Staff present included Town Manager Blake Proctor, Town Clerk Jenny Larson, Public Works Director Ronnie Seals, Recreation Director Mickey Williamson and Public Safety Director Robert Hassell. Town Attorney Robert Price was absent. Others present included Rev. James Jones, Sr., Greg Cummings, County Manager Ken Windley, Huel Faulk, Terry Evans, Christopher Oxendine and several citizens.

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

Mayor Charles Kemp called the meeting to order and announced that Commissioner Lennon was attending the meeting by telephone. Rev. James Jones, Sr. of Cedar Grove Baptist gave the invocation.

### **Approval of Agenda**

Commissioner Lennon made a motion to approve the agenda with Mayor Presentation moved to the end. Commissioner Sealey seconded the motion and it passed unanimously.

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

#### **Huel Faulk – update on Old Field drainage and nuisance property on Madison Street**

Mr. Huel Faulk asked for an update on the Old Field drainage situation. Town Manager Blake Proctor responded that the federal government has not yet released the CDBG funds to the state. The town is 100% guaranteed \$400,000 for the Harger economic development CDBG and almost 100% assured of the \$850,000 for the Old Field CDBG project. Everything is on hold until the state receives the funds from the federal government.

Mr. Faulk also asked about a property on Madison Street that is in clear violation of the town codes. Mr. Proctor said he would investigate it.

#### **Terry Evans – Festival Grand Marshal suggestions**

Mr. Terry Evans suggested County Commissioners Tom Taylor, Hubert Sealey and Roger Oxendine as possible Grand Marshals for the Fairmont Farmers Festival.

**Consent Agenda**

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

Approval of Minutes – Special Meeting, July 12, 2007, Regular Meeting, July 17, 2007 and Special Meeting, August 2, 2007.

**Old Business**

Personnel – Report from Town Attorney on Compensation Time.

Mr. Proctor passed out and read a report from Town Attorney Robert Price clarifying the town's Personnel Policy in the areas of compensation time and overtime. Commissioner Lennon made a motion to amend the town's Personnel Policy to clarify compensation time and overtime. Commissioner Capps seconded the motion and it passed unanimously. A copy of the changes is hereby incorporated by reference and made a part of these minutes.

Harger CDBG – Administration Services – Hobbs, Upchurch & Associates.

At the last board meeting, the board approved Koonce, Noble and Associates for the Engineering and Administration Services for the Harger CDBG project. However, Koonce, Noble and Associates only submitted a bid on engineering. Mr. Proctor asked the board to approve Hobbs, Upchurch and Associates for the Administration Services portion of the project. Commissioner Grantham made a motion to approve Hobbs, Upchurch & Associates for the Administration Services on the Harger CDBG project. Commissioner Lennon seconded the motion and it passed unanimously.

**New Business**

Robeson County Veteran's Service Office – overview of services and benefits by Christopher Oxendine.

Mr. Christopher Oxendine gave an overview of the services available to veterans and their families at the Robeson County Veteran's Service Office in Lumberton including filing disability claims and assisting the widows of veterans. Mr. Oxendine stated that there are around 8,000 veterans in Robeson County but only 5,000 files in his office. He wants to publicize the services of his office and get the word out to all the local veterans. Commissioner McCree suggested the town put information about the Veteran's Service Office in the water department for customers to see when they pay their bill. Commissioner Lennon and Mr. Proctor recommended adding links to the Veteran's Service Office and the Veterans Administration from the town's website.

Discussion/Direction of FY 2007-2008 resurfacing activities.

Mr. Proctor presented the board with three options for resurfacing Red Cross and Center Streets. The first option is to mill along curb and resurface with 1 ½” asphalt for a cost of \$34,854. The second option is to resurface only with 1 ½” asphalt for a cost of \$32,067. The third option is to resurface only with 2” asphalt for \$40,710. Mr. Proctor recommended the first option since the milling machine is already in town to mill Main Street. Commissioner Grantham made a motion to resurface Red Cross and Center Streets by milling along curb and resurfacing with 1 ½” asphalt for a cost of \$34,854 using Powell Bill funds. Commissioner Lennon seconded the motion and it passed unanimously.

Waste Management Contract adjustment.

Mr. Proctor explained that Waste Management is increasing the town’s contract rates by the Consumer Price Index of 2.7%. This increase in prices will not be passed on to the citizens at this time. Commissioner Grantham made a motion to approve the Waste Management Contract price adjustment. Commissioner Townsend seconded the motion and it passed unanimously.

Fairmont Rural Fire Department – tract of land.

Mr. Proctor read a letter from the Fairmont Rural Fire Department requesting the town to donate back the tract of land that was cut out and traded where their new station is being built. Commissioner Grantham reminded the board that the lot was supposed to be used by the town for use as a soccer field. Commissioner Sealey would like to have a good working relationship with the Rural Fire Department and suggested that the town owned lot in front of his business would be better suited for use as a soccer field. Commissioner Grantham made a motion to table the Fairmont Rural Fire Department’s request until more research can be completed. Commissioner Townsend seconded the motion and it passed unanimously.

Resolution 07-13 – required CDBG policies.

Mr. Proctor read Resolution 07-13, Approving CDBG Plans/Policies:

**“RESOLUTION 07-13  
APPROVING CDBG PLANS/POLICIES**

WHEREAS, the Town of Fairmont wishes to carry out its FY 2007 CDBG Economic Development program in accordance with established state and federal administrative guidelines.

NOW, THEREFORE, the Fairmont Board of Commissioners hereby collectively adopts the following policies and resolves that they be utilized during the administration of the FY 2007 CDBG Economic Development program:

1. Resolution of Commitment to Further Fair Housing
2. Recipient's Plan to Further Fair Housing
3. Residential Anti-Displacement and Relocation Assistance Plan
4. Section 3 Plan
5. Equal Employment & Procurement Plan
6. Code of Conduct
7. Citizen Participation Plan
8. Procurement Policy

Commissioner Grantham made a motion to adopt Resolution 07-13 Approving CDBG Plans/Policies. Commissioner McCree seconded the motion and it passed unanimously. A signed copy of the resolution is hereby incorporated by reference and made a part of these minutes.

### **Mayor Input**

Mayor Kemp commended Peggy Spencer, Chief Hassell and all the volunteers with Community Watch who planned and put on a wonderful National Night Out.

Mayor Kemp commended Chief Hassell for the Family Fun Day held on August 18.

Mayor Kemp announced the General Assembly of North Carolina has passed an act authorizing municipalities to adopt ordinances establishing a nonresidential building or structure code. Mr. Proctor is working on a draft ordinance that will enable the town to clean up the buildings downtown.

### **Commissioners Input**

Commissioner Lennon commented that the state has created a significant water/sewer fund in their budget and encouraged Mr. Proctor to contact Jim Perry at the LRCOG for more information.

### **Manager Input**

Mr. Proctor met with the staff of U. S. Senator Elizabeth Dole today in Lumberton. Some of the issues discussed were the status of the CDBG money and getting assistance from the Army Corp of Engineers to dredge Pittman Canal.

### **Announcements**

Saturday, August 25 - Flea Market, 7:00 a.m., Fire Hall grounds.

Monday, August 27 – First day of school.

Tuesday, August 28 - South Zone Discussion Group, 6:00 p.m., Fire Hall.

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Tuesday, August 28 - Community Watch, 7:00 p.m., Courtroom.

Saturday, September 1 - 7:00 a.m., Flea Market, Fire Hall grounds; 10:00 a.m., “Park It With The Mayor,” Heritage Park; 1:00-3:00 p.m., Senior Bingo, Fire Hall.

Monday, September 3 - Old Timey Labor Day Sidewalk Sale, 7:00 a.m.-3:00 p.m., Downtown Fairmont businesses, vendors, food, music, and cash drawings.

Monday, September 3 – Town offices closed in observance of Labor Day.

Tuesday, September 4 - NC Main Street Committee, 6:00 p.m., Fire Hall.

Saturday, September 8 - Flea Market, 7:00 a.m., Fire Hall grounds.

Monday, September 10 - Chamber of Commerce social, location and time to be announced.

Thursday, September 13 and Friday, September 14 - NCDMV Mobile Driver’s License Unit, 8:00 a.m. to 5:00 p.m., Town Hall parking lot.

Tuesday, September 18 - Regular Town Board meeting, 6:00 p.m., Council Chambers.

### **Mayor Presentations**

#### **Industry Announcement – Advanced Recovery**

Mayor Kemp wanted to introduce Mark Rea, owner of Advanced Recovery, but due to a train delay, Mr. Rea was not able to make the meeting in time. Advanced Recovery is a company based in New Jersey that is expanding to open a branch in Fairmont in the old Badger Building. Advanced Recovery takes apart old computers and sells the parts back to the original manufacturer for reuse. Mayor Kemp thanked Economic Development Director Greg Cummings and Town Manager Blake Proctor for their work in bringing Advanced Recovery to Fairmont. The company will start with 6 employees and will have 30 employees at maximum capacity.

### **Adjournment**

There being no further business, a motion was made and seconded to adjourn the meeting at 7:25 p.m.

Jennifer H. Larson, CMC  
Town Clerk

## **Regular Meeting – September 18, 2007**

The Fairmont Board of Commissioners held their regular meeting on Tuesday, September 18, 2007 at 6:00 p.m. in the Council Chambers with Mayor Charles Kemp presiding. Commissioners present were J.J. McCree, Wade Sealey, Charles Townsend, Mary Bruce Grantham, Wayland Lennon III and Jay Capps. Staff present included Town Clerk Jenny Larson, Public Works Director Ronnie Seals, Recreation Director Mickey Williamson, Finance Director Linda Vause and Tax Collector Rebecca Andrews. Town Manager Blake Proctor was absent due to attending a class in Chapel Hill. Town Attorney Robert Price and Public Safety Director Robert Hassell were also absent. Others present included Rev. Harold Salmon and several citizens.

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

Mayor Charles Kemp called the meeting to order and announced that Town Manager Blake Proctor was attending a class on public employment law at the School of Government in Chapel Hill. Rev. Harold Salmon of Trinity United Methodist Church gave the invocation.

### **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 citizens signed up for the Public Comment Period.

### **Consent Agenda**

Commissioner McCree asked that the minutes reflect that Town Attorney Robert Price was not present at the last board meeting. Commissioner Grantham added that she does not like meeting without the town attorney present. Commissioner Lennon asked for a correction to the minutes on page four requesting that “LRCOG” be changed to “State.” Upon motion by Commissioner Grantham, seconded by Commissioner Lennon, it was unanimously voted to adopt the following consent agenda items with corrections to the minutes:

- a. Approval of Minutes – Regular Meeting, August 21, 2007.
- b. Set Issue Forum for Tuesday, October 9, 2007 at 6:00 p.m. in the Fire Hall.

### **Old Business**

There was no old business.

**New Business**

**Appointment of Planning Board Members.**

Commissioner Grantham made a motion to reappoint Buddy Taylor, Wallace Jones and Lacey Floyd to the Planning Board retroactive to May 2007. Commissioner Sealey seconded the motion and it passed unanimously.

**Resolution 07-14 – Declaration of surplus equipment**

Mayor Kemp informed the board the town has several pieces of equipment to be declared surplus:

**RESOLUTION 07-14 AUTHORIZING THE TOWN MANAGER TO SELL SURPLUS EQUIPMENT BY PRIVATE NEGOTIATION AND SALE**

WHEREAS, the Town of Fairmont has in its possession four pieces of equipment which are surplus to the town,

WHEREAS, said equipment has a collective value of two thousand five hundred dollars (\$850) 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 equipment 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 than \$100 to \$500 per piece of equipment by private negotiation and sale in conformance with the provisions of North Carolina General Statute 160A-267:

1994 Wacker Asphalt Roller (poor condition), value \$100  
1975 JD Tractor (poor condition), value \$500  
Hardee 571 Pull Type Cutter (poor condition), value \$100  
1975 Chevy Flusher Truck (poor condition), value \$150

Commissioner Lennon made a motion to adopt Resolution 07-14 declaring surplus equipment. Commissioner Grantham seconded the motion and it passed unanimously. A signed copy of the resolution is hereby incorporated by reference and made a part of these minutes.

**Mayor Input**

Mayor Kemp reminded the board that the Neighborhood Zone Discussion Meetings report is in their agenda packet. The next round of meetings will be in November.

Mayor Kemp reported that there was a great turnout for the Old Timey Labor Day Sidewalk Sale. Four businesses and twenty-three vendors participated and there were at least 250 shoppers. The Chamber of Commerce helped sponsor a cash prize drawing and twelve \$25 prizes were given away.

The senior citizens took a trip to the Lumber River State Park at Princess Ann this past Saturday. Chief Hassell drove the town's bus and everyone had a good time.

Mayor Kemp reminded the board that the next RCMA meeting is Tuesday, September 25 at 7:00 p.m. at the library in Rowland.

### **Commissioners Input**

Commissioner Grantham has discussed the possibility of getting a stoplight at the Food Lion shopping center with Mr. Lee Jernigan. Mr. Jernigan said there is a "Spot Check Program" that the town may qualify for and it is based on the number of tickets and accidents in the area for the last five years.

### **Manager Input**

Mayor Kemp referred the board to the memos Mr. Proctor wrote on the 2007-2008 Resurfacing Program and the Pittman Canal drainage system update. He asked the board to contact Mr. Proctor next week if they had any questions on these issues.

Mayor Kemp passed out diagrams of the Community Center's proposed layout to the board and citizens present. As part of the requirements for Golden LEAF, there are two permanent classrooms included in the design.

Mayor Kemp and Commissioner Lennon encouraged the board to attend the LRCOG's annual dinner on Thursday, October 18. Anyone planning to attend must make reservations by October 5.

### **Announcements**

Fall Clean-up weeks, September 17 to September 28.

Tuesday, September 25 - Community Watch, 7:00 p.m., Courtroom.

Tuesday, October 2 - NC Main Street Committee, 6:00 p.m., Fire Hall

Saturday, October 6 - 7:00 a.m., Flea Market, Fire Hall grounds; 10:00 a.m., "Park It With The Mayor," Heritage Park; 1:00-3:00 p.m., Senior Bingo, Fire Hall.

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

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Thursday, October 11 and Friday, October 12 - NCDMV Mobile Driver's License Unit, 8:00 a.m. to 5:00 p.m., Town Hall parking lot.

Saturday, October 13 - Fairmont Farmers Festival Pageant, 3:00 p.m. and 6:00 p.m., E.R. Gause Auditorium, Rosenwald Elementary School.

Sunday, October 14 - B.B. Thompson Choir, Givens Auditorium, UNC Pembroke, 4:00 p.m.

Tuesday, October 16 - Regular Town Board Meeting, 6:00 p.m., Council Chambers.

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

Wednesday, October 31 - Halloween Trick or Treat with Dr. Electrode (Mayor Kemp), 5:00 p.m. to 7:00 p.m., Front porch of Town Hall.

**Adjournment**

There being no further business, a motion was made and seconded to adjourn the meeting at 6:19 p.m.

Jennifer H. Larson, CMC  
Town Clerk

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

The Fairmont Board of Commissioners held their regular meeting on Tuesday, October 16, 2007 at 6:00 p.m. in the Council Chambers with Mayor Charles Kemp presiding. Commissioners present were J.J. McCree, Wade Sealey, Charles Townsend, Mary Bruce Grantham, Wayland Lennon III and Jay Capps. Staff present included Town Manager Blake Proctor, Town Clerk Jenny Larson, Town Attorney Robert Price, Public Works Director Ronnie Seals and Recreation Director Mickey Williamson. Others present included Ronnie Nye, the 2007-2008 Fairmont Farmers Festival Queens and several citizens.

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

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

### **Mayor Presentation**

#### **Introduction of 2007-2008 Fairmont Farmers Festival Queens**

Mayor Kemp introduced the 2007-2008 Fairmont Farmers Festival Queens. They are Wee Miss Victoria Flowers, Little Miss Rachel Sealy, Tiny Miss Taylor Locklear, Mini Ambassador Melissa Britt, Royal Ambassador Yasmon Carter, Junior Miss Shaina Hunt, Teen Miss Madison Wilcox, Miss Allison Mitchell and Ambassador Elizabeth Rogers.

#### **Clerk of the Year – Jenny Larson**

Mayor Kemp presented Town Clerk Jenny Larson with a certificate for being named the Lumber River Council of Governments Region N Clerk of the Year.

#### **Fairmont Grant Acquisitions since July 1, 2006**

Mayor Kemp announced that the Town of Fairmont has received \$1,623,955 in grant money since July 1, 2006. Those grants include \$300,000 Rural Business Enterprise Grant (Total Solutions), \$247,755 Homeland Security Grant (Fire Truck), \$86,350 USDA Loan (Fire Truck), \$504,850 Golden LEAF Grant (Community Center), \$400,000 CDBG Economic Development Grant (Harger Lightning) and \$75,000 Small Town Main Street Grant.

### **Approval of Agenda**

Commissioner Lennon made a motion to approve the agenda with the addition of Resolution 07-16, N.C. Governor's Highway Safety Program under New Business. Commissioner Grantham seconded the motion and it passed unanimously.

**Public Comment Period/Citizens Appearance**

Peggy Spencer – Community Watch

Ms. Peggy Spencer invited everyone to attend the next Community Watch meeting on Thursday, October 18 at 7:00 p.m. in the courtroom. The topic will be home invasion.

**Consent Agenda**

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

Approval of Minutes – Regular Meeting, September 18, 2007.

**Old Business**

Heritage Center Construction Bid.

Town Manager Blake Proctor informed the board that on August 5<sup>th</sup> and August 8<sup>th</sup>, the Town advertised for proposals for “Design and Build” bids for the renovation of the old Super 10 Store on Main Street to be used as the Heritage Center. There was only one bid submitted and it was by Ronald M. Nye Construction Co., Inc. of Fairmont. The total bid price of \$479,987 includes all architectural and engineering work and should be the total project cost for rehabbing the two buildings that make up the Super 10 Store. The remainder of the grant funds will be used to complete the awning work, and to purchase such items as wall mounted televisions. Commissioner Lennon made a motion to award the construction bid for the Heritage Center to Ronald M. Nye Construction Co., Inc. for \$479,987. Commissioner Grantham seconded the motion and it passed unanimously.

Callahan TV Building update

Town Attorney Robert Price reported that there is a judgment against Bishop Thomas Hill which prevents the Town from taking clear title to the old Callahan TV building. Mr. Price said the town would have to acquire the property through a lawsuit. Commissioner Grantham made a motion to proceed with a lawsuit against Bishop Thomas Hill for ownership of the Callahan TV property on Main Street. Commissioner Lennon seconded the motion and it passed unanimously.

**New Business**

**Resolution 07-15 – Entering into an agreement with the NCDOT for the inspection and analysis of bridges within the town.**

Mr. Proctor explained to the board that town will have to take money from the Powell Bill fund to do bridge repair work on Morro Street. Resolution 07-15 will allow this work to be done. The resolution reads as follows:

**A RESOLUTION OF THE TOWN OF FAIRMONT, NORTH CAROLINA ENTERING INTO AN AGREEMENT WITH THE NORTH CAROLINA DEPARTMENT OF TRANSPORTATION FOR THE INSPECTION AND ANALYSIS OF BRIDGES WITHIN THE TOWN; AND ESTABLISHING AN EFFECTIVE DATE**

**WHEREAS**, The Town of Fairmont (hereinafter, the Town) has requested that the North Carolina Department of Transportation (hereinafter, the Department) to perform certain work under the Federal-Aid Highway Bridge Replacement and Rehabilitation Program, said work to consist of the inspection and analysis of all public bridges on the Municipal Street System within the Town; and,

**WHEREAS**, the Town proposes to enter into an agreement with the Department for said work wherein the Department, or a Consulting Engineering firm retained by the Department, will inspect and prepare the necessary reports for all public bridges on the said Municipal Bridge System in accordance with the National Bridge Inspection standards; and,

**WHEREAS**, under said proposed agreement, the Federal Highway Administration (FHWA) shall reimburse the Department for eighty percent (80%) of the cost of the work subject to compliance with all applicable federal policies, and procedural rules and regulations; and,

**WHEREAS**, under the proposed agreement, the Town shall reimburse the Department for all costs of the work not paid by the FHWA;

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

1. That the agreement for the herein above referenced bridge inspection work is hereby formally approved by the Board of Commissioners, and that the Mayor and Town Clerk are hereby duly empowered to sign and execute this agreement.
2. That the Town Manager is hereby duly authorized to sign and execute all documents required to complete the above-stipulated activities.
3. That this Resolution shall become effective immediately upon its adoption.

Commissioner Grantham made a motion to adopt Resolution 07-15, entering into an agreement with the NCDOT for the inspection and analysis of bridges within the town. Commissioner Sealey 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 07-16 – N.C. Governor’s Highway Safety Program

Mr. Proctor asked the board to adopt Resolution 07-16, N.C. Governor’s Highway Safety Program. The resolution is part of a traffic safety grant of \$14,475 for the Public Safety Department that requires no local match. Commissioner Lennon made a motion to adopt Resolution 07-16, N.C. Governor’s Highway Safety Program. Commissioner Grantham seconded the motion and it passed unanimously. A signed copy of the resolution is hereby incorporated by reference and made a part of these minutes.

**Mayor Input**

Farmers Festival Chairman Jenny Larson gave out information on the festival to be held this Saturday, October 20. There will be a dignitary reception at 8:45 to meet Miss North Carolina Jessica Jacobs, followed by the parade at 10, with music, food and crafts all afternoon ending with a dance at Hi-Dollar Warehouse with The Fantastic Shakers.

Mayor Kemp reminded everyone of the Veterans Day ceremony to be held on Saturday, November 10 at 9:00 a.m. in the Town Hall Parking Lot. Rev. Gary Deese (CSM, U.S. Army Retired) will be the guest speaker.

Mayor Kemp commended Chief Hassell for the beautiful landscaping job around the Fire Station.

**Commissioners Input**

Commissioner Sealey asked about the possibility of having a police officer at the high school to direct traffic especially during football games.

Commissioner Lennon reminded everyone of the Lumber River Council of Governments Annual Dinner to be held on Thursday, October 18 at 6:00 p.m. at the Southeastern Agricultural Center.

**Manager Input**

Mr. Proctor announced that Town Hall now has letters on both the front and the side of the building so it will be easier for people to identify where Town Hall is.

Mr. Proctor stated that Governor Mike Easley has asked all municipalities to initiate water restrictions due to the excessive drought conditions in the state. Mr. Proctor is currently working on a drought management ordinance and would like the board to set a special meeting to adopt it. Commissioner Grantham made a motion to set a special board meeting for Tuesday, October 30 at 6:00 p.m. for the purpose of adopting Ordinance 07-110, Drought Management. Commissioner Lennon seconded the motion and it passed unanimously.

Page 5 – Regular Meeting, October 16, 2007

Mr. Proctor is still in negotiations with the Fairmont Rural Fire Department over their request for the property next to their new fire station.

**Announcements**

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

Wednesday, October 31 - Halloween Trick or Treat with Dr. Electrode (Mayor Kemp), 5:00 p.m. to 7:00 p.m., Front porch of Town Hall.

Saturday, November 3 - 7:00 a.m., Flea Market, Fire Hall grounds; 10:00 a.m., “Park It With The Mayor,” Heritage Park; 1:00-3:00 p.m., Senior Bingo, Fire Hall.

Tuesday, November 6 - Election Day, 6:30 a.m. to 7:30 p.m. Town Hall Courtroom and Hector MacLean Public Library.

Tuesday, November 6 - NC Main Street Committee, 6:00 p.m., Fire Hall.

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

Thursday, November 8 and Friday, November 9 - NCDMV Mobile Driver’s License Unit, 8:00 a.m. to 5:00 p.m., Town Hall parking lot.

Saturday, November 10 - Veterans Day Ceremony, 9:00 a.m., Town Hall.

Monday, November 12 - Town Offices and schools closed in observance of Veterans Day.

Monday, November 12 - Chamber of Commerce social, 6:00 p.m., Collins & Kemp accounting office, Byrd Street.

Tuesday, November 13 - Central Zone Discussion Group, Fairmont Middle School Cafeteria, 6:00 to 7:00 p.m.

Thursday, November 15 - Community Watch, 7:00 p.m., Courtroom.

Saturday, November 17 - Lumberton Christmas Parade, 10:00 a.m.

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

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Wednesday, November 21 - Town Employee Cookout, 12:00 noon, Fire Hall. Town offices closed at noon.

Thursday, November 22 and Friday, November 23 - Town offices closed for Thanksgiving.

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

Friday, December 7 - “A Downtown Christmas” (tentative) FHS Band/Chorus will perform from 4:30 to 6:00 p.m. Stores on Main Street will be open and Santa will arrive by Fire Truck. This will be the kickoff of Christmas Shopping in Downtown Fairmont. Sponsored by the Town of Fairmont and the Fairmont Chamber of Commerce.

**Adjournment**

There being no further business, a motion was made and seconded to adjourn the meeting at 6:45 p.m.

Jennifer H. Larson, CMC  
Town Clerk

## **Special Meeting – October 30, 2007**

The Fairmont Board of Commissioners held a special meeting on Tuesday, October 30, 2007 at 6:00 p.m. in the Council Chambers with Mayor Charles Kemp presiding. Commissioners present were J.J. McCree, Wade Sealey, Charles Townsend, Mary Bruce Grantham, Wayland Lennon III and Jay Capps. Staff present included Town Manager Blake Proctor, Town Clerk Jenny Larson, Town Attorney Robert Price, Public Works Director Ronnie Seals and Public Safety Director Robert Hassell.

Mayor Charles Kemp called the meeting to order and announced that the purpose of the meeting was to adopt Ordinance 07-110, Drought Management.

### Ordinance 07-110, Drought Management

Town Manager Blake Proctor read the title of the following Ordinance 07-110, Drought Management:

**AN ORDINANCE OF THE TOWN OF FAIRMONT, NORTH CAROLINA, AMENDING THE FAIRMONT CODE OF ORDINANCES BY CREATING A NEW CHAPTER 53, DROUGHT MANAGEMENT, OF TITLE V, PUBLIC WORKS; AND ESTABLISHING AN EFFECTIVE DATE.**

**WHEREAS**, the State of North Carolina has been in ever-worsening drought conditions, and said conditions are not expected to ease in the near future; and;

**WHEREAS**, after the cessation of current drought conditions, such conditions may re-occur at any time; and,

**WHEREAS**, the Board of Commissioners of the Town of Fairmont is desirous of ensuring adequate potable water for our citizens, now and during any future drought conditions; and,

**WHEREAS**, the Commission is desirous of preparing for any future drought conditions;

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

**Section 1.** That Title V, Public Works, of the Fairmont Code of Ordinances is hereby amended by adding thereto a new Chapter 53, Drought Management, to read in its entirety as follows:

**§ 53.01 DETERMINATION OF NEED**

The Fairmont Board of Commissioners hereby declares it in the public interest to manage water usage during conditions of water shortage within the region.

**§ 53.02 PURPOSE**

The purpose of this Chapter is to provide for the declaration of official phases of water supply shortage situations, and the subsequent implementation of voluntary and mandatory water conservation measures within the Town in the event a water emergency is declared.

**§ 53.03 WATER EMERGENCY**

- A. Declaration of Emergency: Subject to review by the Board of Commissioners at any regular or special meeting of the Board, a water emergency may be declared to exist by the Town Manager, or his designee, when any condition or situation exists that may threaten the availability and/or safety of either treated or potable water from the water supply, treatment, and distribution system operated and maintained by the Town.

A water emergency shall be declared to exist by the Town Manager or his designee when production, treatment, transmission and storage facilities are incapable of meeting all daily water demands or when projections of available water show that the available supply of water will not meet the daily water demands.

Such conditions shall include but not be limited to distribution line failure, well or pump failure, drought conditions, or any declaration of water emergency by an appropriate Robeson County, State of North Carolina, or Federal authority

- B. The declaration of the existence of a water emergency by the Town Manager or his designee shall specify the level of the severity of the emergency and be in the form of a signed Manager's Directive that shall be issued to the Mayor and Board of Commissioners in the most expeditious manner available; and upon such distribution, the Manager or his designee shall then notify the public via a press announcement of said water emergency.

Any regulatory provisions authorized by this Chapter will become effective 24 hours after the issuance of the public press announcement

- C. The severity of the water emergency shall be classified and expressed by the Town Manager or his designee in terms of the level of staged water use restrictions imposed on the Town's water customers

**§ 53.03 WATER USE RESTRICTION LEVELS**

Whenever deemed necessary, the Town Manager shall be empowered to declare water use restriction levels, as follows:

*Level 1, Voluntary Conservation – Water Shortage Awareness:* The Town asks that all water customers voluntary reduce their water usage by twenty percent (20%); voluntary cutbacks may include:

1. Watering of lawns, ornamental plants, and gardens should be limited to the hours of 7:00 p.m. and 6:00 a.m.;
2. Use of water for wash-down of such outside areas as driveways, parking lots and sidewalks should be curtailed;
3. Faucets should not be left running while conducting personal hygiene or washing dishes;
4. The use of clothes washers and dishwashers should be limited where possible, and these units should be operated with full loads only;
5. Washing cars and other vehicles should be limited to Tuesdays, Thursdays, Saturdays and Sundays;
6. Bathing should where possible, be restricted to showers, and showers should be limited to eight minutes;
7. The filling of pools should be limited to the hours between 7:00 p.m. and 6:00 a.m.
8. The use of flow restrictors and other water-saving devices is encouraged

Page 3 – Special Meeting, October 30, 2007

*Level 2: Mandatory Conservation, Water Shortage Alert:* During a declared Level 2 Water Emergency, the following water use restrictions shall be in effect for all water customers:

1. Watering of lawns, ornamental plants, and gardens shall be limited to the hours from 7:00 p.m. and 6:00 a.m.;
2. Use of water for wash-down of such outside areas as driveways, parking lots and sidewalks shall be allowed only between the hours of 7:00 p.m. and 10:00 p.m.;
3. Washing cars and other vehicles shall be limited to Tuesdays, Thursdays, Saturdays and Sundays;
4. Commercial and industrial facilities that require the use of more than 30,000 gallons per month should prepare a plan for the reduction of water use in the event more severe restrictions are announced; reduction levels shall be 10%, 25%, and 40%;
5. The filling of pools shall be limited to the hours between 7:00 p.m. and midnight

*Level 3: Mandatory Conservation – Water Shortage Warning:* During a declared Level 3 Water Emergency, the following water use restrictions shall be in effect for all customers of Town water:

1. The watering of lawns, ornamental plants and gardens shall be allowed on alternating days between the hours of 7:00 p.m. and midnight, with even-numbered houses watering on even-numbered days and odd-numbered houses watering on odd-numbered days;
2. Except where wash-downs of exteriors are necessary for public health and safety, the residential use of water for exterior wash-downs is prohibited; however commercial pressure washers shall be permitted to continue operations;
3. Residential washing of cars and other vehicles is prohibited. Automobile retail establishments and commercial automobile washing establishments, including handheld washing nozzles, shall be permitted to continue normal operations;
4. Restaurants and other food service establishments shall serve water to patrons only at the request of the patron;
5. Above-ground pools, Jacuzzis, and hot tubs having a capacity of 500 gallons or more, and all newly-constructed or drained in-ground pools shall be filled by permit only. The Public Works Director shall review applications for fill permits, the issuance of which may be denied on the basis of the assessment by the Public Works Director of the severity of the situation;
6. Large-scale commercial and industrial water customers utilizing 30,000 gallons per month, and construction activities utilizing 10,000 gallons per month shall achieve a minimum of ten percent (10%) reduction in water usage through whatever means are available.

*Level 4. Mandatory Conservation, Water Shortage Emergency:* During a declared Level 4 Water Emergency; the following water use restrictions shall be in effect for all water customers:

1. All watering or irrigating of lawns, ornamental plans or gardens, except by private wells, is prohibited;
2. Large-scale commercial and industrial water customers utilizing 30,000 gallons per month, and construction activities utilizing 10,000 gallons per month shall achieve a minimum of twenty-five percent (25%) reduction in water usage through whatever means are available;
3. Residential washing of cars and other vehicles is prohibited. Automobile retail establishments and commercial automobile washing establishments, including handheld washing nozzles, shall be permitted to continue curtailed operations, limited to between the hours of 3:00 p.m. and 10:00 p.m.
4. All recreational use of potable water, including the filling and topping off of both above-ground and in-ground pools, is prohibited;
5. Restaurants shall utilize disposable plates and utensils for customer service.

*Level 5: Mandatory Conservation, Water Shortage Crisis:* During a declared Level 5 Water Emergency, the following water use restrictions shall be in effect for all water customers:

1. All watering or irrigating of lawns, ornamental plants or gardens, including with private wells, is prohibited;
2. Large-scale commercial and industrial water customers utilizing 30,000 gallons per month, and construction activities utilizing 10,000 gallons per month shall achieve a minimum of forty percent (40%) reduction in water usage through whatever means are available;
3. Commercial automobile washing establishments shall cease operations.

**§ 53.04 ENFORCEMENT**

- A. Any employee of the Town witnessing a violation of the water use restrictions then in effect shall inform the Director of Public Safety that a violation is occurring. The employee shall provide the address of the violation, the name of the violator if known, the nature of the violation, and the date and time the violation was noted;
- B. It shall be the duty of the Public Safety Director to enforce this ordinance by citing any violator or causing a citation to be issued through the offices of the Police Division. The initial citation shall be a written warning, and shall require immediate cessation of the violation. Further violation shall be punished in accordance with Section 53.05 herein.

**§ 53.05 PENALTIES**

- A. First-time violators shall be issued a cease-and-desist order to immediately cease the violation.
- B. Continued violation after issuance by the Town of a cease-and-desist order shall be cause for the Police Division to issue a \$50.00 citation to the violator for the first three violations.
- C. Citation for a fourth violation by the Town's Police Division shall be cause to terminate the water service to that customer by the Town's Department of Public Works until such time as the water emergency is terminated in accordance with Section 53.06 hereunder.

**§ 53.06 TERMINATION OF WATER SHORTAGE EMERGENCY**

Termination of any Level of declared water emergency shall be ordered by the Town Manager or his designee when he, in direct consultation with the Director of Public Works, or his designee, determines that the water supply available for use by the Town water system is no longer so low as to constitute a water emergency under the terms of this Chapter.

All penalties incurred by any consumer of water from the Town's water system shall remain in effect until paid, regardless of any termination of an emergency. Upon termination of an emergency, discontinued users may have their service restored upon payment of the regular fees charged to customers who have their water service disconnected.

Mr. Proctor explained the five different levels of water conservation. The state has a tremendous water shortage and municipalities who use surface water are having the most problems. The Town of Fairmont is fortunate because it has three deep wells. Mr. Proctor suggested enacting Level 1, Voluntary Conservation – Water Shortage Awareness as a show of good faith effort to Governor Easley that the town is concerned about the drought.

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Commissioner McCree questioned the requirement that cars only be washed on Saturday and Sunday when lawns can be watered every evening. Mr. Proctor suggested changing the ordinance to read “washing cars and other vehicles should be limited to Tuesdays, Thursdays, Saturdays and Sundays.”

Commissioner Sealey made a motion to adopt Ordinance 07-110, Drought Management with the recommended changes. Commissioner Lennon seconded the motion and it passed unanimously. A signed copy of the ordinance is hereby incorporated by reference and made a part of these minutes.

There being no further business, a motion was made and seconded to adjourn the meeting at 6:42 p.m.

Jennifer H. Larson, CMC  
Town Clerk

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

The Fairmont Board of Commissioners held their regular meeting on Tuesday, November 20, 2007 at 6:00 p.m. in the Council Chambers with Mayor Charles Kemp presiding. Commissioners present were J.J. McCree, Wade Sealey, Charles Townsend, Mary Bruce Grantham, Wayland Lennon III and Jay Capps. Staff present included Town Manager Blake Proctor, Town Clerk Jenny Larson, Finance Director Linda Vause and Public Works Director Ronnie Seals. Town Attorney Robert Price was not present. Others present included Frances Stayton, Don Harvey, the Fairmont High School Girls Tennis Team, Michael Baker and Carol Leak-McKenzie.

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

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

### **Mayor Presentation**

#### **Recognition of Michael Baker – Robeson County Teacher of the Year**

Mayor Kemp recognized Coach Michael Baker for being named Robeson County Teacher of the Year.

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

Mayor Kemp recognized the Fairmont High School Girls Tennis Team for their 11-1 record and being named conference champions.

#### **Introduction of Commissioner-Elect Carol Leak-McKenzie**

Mayor Kemp introduced Commissioner-Elect Carol Leak-McKenzie. Mrs. Leak-McKenzie will be sworn in at the December 18<sup>th</sup> board meeting along with Commissioners Wade Sealey and J.J. McCree.

### **Approval of Agenda**

Town Manager Blake Proctor asked the board to add five items to the agenda including the status of the Old Field Swamp CDBG and the status of the Callahan Building purchase under Old Business as well as a report on Rural Center grant training, status of waste treatment regionalization and a letter from Mrs. Betty Hayes regarding utility bills under Manager Input. Commissioner Lennon made a motion to approve the agenda as amended. Commissioner Grantham 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 Sealey, seconded by Commissioner Townsend, it was unanimously voted to adopt the following consent agenda item:

Approval of Minutes – Regular Meeting, October 16, 2007 and Special Meeting, October 30, 2007.

### **Old Business**

#### **Status of Old Field Swamp CDBG – Don Harvey**

Mr. Don Harvey with The Wooten Company was present to report that the town's application for funding for the Old Field CDBG project was not approved. He stated that local governments from across the state requested \$27,888,558 and only \$13,038,290 were funded. The area containing Fairmont, allocation area #3, received \$3,541,290, or 27% of the total funds awarded across the state. Four of eleven allocation area #3 projects were funded. The Fairmont application was ranked seventh in the area with 701 points, missing the cut-off by just 32 points. Allocation area #3 was the most competitive allocation area from the standpoint of funded applications to applications submitted. Mr. Harvey said the Division of Community Assistance will set up a meeting after the new year to go over the strengths and weaknesses of the application to see where the town could have received more points. The Division of Community Assistance will announce the next CDBG funding cycle after they receive the funding allocation amount from the federal government, which has been smaller in recent years.

Commissioner Grantham remembers the board saying that the town would borrow the money if the CDBG project was not funded. Mr. Proctor said he was looking to see what the town could borrow using the \$37,500 budgeted for the CDBG project as a base.

#### **Status of Callahan Building purchase**

Mr. Proctor announced that, as of yesterday, the town is now the owner of the Callahan Building. The first thing the town is going to do is fix the front façade of the building.

### **New Business**

#### **Robeson County Humane Society – Ms. Frances Stayton**

Ms. Frances Stayton, the secretary of the Robeson County Humane Society, was present to inform the board about the society. The Robeson County Humane Society does a lot of pet adoptions as well as spay and neuter animals. She passed out membership forms and encouraged citizens to become volunteers with the society.

**Mayor Input**

Mayor Kemp thanked the Fairmont Woman’s Club for decorating town hall. He reminded everyone of the Christmas Festival and tree lighting on December 2.

Mayor Kemp announced there will be a cookout for the town employees on November 21 at noon in the Fire Hall and that the Police Officers and Firefighters Ball would be that night at the Fairmont Middle School Cafeteria.

**Commissioners Input**

Commissioner McCree asked that a status report on the Old Field area be added to the December agenda.

**Manager Input**

**Urgent Repair Program (URP0607) monitoring visit report**

Mr. Proctor reported that the town has met all the requirements to closeout its 2006 Urgent Repair Program project (URP0607). There were seventeen (17) dwelling units repaired or modified with program funds in Fairmont and Maxton. Fairmont was the lead agency for the 2006 program and Maxton will be the lead agency for the 2007 Urgent Repair Program.

**Report on Rural Center grant training**

Town Manager Proctor reported that he attended a workshop sponsored by the Rural Center on Wednesday, November 14<sup>th</sup> entitled “Getting to Success with your Consulting Engineer.” He presented a report on this workshop to the board. He stated that, after an introduction and overview, the workshop began with a paneled discussion regarding what works and what doesn’t in dealing with your engineer; a Rural Center representative then spoke and told the attendees how to resolve conflicts with our consulting engineer.

Following a lunch, a practical discussion was held on tools that can be used for selecting and evaluating engineers through the use of Requests for Proposals (RFPs); this was followed by a very informative talk regarding the utilization of consultants for capital financial planning activities. Mr. Proctor considered this the most useful of the topics discussed at the workshop.

Attendees were given a lecture on how to best negotiate contracts with our engineering consultant; the Workshop was closed with a discussion by representatives of USDA and the Rural Center, detailing the current infrastructure funding programs available in North Carolina. Mr. Proctor stated that the tips and tools garnered from this workshop will be of inestimable use when writing Rural Center and USDA grants, as well as other grants.

Status on Waste Treatment Regionalization

Mr. Proctor met with the Columbus County Board of Commissioners to discuss the status of waste treatment regionalization. The Town of Boardman should be coming online soon; the Town of Cerro Gordo should be ready in 6 to 8 months and the Town of Fair Bluff in about 15 months. Mr. Proctor said there was a slight amendment to the sewer agreement in the town's favor.

Letter from Mrs. Betty Gale Hayes regarding utility bill

Mr. Proctor received a letter from Mrs. Betty Gale Hayes a couple of weeks ago asking him to look into the question of why she was forced to pay for water and sewer when she has a well and septic tank. Mr. Proctor found that her home is not within a reasonable distance of the town's water lines so therefore she should not be paying for water. However, charges for wastewater are a slightly different matter. Since the town has a new wastewater treatment facility, the policy is that all town residents not hooked to sewer are still charged a minimum monthly fee and the town will periodically have the septic tank flushed.

**Announcements**

Wednesday, November 21 - Town Employee Cookout, 12:00 noon, Fire Hall. Town offices closed at noon.

Thursday, November 22 and Friday, November 23 - Town offices closed for Thanksgiving.

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

Friday, November 30 - B.B. Thompson Choir performs in Lumberton's Downtown Plaza from 6:00 to 6:30 p.m.

Saturday, December 1 - Marietta Christmas Parade, 11:00 a.m.

Sunday, December 2 – Fairmont Christmas Festival, 4:00 to 5:00 p.m. The Christmas Tree lighting will be at 5:00 p.m. in the Fairmont Community Park.

Tuesday, December 4 - NC Small Town Main Street Committee, 6:00 p.m., Fire Hall.

Friday, December 7 - "Holiday on Main" FHS Band and Chorus entertain with Christmas music, Santa Claus poses with children, Johnny's Hot Dogs, Free Hot Chocolate, holiday craft displays, store discounts, live in Downtown Fairmont from 4:00 to 6:00 p.m.

Saturday, December 8 - Senior Citizens Christmas Party, 1:00 to 3:00 p.m., Fire Hall.

Page 5 – Regular Meeting, November 20, 2007

Tuesday, December 18 - Regular Town Board Meeting, 6:00 p.m., Fire Hall. Swearing in of newly elected board members.

Friday, December 21 - Town employee Christmas luncheon, 12:00 noon.

Monday, December 24 - Wednesday, December 26 - Town offices closed for Christmas.

Monday, December 24 - “Santa Visits the Kids” gifts delivered by Santa to home around town between 5:00 and 8:00 p.m. Co-sponsored by Town of Fairmont and Fairmont Department of Public Safety.

Monday, December 31 and Tuesday, January 1 - Town offices closed for New Years.

**Special Presentation by the Fairmont Chapter of Rosenwald Alumni**

Mr. Robert Shaw, President of the Fairmont Chapter of Rosenwald Alumni, gave t-shirts and caps with the logo “Stay-N-School” to the board. Mr. Shaw stated that education is the hallmark of democracy and the alumni association is working hard to encourage boys and girls to stay in school.

**Adjournment**

There being no further business, a motion was made and seconded to adjourn the meeting at 6:50 p.m.

Jennifer H. Larson, CMC  
Town Clerk

## **Regular Meeting – December 18, 2007**

The Fairmont Board of Commissioners held their regular meeting on Tuesday, December 18, 2007 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, Wayland Lennon III, Jay Capps and Carol Leak-McKenzie. Staff present included Town Manager Blake Proctor, Town Clerk Jenny Larson, Finance Director Linda Vause, Tax Collector Rebecca Andrews, Recreation Director Mickey Williamson, Public Safety Director Robert Hassell and Public Works Director Ronnie Seals. Town Attorney Robert Price was not present. Others present included Rev. Harold Salmon, Eleanora Rittacco, Superior Court Judge Frank Floyd, John Masters, Terry Evans, and about 25 citizens.

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

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

### **Mayor Presentation**

#### **Certificate of Appreciation – Trinity United Methodist Church**

Mayor Kemp presented Rev. Harold Salmon of Trinity United Methodist Church with a Certificate of Appreciation for the church's work toward providing meals to the needy.

#### **Certificate of Appreciation – Eleanor Ritacco**

Mayor Kemp presented Eleanor Ritacco, owner of Bill's BBQ, with a Certificate of Appreciation for her unselfishness in feeding the needy on Thanksgiving.

#### **Proclamation – Human and Civil Rights Month**

Mayor Kemp read a Proclamation naming January 2008 as "Human and Civil Rights Month" in the Town of Fairmont. A copy of the signed proclamation is hereby incorporated by reference and made a part of these minutes.

#### **Proclamation – Rosenwald High Class of 1957**

Mayor Kemp read a Proclamation naming December 28, 2007 as "Rosenwald Class of 1957 Day" in the Town of Fairmont. A copy of the signed proclamation is hereby incorporated by reference and made a part of these minutes.

### **Approval of Agenda**

Commissioner Lennon made a motion to approve the agenda. Commissioner Grantham 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 Sealey, seconded by Commissioner Lennon, it was unanimously voted to adopt the following consent agenda items:

- a. Approval of Minutes – Regular Meeting November 20, 2007
- b. Set Issue Forum for Tuesday, January 8, 2008 at 6:00 p.m. in Fire Hall.

**Old Business**

2006-2007 Audit Report – John Masters, S. Preston Douglas & Associates.

Mr. John Masters, of S. Preston Douglas & Associates, presented the 2006-2007 Audit Report. Mr. Masters said the town had a slight increase in the General Fund balance and that the undesignated portion of the fund balance is over \$500,000 both of which are good things, especially to the LGC. The current year property tax revenue is over \$600,000 and the tax collection rate is very good at 92%. There was also resurgence in ABC store revenue and investment earnings. Mr. Masters did say that the town suffered a slight loss in the water/sewer fund and would get a letter from the LGC in reference to that. He would also like to see the town's reserves go a little higher. Mr. Masters praised the town's finance department for their hard work. Commissioner Grantham made a motion to accept the 2006-2007 audit report. Commissioner Townsend seconded the motion and it passed unanimously.

Update on Old Field Swamp area

Mayor Kemp stated he wrote letters to all the residents of Old Field to let them know the town did not receive the CDBG grant but plan to apply again. The town will find out in January why the grant application was not funded. Town Manager Blake Proctor gave a brief summary of the history of CDBG activity in the Old Field Swamp Neighborhood over the last 28 years. Most of the grant money the area received was used to rehab houses and not on drainage. Mr. Proctor said it was hard to get a CDBG application funded that focuses mainly on drainage. Once the town finds out what the weak spots were in the town's CDBG application, corrections will be made and the town will reapply for funds for the Old Field area. Mr. Terry Evans asked if the town had a contingency plan to borrow the money since the grant did not come through. Mayor Kemp assured the citizens that the town will apply for the CDBG grant again and the board will address what measures to take to improve the drainage in the interim. Commissioner McCree had concerns about waiting to send in another CDBG application while the Old Field citizens continue to suffer. He suggested the board take action to borrow funds in the amount designated in the grant application for drainage. Commissioner McCree also suggested using some of the Powell Bill funds. Mr. Proctor asked the board to wait a month to find out what the weaknesses were in the CDBG application. If it turns out that the weaknesses were because of the drainage requests, then the board should start looking for alternative funding. Otherwise, Mr. Proctor thinks the board should reapply.

**Organizational Meeting**

Comments from outgoing Commissioner Mary Bruce Grantham

Commissioner Grantham thanked the citizens for their support and said she enjoyed serving on the board for the past eight years but that it was time for some new blood with new ideas. She is still concerned about the town especially the situation in Old Field, old collapsing sewer lines, how the town is going to pay for the upkeep of the new Community Center and the need to raise the salaries of the town's dedicated employees. She wants the community to go forward and work together to make Fairmont a greater place.

Swearing in of Commissioners by Superior Court Judge Frank Floyd.

Superior Court Judge Frank Floyd swore in Commissioners Wade Sealey, J.J. McCree and Carol Leak-McKenzie. A copy of their sworn oaths is hereby incorporated by reference and attached to these minutes.

Comments by newly sworn in Commissioners.

Commissioner Leak-McKenzie thanked God, her family and the citizens of Fairmont. She looks forward to being a public servant and working hard with the Mayor and the board to do her job with fairness, honesty and love for all.

Commissioner McCree thanked everyone for their love and support and plans to do his best to serve the citizens of Fairmont.

Commissioner Sealey promised to continue to work for every citizen in Fairmont. He believes the town is better than it was four years ago and is continuing to make progress.

Set Meeting Schedule.

Commissioner Lennon made a motion to keep the third Tuesday of each month at 6:00 p.m. as the regular meeting date. Commissioner Leak-McKenzie seconded the motion and it passed unanimously.

Select Mayor Pro Tempore.

Commissioner Lennon made a motion to keep Commissioner Wade Sealey as Mayor Pro Tempore. Commissioner Capps seconded the motion and it passed unanimously.

**New Business**

Resolution 07-17 in honor of the late Mayor Willie Broox Webster.

Mayor Kemp read Resolution 07-17 in honor of the late Mayor Willie Broox Webster. Mayor Webster passed away on November 21, 2007. Commissioner Sealey made a motion to adopt Resolution 07-17 in honor of Mayor Webster. Commissioner Lennon seconded the motion and it passed unanimously. A copy of the signed resolution is hereby incorporated by reference and made a part of these minutes.

**Mayor Input**

“Santa Visits the Kids,” Christmas Eve.

Mayor Kemp informed the citizens that Santa Claus will be visiting area children on the fire truck on Christmas Eve.

Employee Christmas Luncheon, Friday, December 21 at 12:00 noon in the Fire Hall

Mayor Kemp reminded the board of the Employee Christmas Luncheon to be held on Friday, December 21 at 12:00 noon in the Fire Hall.

**Commissioners Input**

There was no Commissioners Input.

**Manager Input**

There was no Manager Input.

**Announcements**

Friday, December 21 - Town employee Christmas luncheon, 12:00 noon.

Monday, December 24 - Thursday, December 27 - Town offices closed for Christmas.

Monday, December 24 - “Santa Visits the Kids” gifts delivered by Santa to home around town between 5:00 and 8:00 p.m. Co-sponsored by Town of Fairmont and Fairmont Department of Public Safety.

Monday, December 31 and Tuesday, January 1 - Town offices closed for New Years.

Saturday January 5 - Senior Bingo, 1:00 -3:00 p.m., Fire Hall.

Tuesday January 8 - Town Issue Forum, 6:00 p.m., Fire Hall.

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

Monday January 21 - Martin Luther King Day Program, 2:00 p.m., Rosenwald Elementary School, E. R. Gause Auditorium.

Monday, January 21 - Town offices closed in observance of Martin Luther King Day.

Tuesday January 22 - Robeson County Municipal Association, hosted by Fairmont, 7:00 p.m., First Baptist Church South Main Street, Fellowship Hall. Guest speaker is Fordham Britt and the topic is “The State of Children in Robeson County.”

**Adjournment**

There being no further business, a motion was made and seconded to adjourn the meeting at 7:10 p.m. The meeting was followed with a social honoring the newly sworn in commissioners.

Jennifer H. Larson, CMC  
Town Clerk

## **Issue Forum – January 8, 2008**

The Fairmont Board of Commissioners held a special issue forum on Tuesday, January 8, 2008 at 6:00 p.m. in the Fairmont Fire Hall with Mayor Charles Kemp presiding. Commissioners present were J.J. McCree, Charles Townsend, and Carol Leak-McKenzie. Commissioners Jay Capps, Wade Sealey, and Wayland Lennon, III were absent. Commissioner Lennon was out of town on business. Staff present included Town Clerk Jenny Larson and Public Safety Director Robert Hassell. Others present included Terry Evans and Nedward Gaddy.

Mayor Kemp called the meeting to order and explained that Town Manager Blake Proctor was absent due to an eye doctor appointment and Commissioner Lennon was out of town on business.

Mayor Kemp gave an advanced report on the Old Field drainage issue and the results of why the town did not receive CDBG funding. The town was in the most competitive area of the state and was only 32 points off from receiving funds. Mayor Kemp added that Marvin Street has the biggest problem for flooding because it is lower than the flood plain. The town can use Powell Bill funds to start repairing and improving the drainage on Marvin Street. Mr. Proctor will make a presentation at the regular board meeting about the plan to improve the drainage. The town will need to hire an engineer to study the area and determine a plan of action. Mr. Don Harvey, of The Wooten Company, will also be present to explain how the town can earn more points on the next CDBG application for Old Field.

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  
Town Clerk

## **Regular Meeting – January 15, 2008**

The Fairmont Board of Commissioners held their regular meeting on Tuesday, January 15, 2008 at 6:00 p.m. in the Council Chambers with Mayor Charles Kemp presiding. Commissioners present were J.J. McCree, Wade Sealey, Charles Townsend, Jay Capps and Carol Leak-McKenzie. Commissioner Wayland Lennon III was out of town but participated by telephone. Staff present included Town Manager Blake Proctor, Town Attorney Robert Price, Town Clerk Jenny Larson, Finance Director Linda Vause, Recreation Director Mickey Williamson, Public Safety Director Robert Hassell and Public Works Director Ronnie Seals. Others present included John Jackson, Terry Evans, Brittany Lovett, Rev. Harold Salmon, Mitchell Thompson, Vicky Sarmiento, Gena Smith, Richard Mitchell, Jarrett Stephens, Charles Smith, Brianna McKnight, Don Harvey, Ray Harrington, David Cashwell and about 20 citizens.

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

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

### **Mayor Presentation**

#### **Recognition of firefighters involved with “Santa Visits the Kids.”**

Mayor Kemp recognized the following firefighters for their involvement with the “Santa Visits the Kids” program: Chief Robert Hassell, Assistant Chief Danny Parker, Assistant Chief James Thompson, Leon Jacobs, Vernell Freeman, Rita Davis and Terris Mace. They spent three hours on Christmas Eve visiting 22 homes and 57 children.

#### **Recognition of three students from area schools who have been outstanding role models of racial harmony and togetherness.**

Mayor Kemp recognized three students who have been outstanding role models of racial harmony and togetherness. They are Brianna McKnight of Rosenwald Elementary School, Charles Smith of Fairmont Middle School and Jarrett Stephens of Fairmont High School.

### **Mayoral Appointments.**

Mayor Kemp announced the creation of the Mayor’s Youth Advocacy Committee whose mission it will be to address youth desires, needs, and requirements to more fully integrate them into our community. Rev. Harold Salmon of Trinity United Methodist Church will be the chairman of the committee. Others serving with him are former festival queen and UNCP student Brittany Lovett, FHS social worker and counselor Mitchell Thompson, Cedar Grove Baptist Church youth advisor Vicky Sarmiento, and FHS coach and summer recreation coordinator Richard “Mitch” Mitchell. Commissioners Charles Townsend and Carol Leak-McKenzie will serve as board liaisons. The committee will meet during the first week of each month and will give an oral report at each regular town board meeting.

**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**

John Jackson – comment on audit

Mr. John Jackson referenced the good audit report that was given at last month's meeting. He reminded the board that credit has to be given to the previous boards who laid the groundwork for the regional sewer system and to previous Town Manager Katrina Tatum who got the town back on solid financial ground.

Terry Evans – Old Field drainage

Mr. Terry Evans encouraged the board to come up with a solution tonight for the fifty year old drainage problem in the Old Field neighborhood.

**Consent Agenda**

Upon motion by Commissioner Lennon, seconded by Commissioner Sealey, it was unanimously voted to adopt the following consent agenda item with changes to reflect that Commissioner McCree had suggested the possible use of Powell Bill funds for use in correcting the drainage problem in Old Field:

Approval of Minutes – Regular Meeting December 18, 2007.

**Old Business**

CDBG presentation by Don Harvey of The Wooten Company.

Mr. Don Harvey of the Wooten Company gave a report on his meeting with Vanessa Blanchard with DCA. The Town of Fairmont scored 701 points out of a possible 1000 for the CDBG application for Old Field. Mr. Harvey said the applications for funding were very competitive in our region. He said the appropriateness and feasibility of the project received the maximum score indicating that it was a good project. He suggested the town try and include some type of innovative activity such as a satellite police office into the next application. Mr. Harvey said including non-CDBG funds and increasing the local commitment would also benefit the future application for funds. Mr. Harvey expects the next round of applications to be due either in July or August.

Old Field Drainage – Memo 08-02, Proposal to resolve flooding on Marvin Street.

Town Manager Blake Proctor read the following suggested solution to resolve flooding on Marvin Street from Manager's Memorandum 08-02:

“The grant process, even if successful, will still take a minimum of three years to reach the most flood-prone area – east Marvin Street, which is well below FEMA’s 100-year flood zone. I am therefore presenting another proposal that should immediately rectify the flooding problem.

It is well founded that the flooding problems on Marvin Street do not stem directly from the Old Field Swamp itself, but rather from the flooding of the Pittman Canal at its juncture with the Swamp. The Canal and poorly drained soils at that part of Marvin Street, coupled of course with the street being in the 100-year flood zone, are the root causes of flooding. Since we cannot raise the land, the alternative is to lower the canal by dredging it out so that it will carry a greater volume of water away; at the same time, a series of French drains need to be installed under and around the homes to keep the ground dry during wet seasons.

I have investigated the legality of using Powell Bill funds to pay for drainage projects, and according to the Department of Transportation officials, this is allowed. I therefore propose that the Town borrow the money over a period of years to dredge the Canal now. For example, a \$200,000 loan at five percent (5%) over eight years would cost \$30,400 annually. This money would be paid monthly from Powell Bill revenues, and the Town would feel no pinch because we have been paying \$25,000 annually from the Powell Bill for several years on the purchase of a backhoe and the last payment has just been paid.

In this manner, we can “have our cake and eat it too,” as the saying goes: the flooding problem will be ameliorated (or lessened), the Town will still have funds to pave streets annually, and the \$37,500 can STILL be put toward our match for the 3-year CDBG project to upgrade the entire neighborhood.

I ask the Commission’s approval to retain an engineering consultant at a cost not to exceed \$10,000 to provide specifications and cost estimates for such a project, and thereafter, to negotiate with our banks for the best terms for early completion of this project prior to our next rainy season. These funds would be reimbursed from the loan proceeds.”

Commissioner Sealey suggested that the canal be dredged all the way to Fairmont High and possibly beyond to prevent the water from backing up in other areas.

Commissioner Lennon made a motion to approve the retaining an engineering consultant, not to exceed \$10,000, to devise plans to alleviate the drainage issue in the Old Field neighborhood. Commissioner Capps seconded the motion and it passed unanimously. Commissioner Sealey abstained from voting due to a conflict of interest.

Commissioner Capps made a motion to authorize the manager to negotiate with the banks for the best interest rate for money to be borrowed at a later date for the drainage project. Commissioner Townsend seconded the motion and it passed unanimously. Commissioner Sealey abstained from voting due to a conflict of interest.

Commissioner Lennon made a motion for the town to move forward with reapplying for CDBG funds for the Old Field neighborhood with the next application process begins. Commissioner Leak-McKenzie seconded the motion and it passed unanimously. Commissioner Sealey abstained from voting due to a conflict of interest.

Commissioner Lennon made a motion that the \$10,000 used for hiring an engineering consultant be reimbursed to the Powell Bill funds when the loan proceeds are obtained. Commissioner Capps seconded the motion and it passed unanimously. Commissioner Sealey abstained from voting due to a conflict of interest.

### **New Business**

#### **NCLM Wellness Initiative Participation Agreement**

Mr. Ray Harrington and Mr. David Cashwell with the NCLM gave a presentation on the NCLM Wellness Initiative. The program is designed to improve the quality of life by evaluating an employee's present health status and developing a realistic plan, tailored to the individual, to improve their health and fitness. The plan focuses on such things as exercise, diet, lifestyle, etc. and is based on bio metric screening of the employee and completion of an individual health risk assessment. To be eligible for the Wellness Initiative, at least fifty percent (50%) of the employees must agree to participate and the program will cost the town annually \$150 per participating employee. Commissioner Townsend made a motion to enter into a participation agreement with the NCLM for a Wellness Initiative program. Commissioner Lennon seconded the motion and it passed unanimously.

#### **Heritage Haven Housing Complex – conveyance of streets, water and sewer lines to Town of Fairmont.**

Mr. Proctor informed the board that the Lumbee Tribe would like to convey ownership of the sewer lines, water lines and streets at the Heritage Haven Housing Complex to the Town of Fairmont. Commissioner Lennon asked if the land owned by the tribe would be considered sovereign land if they were to receive federal recognition. Town Attorney Rob Price replied that it would not be considered sovereign land. The development is exempt from property taxes because it is for senior citizen public housing. Commissioner Lennon made a motion to accept ownership of the streets, water and sewer lines located in the Heritage Haven Housing Complex. Commissioner Townsend seconded the motion and it passed unanimously.

#### **Request for building and business sign ordinance from Small Town Main Street Committee.**

The Small Town Main Street Committee requested a sign ordinance be written that would require building and business owners to remove old signs from their buildings and businesses and keep in good repair the signs that are currently being used. The board gave their consensual approval for the town manager to go forward with writing a building and business sign ordinance.

Ordinance 08-111 – Chapter 152A, Minimum Standards for Non-Residential Structures, Part 1, Fairmont Property Maintenance Code and Ordinance 08-112 – Chapter 152A, Minimum Standards for Non-Residential Structures, Part 2, Abandoned and Substandard Structures.

Mr. Proctor informed the board that Ordinances 08-111 and 08-112 are works in progress. He is currently going over the ordinances with Town Attorney Rob Price to make any necessary corrections before bringing them back to the board next month for approval.

**Mayor Input**

Mayor Kemp announced that the Dr. Martin Luther King Jr. Day celebration will be held on Monday, January 21 at 2:00 p.m. in the E.R. Gause Auditorium at Rosenwald Elementary School. Rev. T. Shedrick Byrd will be the speaker and several choirs will perform.

Mayor Kemp reminded the board of the Robeson County Municipal Association meeting to be held on Tuesday, January 22 at 7:00 p.m. in the fellowship hall of First Baptist Church, South Main Street. Mrs. Fordham Britt will be the guest speaker and her topic will be “The State of the Child in Robeson County.”

**Commissioners Input**

Commissioner Sealey announced that there will be a reception honoring Hal Ivey, who is retiring as Mayor of Proctorville.

Commissioner Leak-McKenzie announced that Lt. Governor Beverly Perdue will be touring Robeson County on January 22.

Commissioner Lennon announced that the LRCOG will be holding their annual retreat this weekend and that Commissioner Townsend would be attending. Commissioner Lennon also commented on how wonderful the “Santa Visits the Kids’ program is and hopes more families will participate in the future.

**Manager Input**

Mr. Proctor commented on the 32% poverty rate in Robeson County. He is going to work hard to bring in industry to try and help combat this problem.

**Announcements**

Aerobics will be held on Tuesdays and Thursdays from 6:30 to 7:30 p.m. in the Fairmont Fire Hall. The instructor is Lisa Prevatte-Risen and the cost is \$15 a month.

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Monday January 21 - Martin Luther King Day Program, 2:00 p.m., Rosenwald Elementary School, E. R. Gause Auditorium. Rev. T. Shedrick Byrd will be the speaker and several choirs will perform.

Monday, January 21 - Town offices closed in observance of Martin Luther King Day.

Tuesday January 22 - Robeson County Municipal Association, hosted by Fairmont, 7:00 p.m., First Baptist Church South Main Street, Fellowship Hall. Guest speaker is Fordham Britt and the topic is “The State of the Child in Robeson County.”

Saturday, February 2 - Senior Bingo, 1:00-3:00 p.m., Fire Hall

Saturdays, February 2, 9, 16, 23 and March 1 – Little League Baseball Signups, 10:00 a.m. to 12:00 p.m., Recreation Office, Fairmont Department of Public Safety Employee Fitness Center (next to Ideal Florist).

Tuesday, February 5 - NC Small Town Main Street Committee, 6:00 p.m., Fire Hall.

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

Monday, February 11 - Chamber Of Commerce social, First Bank, 6:00 p.m. Refreshments will be served.

Tuesday, February 12 - 2<sup>nd</sup> Annual “Pride In Fairmont” Ceremony, 7:00 p.m., Fire Hall

Wednesday, February 13- Central Zone Discussion Group, Fairmont Middle School Cafeteria, 5:30-6:30 p.m.

Tuesday, February 19 - Regular Town Board Meeting, 6:00 p.m., Council Chambers, Town Hall.

Tuesday, February 26 - South Zone Discussion Group, 6:00-7:00 p.m., Courtroom.

### **Adjournment**

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

Jennifer H. Larson, CMC  
Town Clerk

## **Regular Meeting – February 19, 2008**

The Fairmont Board of Commissioners held their regular meeting on Tuesday, February 19, 2008 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, Jay Capps and Carol Leak-McKenzie. Commissioner Wade Sealey was out of town on business and unable to attend. Staff present included Town Manager Blake Proctor, Town Clerk Jenny Larson, Finance Director Linda Vause, Recreation Director Mickey Williamson, Public Safety Director Robert Hassell, Public Works Director Ronnie Seals and Tax Collector Rebecca Andrews. Town Attorney Robert Price arrived at 6:20 p.m. Others present included Rev. Harold Salmon, Brenda Hunt, Nikolas Vitouladitis and about 6 citizens.

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

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

### **Mayor Presentation**

Recognition of Town Clerk Jenny Larson for receiving a Certificate of Special Recognition in Promotion for the Downtown Fairmont Webpage from the North Carolina Main Street Center.

Mayor Kemp recognized Town Clerk Jenny Larson for receiving a Certificate of Special Recognition in Promotion for the Downtown Fairmont Webpage from the North Carolina Main Street Center. She received the award on January 31 in Rocky Mount from Secretary of Commerce Jim Fain. Mayor Kemp presented Mrs. Larson a Certificate of Recognition for her work on the town's website, [www.fairmontnc.com](http://www.fairmontnc.com).

Proclamation declaring March 10-17 as Multiple Sclerosis Awareness Week.

Mayor Kemp read a Proclamation declaring March 10-17 as Multiple Sclerosis Awareness Week. This proclamation is hereby attached and made a part of these minutes.

### **Approval of Agenda**

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

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

No citizens signed up to speak during the Public Comment Period.

**Committee Reports**

**Youth Advocacy Committee Report**

Rev. Harold Salmon reported that the mayor's youth advocacy committee held their first meeting on Thursday, January 24 at 7:00 p.m. in the parlor of Trinity United Methodist Church. They agreed that the first place to look for the needs of our youth was to ask the youth. Rev. Salmon has contacted Marilyn Bracey at Fairmont Middle School and she has agreed to recommend three students to be invited to the next meeting which will be on February 28 at 7:00 p.m. The committee also spent time sharing their dreams and visions for our youth.

**Consent Agenda**

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

Approval of Minutes – Issue Forum, January 8, 2008 and Regular Meeting January 15, 2008.

**Old Business**

**Ordinance 08-111 - Chapter 152A, Minimum Standards for Property Maintenance, Fairmont Property Maintenance Code**

Mr. Proctor recommended that Ordinance 08-111 be tabled until next month due to the town attorney's absence. (Mr. Price arrived later at 6:20 p.m.) Commissioner Lennon made a motion to table Ordinance 08-111 – Chapter 152A, Minimum Standards for Property Maintenance, Fairmont Property Maintenance Code. Commissioner Capps seconded the motion and it passed unanimously. Commissioner Townsend suggested holding a workshop to discuss the ordinance. Mr. Proctor said he would schedule a workshop before the next regular meeting.

**New Business**

**Resolution 08-01, Designating official to sign papers and to otherwise represent the board in connection with mosquito control.**

Commissioner Lennon made a motion to adopt Resolution 08-01, designating Town Manager Blake Proctor as the official to sign papers and to otherwise represent the board in connection with mosquito control. 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.

Ordinance 08-113 – Chapter 35, Provision of Municipal Services.

Mr. Proctor read Ordinance 08-113 as follows:

**ORDINANCE 08-113**

**AN ORDINANCE OF THE TOWN OF FAIRMONT, NORTH CAROLINA AMENDING TITLE IX, GENERAL REGULATIONS, OF THE FAIRMONT CODE OF ORDINANCES BY ADDING THERETO A NEW CHAPTER 35, PROVISION OF MUNICIPAL SERVICES OF TITLE III, ADMINISTRATION; 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 Title III, Administration, of the Fairmont Code of Ordinances, is hereby amended by adding thereto a new Chapter 35, Provision of Municipal Services, to read in its entirety as follows:

**“CHAPTER 35. PROVISION OF MUNICIPAL SERVICES**

***IN GENERAL***

**§§ 35.01 - 35.50. RESERVED**

***PREREQUISITES***

**§ 35.51 PAYMENT OF DELINQUENT TAXES**

- A. No application for new utility services shall be approved unless and until all property taxes at the applicant property have been paid in full and are current.
- B. No Zoning Permit shall be issued unless and until all property taxes at the physical address of the applicant have been paid in full and are current.
- C. No Business License shall be issued or renewed unless and until all property taxes at the physical address of the applicant have been paid in full and are current.”

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

Commissioner Lennon made a motion to adopt Ordinance 08-113 - Chapter 35, Provision of Municipal Services and it was seconded by Commissioner Capps. Commissioner McCree had concerns that this ordinance would be unfair to renters and could possibly put them out of business. He suggested that this ordinance be tabled and discussed at the same workshop as Ordinance 08-111. Commissioners Lennon and Capps withdrew their motion and second to adopt Ordinance 08-113. Commissioner Lennon made a motion to table Ordinance 08-113 and discuss it at a future workshop. Commissioner McCree seconded the motion and it passed unanimously.

Brenda Hunt – BART program.

Ms. Brenda Hunt, CEO, spoke to the board on behalf of BART, the Borderbelt AIDS Resources Team. BART is a nonprofit community based organization addressing the collective needs of individuals affected by HIV/AIDS. BART is dedicated to serving the needs of the HIV community in Robeson and surrounding counties regardless of ethnic origin, lifestyle, age, social economic standing or sex. BART HIV/AIDS Case Management services offer prevention education and emergency assistance such as food, rent assistance, clothing, housing, utilities and transportation. BART's office is located in Lumberton but the program was started in Fairmont. Ms. Hunt said there are over 500 documented cases of HIV/AIDS in Robeson County but the CDC says that number should be multiplied by 10.

Beer and Wine License for Fairmont Pizza Restaurant.

Mr. Proctor informed the board that Mr. Nikolas Vitouladitis, of Fairmont Pizza Restaurant, came before the Planning Board last week asking approval for a Beer and Wine license application for his restaurant. The Planning Board unanimously approved his application to the state. Mr. Vitouladitis plans to sell beer and unfortified wine and only with the purchase of a meal. Commissioner Lennon made a motion to approve the Beer and Wine License application for Fairmont Pizza Restaurant. Commissioner Leak-McKenzie seconded the motion and it passed unanimously.

**Mayor Input**

Mayor Kemp announced that the Town of Fairmont was partnering with the Employment Security Commission to hold a Job Fair in the Fire Hall on Thursday, February 21 from 10:00 a.m. to 2:00 p.m. There will be 20 to 25 employers present. He thanked Edna Todd of the ESC and Michael Ramey of LRCOG for organizing the job fair.

**Commissioners Input**

Commissioner Lennon stated that he would be out of town on business for the next three weeks and said he would be willing to participate by phone for the ordinance workshop.

**Manager Input**

Mr. Proctor stated that the siren was activated at 3:00 a.m. Monday morning to alert citizens of a tornado warning in the area.

Mr. Proctor has sent out requests for qualifications for the engineering study to be done in the Old Field Swamp neighborhood.

Mr. Proctor is also getting ready to start the budget process for 2008-2009 and will schedule a workshop soon to get the board's requests for the new fiscal year.

**Announcements**

Thursday, February 21 - Job Fair, Fairmont Fire Hall, 10:00 a.m. - 2:00 p.m.

Tuesday, February 26 - South Zone Discussion Group, 6:00-7:00 p.m., Courtroom.

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

Tuesday, March 4 – NC Small Town Main Street Committee, 6:00p.m., Courtroom.

Monday, March 10 - Chamber of Commerce, 6:30 p.m., Council Chambers.

Thursday, March 13 and Friday, March 14 - NCDMV Mobile Drivers License Unit in front of Fire Hall. Thursday hours 9:00 a.m. to 5:00 p.m. and Friday hours 8:00 a.m. to 4:00 p.m.

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

Friday, March 21 - Good Friday, Town offices closed in observance of Easter.

Monday, March 24 - Friday, March 28 - Schools closed for Easter/ Spring Break

**Adjournment**

There being no further business, a motion was made and seconded to adjourn the meeting at 6:45 p.m.

Jennifer H. Larson, CMC  
Town Clerk

## **Special Workshop Meeting – March 13, 2008**

The Fairmont Board of Commissioners held a special workshop meeting on Tuesday, March 13, 2008 at 6:00 p.m. in the Council Chambers with Mayor Charles Kemp presiding. Commissioners present were J.J. McCree, Wade Sealey, Charles Townsend, Jay Capps and Carol Leak-McKenzie. Commissioner Wayland Lennon III was out of town on business and participated by telephone. Staff present included Town Manager Blake Proctor and Town Clerk Jenny Larson. Town Attorney Robert Price was absent. Jerry Campbell also attended the meeting.

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

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

### **Discussion of Ordinance 08-113 – Chapter 35, Provision of Municipal Services**

Mr. Proctor explained the minor changes he made to Ordinance 08-113. The original version stated that no business license would be issued or reissued without property taxes being paid. The new version states that no initial business license will be issued unless property taxes are paid. This change will protect existing businesses who rent their space. The board agreed with the proposed changes and will adopt the ordinance at the regular board meeting.

### **Discussion of wants, needs and direction for the FY 08-09 Budget**

Mr. Proctor asked the board what they would like to see in the FY 08-09 Budget. Commissioner Lennon would like to see an extra officer in the police division. Mr. Proctor reminded the board that one police officer costs \$45,000 with salary and benefits. Commissioner McCree suggested setting aside money for overtime pay to give officers a chance to work extra shifts in problem areas. Commissioner McCree would also like to see pay raises for the town employees. Mr. Proctor said the proposed Cost of Living rate given out by the LRCOG is 4.3%. Commissioner McCree asked for the town to budget \$80,000 as the 10% match for the next CDBG application for Old Field in order to increase the points in the “ability to pay” category. Commissioner Sealey also wants another employee in the police division as well as a stop light at McDonalds, a caution light at the intersection of Walnut Street and Golf Course Road and increased street lighting throughout town. Mayor Kemp suggested the board contact Mac Campbell, a representative on the NCDOT board, for assistance in getting a stop light at McDonalds. Commissioner Capps would like to see raises for the town employees. Commissioner Townsend would like the town to do more for the youth and help find a place to house a Boys and Girls Club. Commissioners Sealey and Leak-McKenzie suggested setting aside funds to help entice manufacturers to come to Fairmont. Mr. Proctor informed the board that the upcoming budget will be very tight due to lower revenues and increasing fuel prices.

**Discussion of Ordinance 08-111 - Chapter 152A, Minimum Standards for Property Maintenance, Fairmont Property Maintenance Code**

Mr. Proctor asked the board for their input on Ordinance 08-111 and the Fairmont Property Maintenance Code. Commissioner Capps had concerns about the town putting liens on property for non-compliance. Mr. Proctor explained that the town does not want to end up owning property. The purpose of the property maintenance code is to protect the citizens and customers who live and do business in town. Commissioner Capps felt it would be intrusive for someone to come inside a retail building and question flaking paint on the walls. He suggested the Chamber of Commerce write a letter to the retail businesses and ask them to voluntarily fix up their property. Mr. Proctor said he has tried writing letters to property owners and nothing has been done yet. Commissioner Lennon pointed out that the property maintenance code is about the safety of buildings and not aesthetics. Mr. Proctor suggested meeting with the board members individually to gather their concerns on the property maintenance code. He said he would remove Ordinance 08-111 from the March agenda and put it back on for the April agenda. Mayor Kemp thanked Mr. Proctor for the hours of work he put into the property maintenance code.

**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

## **Regular Meeting – March 18, 2008**

The Fairmont Board of Commissioners held their regular meeting on Tuesday, March 18, 2008 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, Jay Capps and Carol Leak-McKenzie. Staff present included Town Manager Blake Proctor, Town Attorney Robert Price, Town Clerk Jenny Larson, Finance Director Linda Vause, Public Safety Director Robert Hassell, and Public Works Director Ronnie Seals. Others present included Terry Evans, Fairmont Middle School Basketball Team, Fairmont Middle School Cheerleaders, Barbara Currie, Elizabeth Epps and about 55 citizens.

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

Mayor Charles Kemp called the meeting to order and gave the invocation. Mayor Kemp encouraged everyone to check out the Public Safety Department's new speed warning trailer and "Click It or Ticket" trailer displayed outside. Both trailers were purchased with a 100% grant from the North Carolina Governor's Highway Safety Program.

### **Mayor Presentations**

#### **Recognition of Fairmont Middle School Boys Championship Basketball Team and Fairmont Middle School Cheerleaders.**

Mayor Kemp recognized the Fairmont Middle School Boys Championship Basketball Team and their coach Barbara Currie. He also recognized the award winning Fairmont Middle School Cheerleaders and their coach Elizabeth Epps.

#### **Recognition of Public Safety Director Robert Hassell for receiving his Master's Degree.**

Mayor Kemp recognized Public Safety Director Robert Hassell for obtaining his Master's Degree from Central Michigan University.

### **Approval of Agenda**

Town Manager Blake Proctor asked the board to remove Ordinance 08-111 and Ordinance 08-113 from the agenda. Commissioner Lennon made a motion to approve the agenda with the removal of Ordinance 08-111 and Ordinance 08-113. Commissioner Sealey seconded the motion and it passed unanimously.

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

#### **Mr. Terry Evans – beautification of Heritage Park**

Mr. Terry Evans started to ask how the town could afford to fix the drainage problems at Heritage Park but not Old Field when Mayor Kemp called him out of order for not staying on the topic he signed up to speak about, which was the beautification of Heritage Park.

## **Committee Reports**

### **Youth Advocacy Committee Report**

Commissioner Leak-McKenzie reported that the committee met and discussed the Boys and Girls Club. The committee will meet again in April and hope to get input from students at Fairmont Middle School.

## **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 February 19, 2008.
- b. Set Issue Forum for Tuesday, April 8 at 6:00 p.m. in the Council Chambers.
- c. Advertise 2007 delinquent property taxes the week of May 19.

## **Old Business**

There was no old business due to the removal of Ordinances 08-111 and 08-113.

## **New Business**

### **Resolution 08-02, Designating the weeks of April 19, 2008 to May 3, 2008 as Keep Robeson County Clean and Green 2008.**

Mayor Kemp read Resolution 08-02, designating the weeks of April 19 to May 3, 2008 as Keep Robeson County Clean and Green 2008. Commissioner Lennon made a motion to adopt Resolution 08-02, designating the weeks of April 19, 2008 to May 3, 2008 as Keep Robeson County Clean and Green 2008 Commissioner Sealey 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 08-03, Declaring surplus motor vehicle.**

Mr. Proctor informed the board that the town has a 2002 Ford Ranger Pick-up that needs to be declared surplus and sold at public auction. Commissioner Lennon made a motion to adopt Resolution 08-03, declaring surplus motor vehicle and putting it up for public auction. 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.

Ordinance 08-114 – Chapter 96, Signs and Signage.

Mr. Proctor read the long title of Ordinance 08-114 as follows: “An Ordinance of the Town of Fairmont, North Carolina amending Title IX, General Regulations, of the Fairmont Code of Ordinances by adding thereto a new Chapter 96, Signs and Signage, regulating the placement, erection, and maintenance, of signs within the Town; and, establishing an effective date.”

Mr. Proctor wrote this ordinance in response to the Small Town Main Street Committee’s request for regulating business signs. Several board members had concerns about the restrictions and charges in the sign ordinance. Commissioner Lennon made a motion to call a special workshop meeting for Thursday, April 10 at 6:00 p.m. in the Council Chambers to discuss ordinances. Commissioner Capps seconded the motion and it passed unanimously.

Ordinance 08-115 – Amending Sections 154.002, Definitions and 154.010, Mobile Homes or Modular Homes of Chapter 154, Zoning, Title XV, Land Usage.

Mr. Proctor explained that he wrote Ordinance 08-115 after discovering that the information relating to the age and permanent foundation of Mobile Homes was put erroneously in the definition section. Ordinance 08-115 reads as follows:

**ORDINANCE 08-115**

**AN ORDINANCE OF THE TOWN OF FAIRMONT, NORTH CAROLINA AMENDING SECTION 154.002, DEFINITIONS, OF CHAPTER 154, ZONING, OF TITLE XV, LAND USAGE, OF THE FAIRMONT CODE OF ORDINANCES; AMENDING SECTION 154.010, MOBILE HOMES OR MODULAR HOMES, OF CHAPTER 154, ZONING, OF TITLE XV, LAND USAGE; 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 Chapter 154, Zoning, of Title XV, Land Usage, of the Fairmont Code of Ordinances, is hereby amended as follows:

- A. That Section 154.002 Definitions, is hereby amended so that the definition of the term “Mobile Home” shall read in its entirety as follows:

**“MOBILE HOME.** A structure that consists of a single unit, or of two or three principle components (single-wide, double-wide or triple-wide, respectively) totally assembled at the factory and joined together at the building site; is designed so that the total structure, or principle component thereof can be transported on its own chassis; must be at least fifty (50) feet long and ten (10) feet wide; is designed to be used as a dwelling and provides complete, independent living facilities for one (1) family, including permanent provision for living, sleeping eating, cooking and sanitation, and is actually being used, or is held ready for use as a dwelling; and, is not permanently attached to a foundation.”

**Section 2.** That Section 154.010, MOBILE HOMES OR MODULAR HOMES of Title XV, Land Usage, of the Fairmont Code of Ordinances, is hereby amended by adding thereto a new Paragraph (E) to read in its entirety as follows:

“(E) Age limits for installation of used mobile homes is as follows:

- (1) No mobile homes shall be older than seven (7) years of age at the time of installation on any lot or site within the Town.; proof of age shall be required.
- (2) The Fairmont Code Enforcement Officer or the Robeson County Building Inspector shall determine the condition of each used mobile home prior to its setup on the lot or site.

**Section 3.** That Section 154.010, MOBILE HOMES OR MODULAR HOMES of Title XV, Land Usage, of the Fairmont Code of Ordinances, is hereby further amended by adding thereto a new Paragraph (F) to read in its entirety as follows:

“(F) Mobile home permanently attached to a foundation as follows:

A structure otherwise defined herein as a mobile home is considered to be permanently attached to a foundation if:

1. the foundation is constructed in a way or at an expense so as to make it unlikely that the mobile home placed upon it will later be removed; or,
2. the mobile home cannot be removed from the foundation without great expense or damage to the mobile home.”

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

Commissioner Lennon made a motion to adopt Ordinance 08-115, Amending Sections 154.002, Definitions and 154.010, Mobile Homes or Modular Homes of Chapter 154, Zoning, Title XV, Land Usage and establishing an age limit of seven (7) years for mobile homes. Commissioner McCree 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.

#### Interlocal Sewer Treatment Agreement.

Mr. Proctor went over the proposed interlocal sewer treatment agreement with Boardman, Cerro Gordo, and Fair Bluff. The agreement is Fairmont’s revision of an original agreement dated April 2005. The major difference is that this revision deletes Columbus County since they will not have any non-municipal users on the system. Commissioner Lennon made a motion to adopt the Interlocal Sewer Treatment Agreement with the Towns of Boardman, Cerro Gordo and Fair Bluff. Commissioner Capps seconded the motion and it passed unanimously.

**Mayor Input**

Mayor Kemp reminded the board of the Easter Employee Cookout to be held Thursday, March 20 at 12:00 noon in the Fairmont Community Park. He also reminded them of the RCMA meeting to be hosted by the Town of Pembroke on Tuesday, March 25 at 7:00 p.m. at Sheff's Seafood.

**Commissioners Input**

Commissioner Lennon will be out of town on business on April 10 and requested to participate in the workshop by telephone.

Commissioner Townsend suggested more effective communication when it comes to ordinances and the possibility of getting the Chamber of Commerce to talk to businesses about their signs. He was also concerned that Mr. Terry Evans was dismissed before he had a chance to speak his concerns. Mayor Kemp reminded the board that according to the rules, a speaker can only speak on the topic they signed up for.

**Manager Input**

Mr. Proctor announced that he will meet with four engineering firms on March 26 to discuss the study on the Old Field flooding problems.

**Announcements**

Thursday, March 20 - Town Employee Easter Cookout, 12:00 noon, Fairmont Community Park.

Thursday, March 20 - Fairmont Community Watch, 7:00 p.m., Courtroom.

Friday, March 21 and Monday, March 24 - Town offices closed in observance of Easter.

Friday, March 21 - Fairmont High School Junior/Senior Prom.

Monday, March 24 - Friday, March 28 - Schools closed for Easter/Spring Break.

Tuesday, April 1 - N.C. Small Town Main Street meeting, 6:00 p.m., Council Chambers.

Saturday, April 5 - "Park it with the Mayor", 11:00 a.m., Community Park.

Saturday, April 5 - Senior Bingo, 1:00 to 3:00 p.m., Fire Hall.

Sunday, April 6 - Fairmont Women's Club Turkey Dinner, 11:00 a.m. to 2:00 p.m., Fairmont High School Cafeteria. Plates \$7.00.

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Tuesday, April 8 - Town Issue Forum, 6:00 p.m., Council Chambers.

Saturday, April 19 - Saturday, May 3 - Spring Litter Sweep.

Tuesday, April 15 - Regular Town Board meeting, 6:00 p.m., Council Chambers.

Each Saturday - Flea Market in Town Hall Parking Lot, starting at 7:00 a.m. Cost is \$5.00 per space.

Each Saturday - Focus On Fairmont Radio Show with Mayor Charles Kemp, 12:00 noon, WSTS 100.9 FM.

**Adjournment**

There being no further business, a motion was made and seconded to adjourn the meeting at 7:21 p.m.

Jennifer H. Larson, CMC  
Town Clerk

## **Special Workshop Meeting – April 10, 2008**

The Fairmont Board of Commissioners held a special workshop meeting on Tuesday, April 10, 2008 at 6:00 p.m. in the Council Chambers with Mayor Charles Kemp presiding. Commissioners present were Wade Sealey, Charles Townsend, Jay Capps and Carol Leak-McKenzie. Commissioner Wayland Lennon III was out of town on business and participated by telephone. Commissioner J.J. McCree was also absent. Staff present included Town Manager Blake Proctor, Town Attorney Robert Price and Town Clerk Jenny Larson.

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

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

### **Discussion of Ordinance 08-114 – Chapter 96, Signs and Signage**

Town Manager Blake Proctor went over Ordinance 08-114 – Chapter 96, Signs and Signage, section by section to gather input from the board. Some of the changes suggested by the board:

- Change sign permit fee to \$25 regardless of the number of new signs instead of the proposed \$25 fee per sign.
- Remove outdoor neon lighting from prohibited signs list.
- Remove LED lights from prohibited signs list and add laser lights.
- Add “character of the business district or neighborhood” to maintenance of signs section.

Commissioner Capps suggested the board postpone adopting Ordinance 08-114 until responses are received from a letter being mailed to chamber members and business owners.

### **Discussion of Ordinance 08-113 – Chapter 35, Provision of Municipal Services**

Town Attorney Rob Price informed the board that the town cannot withhold issuing a business license even if the property taxes are not paid on the property. Mr. Proctor will take Ordinance 08-113 off the agenda and rework it.

### **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

## **Regular Meeting – April 15, 2008**

The Fairmont Board of Commissioners held their regular meeting on Tuesday, April 15, 2008 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, Jay Capps and Carol Leak-McKenzie. Staff present included Town Manager Blake Proctor, Town Clerk Jenny Larson, Finance Director Linda Vause, Public Safety Director Robert Hassell, and Public Works Director Ronnie Seals. Town Attorney Robert Price was absent. Others present included Rev. Harold Salmon, Terry Evans, Barbara Currie, Huel Faulk, Will Carter, Landa Gaddy, Officer Anthony Day, Fairmont Police Explorer Post 1033, Sergeant David Windom, Annie Elliot, Veronica Hunt, Kelly Hunt, Julie Strickland, Kathie Oxendine and about 15 citizens.

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

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

### **Mayor Presentations**

#### **Proclamation – Armed Forces Appreciation Day.**

Mayor Kemp read a Proclamation declaring Saturday, May 17 as Armed Forces Appreciation Day. This proclamation is hereby attached and made a part of these minutes.

#### **Certificate of Recognition – Mr. Will Carter, People to People Ambassador.**

Mayor Kemp presented a Certificate of Recognition to Mr. Will Carter. Mr. Carter is going to represent Fairmont in Europe this summer as a People to People Ambassador.

#### **Recognition of Fairmont Police Explorers.**

Mayor Kemp recognized Fairmont Police Explorer Post 1033. Officer Anthony Day is their post advisor. The Explorers were dressed in their new uniforms and recited their creed.

#### **Proclamation – National Public Safety Communications Week.**

Mayor Kemp read a Proclamation declaring April 13-19 as National Public Safety Communications Week. This proclamation is hereby attached and made a part of these minutes. Mayor Kemp also gave certificates of recognition to the town's telecommunicators for their dedicated service.

**Approval of Agenda**

Town Manager Blake Proctor asked the board to remove Ordinance 08-113 and Ordinance 08-114 from the agenda. Commissioner Townsend asked that the request for funds from the Panther Athletic Association be added under new business. Commissioner Lennon made a motion to approve the agenda with the removal of Ordinance 08-113 and Ordinance 08-114 and the addition of request for funds from the Panther Athletic Association. Commissioner Sealey seconded the motion and it passed unanimously.

**Public Comment Period/Citizens Appearance**

Barbara Currie – Panther Athletic Association

Since Mrs. Currie’s topic was added to new business she did not speak during the public comment period.

Huel Faulk – Abandoned houses

Mr. Huel Faulk asked the board to look into tearing down abandoned houses on Canal and Cottage Streets.

Terry Evans – Budget line items

Mr. Terry Evans was concerned about the town’s finances and pointed out that over 40 line items have gone over the amount budgeted.

**Committee Reports**

Youth Advocacy Committee Report

Rev. Harold Salmon reported that the Youth Advocacy Committee met on April 3. They continued roundtable discussion of areas that could have a positive influence on the youth of Fairmont. They discussed a Boys and Girls Club as well as the effect gang activity has on the youth. Mr. Salmon hopes representatives from each grade at Fairmont Middle and Fairmont High will attend the next meeting on May 8. Commissioners Leak-McKenzie and Townsend agreed that a Boys and Girls Club is needed in Fairmont.

**Consent Agenda**

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

Approval of Minutes – Special Workshop Meeting, March 13, 2008 and Regular Meeting March 18, 2008.

**Old Business**

**Revised Interlocal Sewer Treatment Agreement.**

Mr. Proctor reported that slight changes have been made to the interlocal sewer agreement adopted at the last board meeting. The Town of Fair Bluff requested the terms of the agreement be forty (40) years with an option to opt out after thirteen (13) years. Mr. Proctor met with the Towns of Boardman, Cerro Gordo, and Fair Bluff and they all agreed to the revised terms of the agreement. Mr. Proctor informed the board that the Town of Boardman should tie onto the plant in about two (2) months and it will be around seventeen (17) months before Cerro Gordo and Fair Bluff come online. Commissioner Lennon made a motion to adopt the revised Interlocal Sewer Treatment Agreement with the Towns of Boardman, Cerro Gordo and Fair Bluff as amended. Commissioner Sealey seconded the motion and it passed unanimously. A signed copy of this agreement is hereby incorporated by reference and made a part of these minutes. Mr. Proctor was excused from the meeting at 6:35 p.m. to go to Boardman to finish getting the signatures on the agreement.

**New Business**

**Ms. Landa Gaddy – Youth Self Improvement Community Success Initiative, Inc.**

Ms. Landa Gaddy of the Youth Self Improvement Community Success Initiative, Inc. gave the board a report on her program for youth. Her program has helped 150 youth since it began in 1980. She has partnered with Scalar Core International to provide a nutritional supplement called Néctavida. The purpose of the program is to promote nutrition and goal setting for our youth.

**Beer and Wine License application for Hilario’s Cuban Pig House.**

Mayor Kemp informed the board that Mr. Hilario Ramos, of Hilario’s Cuban Pig House Restaurant, came before the Planning Board last week asking approval for a Beer, Wine and Mixed Drink permit license application for his restaurant. The Planning Board unanimously approved his application to the state. Mr. Ramos plans to sell beer, unfortified wine and mixed drinks. Commissioner Lennon made a motion to approve the Beer, Wine and Mixed Drink permit license application for Hilario’s Cuban Pig House Restaurant. Commissioner Leak-McKenzie seconded the motion and it passed unanimously.

**Panther Athletic Association request for recreation funds**

Mrs. Barbara Currie came before the board with a request for \$1,500 in recreation funds to support the Panther Athletic Association, which is part of the Youth Basketball of America. The program is dedicated to give at risk youth a place to develop self-confidence, self-esteem and encourage teamwork, sportsmanship and fun. Commissioner

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Townsend made a motion to contribute \$1,500 from the recreation fund to the Panther Athletic Association. Commissioner McCree seconded the motion and it passed unanimously. Commissioner McCree suggested the board look at budgeting money for the association in the upcoming fiscal year.

### **Mayor Input**

Mayor Kemp announced that the Chamber of Commerce has written a letter to chamber members and business owners to encourage them to improve their properties before the board takes action on any ordinances.

Mayor Kemp encouraged any board member who can to attend Town Hall Day in Raleigh on June 4.

### **Commissioners Input**

Commissioner Lennon announced that Robert Moore, the pastor emeritus at Trinity United Methodist Church, passed away this morning.

Commissioner McCree was disappointed that Town Attorney Robert Price was not at the meeting tonight since he had some questions about budget line items that have gone over and why the board did not approve them. Two items that concerned him were the moving of a mobile home in North Fairmont and the drainage repairs to Heritage Park. Commissioner McCree also suggested that a copy of the monthly financial report be made available at the board meetings for citizens to review.

Commissioner Sealey announced that the Fairmont Shrine Club will be holding its annual Chicken Dinner on Sunday, April 20. Plates cost \$6.00 and all proceeds go to the Shriners Crippled Childrens Hospital in Greenville, South Carolina.

### **Manager Input**

There was no manager input due to the manager having to leave the meeting early.

### **Announcements**

Thursday, April 17 - Community Watch 7:00 p.m., Courtroom.

Sunday, April 20 - Fairmont Shriners Chicken Dinner, 11:30 a.m. to 2:00 p.m., Fairmont Fire Hall. Tickets \$6.00.

Monday, April 21 and Tuesday, April 22 - NCDMV Mobile Driver's License Unit, Monday 9:00 a.m.-5:00 p.m., Tuesday, 8:00 a.m.-4:00 p.m.

Tuesday, April 22 - Robeson County Municipal Association Meeting, 7:00 p.m., hosted by the Town of Proctorville, Proctorville Community Center.

Saturday, April 26 - Kids Day at Floyd's Strawberry Patch, 10:00 a.m. to 2:00 p.m. There will be games and face painting. Part of the proceeds will go to the Robeson County Autism Society.

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Saturday, April 26 - Mr. Fairmont Relay (supper and pageant), Spaghetti supper starts at 6:00 p.m. in the Fire Hall, followed by the pageant. Tickets can be purchased in advance at Angie's Touch of Class/Curves. All proceeds will go to Relay for Life.

Monday, April 28 - Movie Monday "Ice Age," 8:00 p.m., Heritage Park. Free drinks and popcorn. Please bring your own chair and blanket. Sponsored by the Fairmont Chamber of Commerce.

Tuesday, April 29 and Wednesday, April 30 - Career Day at Rosenwald Elementary School.

Thursday, May 1 - United Way of Robeson County Food Drive. Donate non-perishable food. Drop off locations in Fairmont are Lumbee Guaranty Bank, Trinity Methodist Church and Town Hall. The food goes to the Robeson County Church & Community Center, Lumberton Christian Care Center and Southeastern Family Violence Center.

Saturday, May 3 - Gospel Fest 2008, 11:00 a.m. to 5:00 p.m. on the grounds of the depot/museum. There will be gospel singing, free hot dogs for the kids and over 50 gift certificates will be given away.

Saturday, May 3 - "Park It With The Mayor," 11:00 a.m., Community Park.

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

Tuesday, May 6 - North Zone Discussion Group, Rosenwald Cafeteria, 5:00-6:00 p.m.

Tuesday, May 6 - NC Small Town Main Street Meeting, 6:00 p.m., Council Chambers.

Monday, May 12 - Chamber Of Commerce - 6:30 p.m., Council Chambers.

Tuesday, May 13 - Central Zone Discussion Group. FMS Cafeteria, 6:00-7:00 p.m.

Thursday, May 15 - Community Watch 7:00 p.m., Courtroom

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

Monday May 26 - 2<sup>nd</sup> Annual Memorial Day Tribute. Details TBA

Each Saturday - Flea Market in Town Hall Parking Lot, starting at 7:00 a.m. Cost is \$5.00 per space.

Each Saturday - Focus On Fairmont Radio Show with Mayor Charles Kemp, 12:00 noon, WSTS 100.9 FM.

### **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 – May 20, 2008**

The Fairmont Board of Commissioners held their regular meeting on Tuesday, May 20, 2008 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, Jay Capps and Carol Leak-McKenzie. Staff present included Town Attorney Robert Price, Town Clerk Jenny Larson, Public Safety Director Robert Hassell, and Public Works Director Ronnie Seals. Town Manager Blake Proctor was absent due to illness. Others present included Terry Evans, Butch Davis, Peggy Spencer, Rev. Gary Deese, Burnell Moore, Bob Moore, Gena Smith, representatives of the armed forces and about 5 citizens.

### **Public Hearing – CDBG Old Field Neighborhood**

Mayor Kemp announced that Town Manager Blake Proctor was absent due to illness and that Mr. Don Harvey with The Wooten Company could not attend the meeting due to jury duty. Mayor Kemp read a summary of the Community Development Block Grant Program for 2008. The 2008 CDBG Program Categories are: Community Revitalization, Scattered Site Housing, Infrastructure, Economic Development, Housing Development, Urgent Needs, Capacity Building, and Small Business Entrepreneurial Assistance. The Town of Fairmont will be applying for Community Revitalization funds for the Old Field Neighborhood. After a motion by Commissioner Lennon and a second by Commissioner Sealey, the public hearing was closed at 6:07 p.m.

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

Mayor Charles Kemp called the meeting to order. He announced with great sadness that Fairmont Middle School custodian Mr. Willie Christie had met a tragic death. Rev. Gary Deese gave the invocation.

### **Mayor Presentations**

#### **Proclamation – Memorial Day observance**

Mayor Kemp read a Proclamation on Memorial Day observance. This proclamation is hereby attached and made a part of these minutes. Mayor Kemp announced that a Memorial Day ceremony would be held on Monday, May 26 at 9:00 a.m. in the town hall parking lot and that Mr. Frank Evans would be the guest speaker.

#### **Recognition of Armed Forces representatives.**

Mayor Kemp read a poem about Armed Forces Day and introduced Navy Petty Officer Kenneth Hughes and Marine Sgt. Timothy Ward, who are recruiters for the Armed Forces. They thanked the community for their hospitality and support.

Tribute to Rev. Robert Moore

Mayor Kemp read the following tribute to Rev. Robert Moore, Pastor Emeritus of Trinity United Methodist Church, who recently passed away:

“Recently the Reverend Robert Moore, Pastor Emeritus of Trinity Methodist Church in Fairmont, passed away after battling sicknesses over an extended period. In life, he was a counselor and friend to many, in the pulpit he delivered down to earth sermons which touched hearts and inspired his congregations, and during the time of crisis which found America embroiled in World War II he stepped forward to defend our great land and was thrice wounded in combat. He was a chaplain and minister to those who were wounded and those who were dying. He was a model soldier and a representative of “The Greatest Generation” who saved the world from tyranny and dictatorships. We in this community shall sorely miss his presence, insights, and moral leadership. Each individual who came in contact with Rev. Moore came away a better and more uplifted person, more full of life, and with a better and fuller understanding of their life’s purpose. He will be missed but now he can minister to many in Heaven for his work has been successfully completed here.”

Mayor Kemp presented a copy of the tribute to Mrs. Burnell Moore and her son, Bob Moore. Mr. Moore thanked the mayor and stated that his parents retired in Fairmont because the citizens were so good to them. Mr. Moore encouraged the board to keep Fairmont moving in the right direction. He stated that people all over the county are talking about the good things going on in Fairmont.

Certificate of Appreciation – Mr. Butch Davis

Mayor Kemp presented a certificate of appreciation to Mr. Butch Davis for volunteering to be the hot dog cook at employee and senior citizen functions.

**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**

Terry Evans – Budget/Contract with Columbus County for sewer treatment

Mr. Terry Evans stated that several line items in the town’s budget have gone over and that the town should stop spending. Mr. Evans also had concerns about the town’s recent agreement with the towns of Columbus County for sewer treatment. He thinks it is ridiculous that those towns will be paying less for sewer than Fairmont residents.

**Committee Reports**

Youth Advocacy Committee Report

Commissioners Townsend and Leak-McKenzie reiterated the need for a Boys and Girls Club in Fairmont.

**Consent Agenda**

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

Approval of Minutes – Special Workshop Meeting, April 10, 2008 and Regular Meeting April 15, 2008.

**Old Business**

Rescind original Interlocal Sewer Agreement with Columbus County.

Mayor Kemp asked the board to rescind the original Interlocal Sewer Agreement with Columbus County since the town now has a separate agreement with Boardman, Cerro Gordo and Fair Bluff. Commissioner Lennon made a motion to rescind the original Interlocal Sewer Agreement with Columbus County that was adopted in 2005. Commissioner Leak-McKenzie seconded the motion and it passed unanimously.

**New Business**

Resolution 08-04 – Adopting an agreement to continue participation in the North Carolina Small Town Main Street Program for 2008-2009.

Commissioner Lennon made a motion to adopt Resolution 08-04, adopting an agreement to continue participation in the North Carolina Small Town Main Street Program for 2008-2009. Commissioner Capps seconded the motion and it passed unanimously. A copy of the signed resolution is hereby incorporated by reference and made a part of these minutes.

**Mayor Input**

Mayor Kemp read the following statement regarding the Local Government Commission letter received on March 13, 2008:

“I have read the letter sent by the Local Government Commission to the Town of Fairmont on March 13, 2008 and feel I must respond to its presentation. In light of the financial issues faced by our town during parts of the past few years and the corrective measures taken by town staff to improve them, I am very pleased that the LGC chose to use the word “commend” in their opening paragraph in regards to the

hard work done by the management and staff of our town government. It is nice to know that such diligent work is noticed and appreciated by state government officials. Further, it should be noted, for the record, that our fund balance, or rather the reserves, of the town have, in the words of the LGC, increased but due to “unforeseen expenditures” have lessened the percentage of fund balance related to total expenditures. While it would be nice to have a crystal ball to anticipate such eventualities no such device exists and those unforeseen expenditures do arise with every municipality. Our management and elected officials work closely together to make decisions regarding these situations and always act in the best interests of our citizens. The future growth and expansion of our sewer services to the three Columbus County communities seeking them will add much needed revenue to our water and sewer fund and contribute to the overall fiscal stability of our town. We are improving our community each day and appreciate all those who provide us with constructive suggestions or ideas for improvement. We will continue to seek the very best solutions arising from those issues which confront us.”

Mayor Kemp announced that his summer office hours will be 7:30 a.m. to 5:00 p.m. starting Friday, June 6. Mayor Kemp plans to spend the summer working on recruiting businesses to fill the vacant stores in town. He plans to meet with Gail McDonald of the N.C. Department of Commerce and create a business recruitment team to focus on the need to attract businesses to our community. The buildings available for rent or sale will also be posted on the town’s website.

Mayor Kemp announced that Mountaire Farms will host a job fair on Thursday, June 12 from 9:00 a.m. to 3:00 p.m. in the courtroom. The Southeastern Transit Authority is looking into providing transportation to anyone hired at the job fair. There will also be a job fair hosted by Perdue Farms of Dillon, S.C. on Thursday, June 26.

### **Commissioners Input**

Commissioner McCree had a question for Town Attorney Robert Price concerning the line items in the budget that have gone over as well as one department that is at 100% and one that is over 125%. Mayor Kemp responded that the Public Buildings department is over 125% because of the number of air conditioners that had to be repaired over the past year. Commissioner McCree asked Mr. Price if the budget has to be amended when a department goes over. Mr. Price replied that a budget should be amended when a department goes over, preferably before it does.

Commissioner McCree also asked the attorney if money appropriated for a specific line item can be spent any other way than voted on without amending the budget. He cited the incident where a 1983 mobile home was brought inside the city limits against code and the town had to reimburse the owner out of the nuisance abatement line item to move the trailer since it was brought in erroneously. Commissioner McCree was concerned because the man was reimbursed without board approval or knowledge. Mr. Price said he would have to investigate further before giving an answer but was not sure if the action was improper.

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Commissioner Lennon announced that there would be a prayer service for Willie Christie tonight at 7:00 p.m. at Trinity United Methodist Church.

**Manager Input**

There was no manager input because the manager was absent due to illness.

**Announcements**

Monday May 26 - 2nd Annual Memorial Day Tribute, 9:00 a.m., Town Hall.

Monday, May 26 - Town offices closed in observance of Memorial Day.

Tuesday, May 27 - South Zone Discussion Group, Courtroom, 5:00 - 6:00 p.m.

Tuesday, May 27 - Rosenwald Elementary PTA meeting, 6:30 p.m., E.R. Gause Auditorium.

Sunday, June 1 - Chicken Dinner honoring Bill Taylor, 11:00 a.m. to 2:00 p.m., Fire Hall. Plates are \$6.00 and proceeds support the Fairmont Civitans Dixie Youth Baseball program.

Tuesday, June 3 - N.C. Small Town Main Street meeting, 6:00 p.m., Council Chambers.

Thursday, June 5 - Budget Workshop, 6:00 p.m., Council Chambers.

Saturday, June 7 - "Park It With The Mayor," 11:00 a.m., Community Park .

Saturday, June 7 - Senior Bingo, 1:00-3:00 p.m., Fire Hall.

Tuesday, June 10 - Last day of school.

Thursday, June 12 - Mountaire Farms Job Fair, Courtroom, 9:00 a.m. to 3:00 p.m.

Thursday, June 12 - Budget Workshop, 6:00 p.m., Council Chambers.

Friday, June 13 - Fairmont High School graduation, 1:00 p.m., Givens Performing Arts Center, UNC Pembroke.

Tuesday, June 17 - Regular Town Board meeting and Public Hearing on 2008-2009 budget, 6:00 p.m., Council Chambers.

Tuesday, June 24 - Budget Workshop (if necessary), 6:00 p.m., Council Chambers.

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Thursday, June 26 - Perdue Farms, Inc. of Dillon, SC will hold a job fair in the courtroom from 12:00 noon to 3:00 p.m.

Thursday, June 26 - Special Town Board meeting to adopt amended FY 2007-2008 budget and adopt FY 2008-2009 budget, 6:00 p.m., Council Chambers.

Sunday, June 29 - Second annual Fairmont Fireworks celebration in the Fairmont Community Park. Free concert by the Gold Rush band starting at 7:00 p.m. Fireworks to start around 9:30 p.m.

Each Saturday - Flea Market in Town Hall Parking Lot, starting at 7:00 a.m. Cost is \$5.00 per space.

Each Saturday - Focus On Fairmont Radio Show with Mayor Charles Kemp, 12:00 noon, WSTS 100.9 FM.

**Adjournment**

There being no further business, a motion was made and seconded to adjourn the meeting at 6:50 p.m.

Jennifer H. Larson, CMC  
Town Clerk

## **Budget Workshop Meeting – June 5, 2008**

The Fairmont Board of Commissioners held a budget workshop meeting on Tuesday, June 5, 2008 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, Jay Capps and Carol Leak-McKenzie. Commissioner Charles Townsend was unable to attend due to his sister's retirement dinner. Staff present included Town Manager Blake Proctor, Town Clerk Jenny Larson, Finance Director Linda Vause and Public Works Director Ronnie Seals.

Mayor Charles Kemp called the meeting to order and stated the purpose of the meeting was a budget workshop on the Fiscal Year 2008-2009 budget.

Town Manager Blake Proctor gave an overview of the proposed budget. Mr. Proctor is asking for a 4.3% cost of living increase for all employees as well as the addition of one position in the Police Department to be paid with a 75%/25% gang grant. The Crossing Guard position is being deleted and those duties transferred to regular officers. The General Fund budget for Fiscal Year 2008-2009 is \$1,873,750, an increase of \$137,460 over 2007-2008 and includes appropriating \$50,000 in fund balance and no tax increases. Mr. Proctor is transferring some personnel expenses from Public Works to Powell Bill to counteract the rising fuel and energy costs. Mr. Proctor also requested an auto allowance of \$4,800 since he is transferring his manager's car to the police department for the new gang officer. The Water and Sewer Fund budget for FY 2008-2009 is \$924,350 with no increase in fees. The Water and Sewer Fund has no fund balance. There will be no significant revenue from the Towns of Boardman, Cerro Gordo and Fair Bluff until Fiscal Year 2009-2010. The Powell Bill Fund budget for FY 2008-2009 is \$143,025. The major projects to be undertaken will be the mandated repair of the Morro Street bridge over the Pittman Canal and the Old Field Neighborhood drainage project. The total budget for the three major funds is \$2,941,125, an increase of \$178,780 or 6.5% over Fiscal Year 2007-2008.

Commissioner Lennon asked if the town was going to receive another \$25,000 grant from the South Robeson Medical Board. Mr. Proctor is anticipating receiving funds from them again this year and included the funds in the budget. Commissioner McCree asked what would happen if the town did not get the grant. Mr. Proctor said the Recreation Director position would not be funded and \$7,000 would be left in the budget for activities. Commissioner McCree said Mrs. Barbara Currie with the Panther Athletic Association would be submitting a request for funds for her program.

Mr. Proctor went over the budget by departments. The Police Department has a \$59,000 increase due to the new gang officer position and higher fuel costs. Commissioner McCree questioned the elimination of the Crossing Guard position and asked how much that would save the town. Mr. Proctor replied it would save \$6,000 and noted that he deleted the position after a suggestion by Chief Hassell.

Mr. Proctor stated that several departments had increases due to rising fuel costs. Commissioner Lennon asked what rate was used in determining the budget figures for fuel. Mr. Proctor said they estimated \$4.75 a gallon for gas and \$5.25 a gallon for diesel.

Commissioner McCree asked about the \$20,000 in revenue budgeted for Parks and Recreation. He wanted to know if part of that would come from renting the community building. Mr. Proctor replied that it would. Commissioner McCree also inquired about the \$20,000 budgeted for the sale of fixed assets. Mr. Proctor stated the town does well selling surplus vehicles at auction. Commissioner McCree doubted that people would want to purchase old police cars with gas prices as high as they are right now and thought the figure budgeted was too high. Mr. Proctor explained that fuel costs were budgeted at \$110,000 but he hopes it will be closer to \$60,000, which would save the town from having to use as much fund balance.

For the Water and Sewer Fund, Mr. Proctor budgeted \$45,000 in capacity fees from the Town of Cerro Gordo. Finance Director Linda Vause does not remember receiving the \$35,000 capacity fee from the Town of Boardman and will do research on it before the next workshop. Mr. Proctor explained that the utility fund does not have a fund balance and will not have one until the Town of Fair Bluff ties on.

Commissioner McCree had concerns about decreasing the town's General Fund balance and receiving another letter from the Local Government Commission. Mr. Proctor said the state requires an 8% fund balance and the town's is currently 28%. He said the town would probably get a letter from the LGC with concerns about the Water Fund, not the General Fund. Mr. Proctor said the town will only use the appropriated fund balance if it is needed and reminded the board that the town has had to appropriate fund balance annually except for last year.

There being no further business, a motion was made and seconded to adjourn the meeting at 7:05 p.m.

Jennifer H. Larson, CMC  
Town Clerk

## **Budget Workshop Meeting – June 12, 2008**

The Fairmont Board of Commissioners held a budget workshop meeting on Tuesday, June 12, 2008 at 6:00 p.m. in the Council Chambers with Mayor Charles Kemp presiding. Commissioners present were J.J. McCree, Charles Townsend, Wayland Lennon, III, Wade Sealey, Jay Capps and Carol Leak-McKenzie. Staff present included Town Manager Blake Proctor, Town Clerk Jenny Larson, Finance Director Linda Vause, Public Works Director Ronnie Seals, Public Safety Director Robert Hassell, and Recreation Director Mickey Williamson.

Mayor Charles Kemp called the meeting to order and gave the invocation. He stated the purpose of the meeting was a second budget workshop on the Fiscal Year 2008-2009 budget.

Mr. Proctor informed the board that the budget has been reduced by \$10,000 in the General Fund. He explained that the Fire Department had received a grant for \$30,000 with a 50% match for equipment and remodeling the fire station for a total of \$60,000. It was decided to postpone the construction portion of the grant reducing it to \$20,000 with a 50% match or \$40,000 total. Mr. Proctor said \$10,000 of the \$20,000 saved was used to reinstate the Crossing Guard position in the Police Department and increase the line items for contracts.

Mr. Proctor suggested creating a separate line item for the Panther Athletic Association in the amount of \$1,500 instead of leaving it in the Recreation Department budget and the board agreed.

Mr. Proctor gave credit to Commissioner McCree for suggesting selling the land across from Gaston Sealey Warehouse (former Community Building site) as a way to increase the fixed assets revenue line. Commissioner Lennon had concerns about selling land during this slow economic period.

Commissioner McCree inquired about the \$15,000 budgeted for the rent of public buildings and asked where the money would come from. Mr. Proctor replied that \$9,000 would come from the cell tower rent and the remainder would come from renting the Fire Hall.

Mr. Proctor said the overall budget for Fiscal Year 2008-2009 would be a tight year but he sees the town's finances improving over the next few years with the addition of the Towns of Boardman, Cerro Gordo and Fair Bluff to the sewer system and tax revenue from annexing Harger Lightning and Grounding.

There being no further business, a motion was made and seconded to adjourn the meeting at 6:43 p.m.

Jennifer H. Larson, CMC  
Town Clerk

## **Regular Meeting – June 17, 2008**

The Fairmont Board of Commissioners held their regular meeting on Tuesday, June 17, 2008 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, and Jay Capps. Staff present included Town Manager Blake Proctor, Town Attorney Robert Price, Town Clerk Jenny Larson, Public Safety Director Robert Hassell, Finance Director Linda Vause, Recreation Director Mickey Williamson and Public Works Director Ronnie Seals. Commissioner Carol Leak-McKenzie was out of town but participated by telephone. Commissioner Jay Capps was excused to attend the South Robeson Medical Board meeting. Others present included Terry Evans and about 6 citizens.

### **Public Hearing – Fiscal Year 2008-2009 Budget**

Mayor Kemp opened the public hearing on the fiscal year 2008-2009 budget for comments from the public and board. Town Manager Blake Proctor gave a brief overview of the proposed budget which includes no tax or fee increases, a 4.3% cost of living raise for all employees and the addition of a gang officer through a grant. Mr. Terry Evans asked what would happen to the Recreation Department if the South Robeson Medical Board does not provide another \$25,000 grant. Mr. Proctor felt the town would get funding from the medical board but in case they did not there would be no recreation department. Mr. Evans asked for time to review the proposed budget and make comments at a later time. Mayor Kemp said he could speak at the special meeting on June 26 before the budget is adopted. Mr. Proctor added that he would be happy to go over the budget with Mr. Evans. Commissioner Sealey thanked the manager and staff for doing a good job on the proposed budget. After a motion by Commissioner Lennon and a second by Commissioner Sealey the public hearing was closed at 6:10 p.m.

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

Mayor Charles Kemp called the meeting to order and gave the invocation. He announced that Commissioner Leak-McKenzie was attending the meeting via telephone and that Commissioner Jay Capps was excused to attend the South Robeson Medical Board meeting downstairs in the courtroom.

### **Approval of Agenda**

Town Manager Blake Proctor asked the board to table the petition and resolution for voluntary annexation due to a problem with the legal property description. Town Attorney Robert Price will correct the property description and have it ready for the July meeting. Commissioner Lennon made a motion to approve the amended agenda. Commissioner Leak-McKenzie seconded the motion and it passed unanimously.

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

There was no one signed up to speak under the public comment period.

**Consent Agenda**

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

- a. Approval of Minutes – Regular Meeting May 20, 2008.
- b. Set Issue Forum for Tuesday, July 8 at 6:00 p.m. in the Council Chambers.

**Old Business**

There was no old business this month.

**New Business**

Petition for Voluntary Non-Contiguous (Satellite) Annexation – Fairmont Christian Congregation of Jehovah’s Witnesses.

This item was tabled until July due to an error in the legal property description in the petition.

Resolution 08-05 – Directing the Clerk to investigate a petition received under G.S. 160A-58.1.

This item was also tabled until July.

**Mayor Input**

Mayor Kemp asked that the sign ordinance and property maintenance code be placed on the July agenda for consideration by the board. He stated that letters went out to business and property owners and that follow up phone calls were made with no discernible progress. Mayor Kemp encouraged the board to take a close look at downtown and its alleys and come to the July meeting with an open mind.

Mayor Kemp encouraged everyone to come out to the Fairmont Community Park on Sunday, June 29 for the Fairmont Fireworks celebration.

**Commissioners Input**

Commissioner Lennon will be out of town during the July and September board meetings and asked to participate by telephone.

Commissioner Leak-McKenzie will be out of town for the June 26 special meeting and the August regular meeting and asked to participate by telephone.

**Manager Input**

Mr. Proctor announced that he is meeting with Mac Campbell with the N.C.D.O.T. on June 25 to discuss traffic lights.

Mr. Proctor stated a downtown economic developer visited Fairmont today and there is a possibility he may develop some of the vacant properties.

**Announcements**

Sunday, June 22 - B.B. Thompson Choir will perform at Star of Bethlehem Baptist Church at 5:00 p.m. to honor the pastoral anniversary of Dr. W. C. Marable.

Tuesday, June 24 - Budget Workshop (if necessary), 6:00 p.m., Council Chambers.

Thursday, June 26 - Perdue Farms of Dillon, S.C. Job Fair, 12:00 to 3:00 p.m., Courtroom.

Thursday, June 26 - Special Town Board meeting to adopt amended FY 2007-2008 budget and adopt FY 2008-2009 budget, 6:00 p.m., Council Chambers.

Saturday, June 28 - Mill Branch Baptist Church will be holding an entire day of fun from 10:00 a.m. to 6:00 p.m. in the Fairmont Community Park as a fundraiser for their new church being built on Hwy 130 Bypass.

Sunday, June 29 - Second annual Fairmont Fireworks celebration in the Fairmont Community Park. Free concert by the Gold Rush band starting at 7:00 p.m. Fireworks to start around 9:30 p.m.

Friday, July 4 - Town offices closed in observance of Independence Day.

Saturday, July 5 - Senior Bingo, 1:00 to 3:00 p.m., Fire Hall.

Tuesday, July 8 - Town Issue Forum, 6:00 p.m., Council Chambers.

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

Tuesday, August 5 – National Night Out, Fairmont Community Park.

Each Saturday - Flea Market in Town Hall Parking Lot, starting at 7:00 a.m. Cost is \$5.00 per space.

Each Saturday - Focus On Fairmont Radio Show with Mayor Charles Kemp, 12:00 noon, WSTS 100.9 FM.

**Adjournment**

There being no further business, a motion was made and seconded to adjourn the meeting at 6:21 p.m.

Jennifer H. Larson, CMC  
Town Clerk

## **Special Meeting – June 26, 2008**

The Fairmont Board of Commissioners held a special meeting on Thursday, June 26, 2008 at 6:00 p.m. in the Council Chambers with Mayor Charles Kemp presiding. Commissioners present were Wade Sealey, J.J. McCree, Wayland Lennon, III, Charles Townsend and Jay Capps. Commissioner Carol Leak-McKenzie was absent but participated by telephone. Staff present included Town Manager Blake Proctor, Town Clerk Jenny Larson, Finance Director Linda Vause, Public Works Director Ronnie Seals, Public Safety Director Robert Hassell and Recreation Director Mickey Williamson. Mr. Terry Evans was also in attendance.

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

### **Administrative Matters**

#### **Adopt 2007-2008 Amended Fiscal Year Budget**

Mr. Proctor stated that the 2007-2008 Amended Fiscal Year Budget is \$3,727,336.58. He pointed out that the \$308,677.72 budgeted for the Fund Balance was a balancing measure and that the final amount would not be that much. Finance Director Linda Vause also pointed out that money from the General Fund had to be transferred to the Water and Sewer Fund to balance it since there is no fund balance to draw from. Mr. Proctor assured the board that in the future he will come to them when a department is close to going over so they can approve budget amendments throughout the year. Commissioner McCree was concerned about the General Fund balance being reduced every year. He pointed out that the fund balance went from 33% to 22% in only two years. Commissioner Lennon had concerns about the Water and Sewer Fund not supporting itself and asked about possible rate increases. Mr. Proctor assured the board that water rate increases would not be necessary since the Columbus County towns would be tying onto the sewer plant in the near future. Commissioner Lennon made a motion to adopt the 2007-2008 Amended Fiscal Year Budget in the amount of \$3,727,336.58. Commissioner Capps seconded the motion and it passed unanimously. A copy of the 2007-2008 amended budget is hereby incorporated by reference and made a part of these minutes.

#### **Adopt 2008-2009 Fiscal Year Budget**

The Fiscal Year 2008-2009 Budget keeps the tax rate at .69 cents per hundred dollar valuation and includes a 4.3% cost of living salary increase for all employees. The total budget for Fiscal Year 2008-2009 is \$3,704,487.09. Commissioner Lennon made a motion to adopt the 2008-2009 Fiscal Year Budget in the amount of \$3,704,487.09. Commissioner Townsend seconded the motion and it passed unanimously. A copy of the 2008-2009 budget is hereby incorporated by reference and made a part of these minutes.

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Write Off Uncollected Water Accounts for 2007-2008 in the amount of \$1,363.27.

Commissioner Lennon made a motion to write off uncollected water accounts for 2007 - 2008 in the amount of \$ 1,363.27. 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 1997 Property Taxes in the amount of \$2,274.59.

Commissioner Townsend made a motion to release 1997 property taxes in the amount of \$2,274.59. Commissioner Lennon seconded the motion and it passed unanimously. A copy of the 1997 property tax accounts are hereby incorporated by reference and made a part of these minutes.

There being no further business, the meeting adjourned at 6:45 p.m.

Jennifer H. Larson, CMC  
Town Clerk