

Regular Meeting – July 15, 2008

The Fairmont Board of Commissioners held their regular meeting on Tuesday, July 15, 2008 at 6:00 p.m. in the Council Chambers with Mayor Charles Kemp presiding. Commissioners present were J.J. McCree, Carol Leak-McKenzie, Wade Sealey, Charles Townsend, and Jay Capps. Commissioner Wayland Lennon III was out of town on business. Staff present included Town Manager Blake Proctor, Town Clerk Jenny Larson, Public Safety Director Robert Hassell, Finance Director Linda Vause, Recreation Director Mickey Williamson, Public Works Director Ronnie Seals and Officer Leonard Hughes, IV. Town Attorney Robert Price was not present. Others in attendance included Michelle Hearst, Rev. J. Gentile Everett, Rev. Harold Salmon, Robert Delane Shaw, Phostenia McCrimmon and Janie McFarland.

Call to Order and Invocation

Mayor Charles Kemp called the meeting to order and gave the invocation. He announced that Commissioner Lennon was out of town on business and unable to participate by telephone.

Mayor Presentations

Introduction of Greenbrier's new director

Mayor Kemp introduced Ms. Michelle Hearst, the new director of Greenbrier Long Term Care Facility.

Boys and Girls Club Fundraising Committee

Mayor Kemp announced that the Youth Advocacy Committee was dissolved in June after they had come to the conclusion that the best plan for our youth was to have a Boys and Girls Club. Mayor Kemp then introduced the members of the Boys and Girls Club Fundraising Committee. They are Linda Link (not present), Rev. J. Gentile Everett, Rev. Harold Salmon, Robert Delane Shaw, Phostenia McCrimmon and Janie McFarland. The committee will meet and give a report back to the board in September.

Introduction of new police officer

Public Safety Director Robert Hassell introduced the newest officer on the force, Leonard Hughes, IV.

Approval of Agenda

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

Public Comment Period/Citizens Appearance

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

Consent Agenda

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

- a. Approval of Minutes –Budget Workshops, June 5 and June 12, 2008, Regular Meeting, June 17, 2008 and Special Meeting, June 26, 2008

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.

Town Manager Blake Proctor announced that the Fairmont Christian Congregation of Jehovah’s Witnesses had submitted a petition for non-contiguous satellite annexation. The property is located on Marion Stage Road. A copy of the petition is hereby incorporated by reference and made a part of these minutes.

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

Commissioner Sealey made a motion to adopt Resolution 08-05, directing the clerk to investigate an annexation petition received under G.S. 160A-58.1 by the Fairmont Christian Congregation of Jehovah’s Witnesses. Commissioner Capps 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.

Resolution 08-06 – Confirming the town’s relationship with the Fairmont City Volunteer Fire Department.

Mr. Proctor explained that this resolution was required by the state for a basic ISO inspection. Commissioner Capps made a motion to adopt Resolution 08-06, confirming the town’s relationship with the Fairmont City Volunteer Fire Department. Commissioner Leak-McKenzie 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

Chief Hassell announced that National Night Out would be Tuesday, August 5 at 6:00 p.m. in the Fairmont Community Park.

Commissioners Input

Commissioner Charles Townsend announced that Fairmont's AA Dixie Youth Baseball team would be in the state playoffs in Cherryville. Mr. Proctor said that \$500 from the recreation activities line item was given to them to help with travel expenses.

Manager Input

NCDOT study results on possible traffic signal light at Food Lion.

Mr. Proctor reported that Mr. Mac Campbell with the NCDOT had a study done on a possible traffic signal light at Food Lion and McDonalds. The study revealed that there has not been enough traffic or accidents to warrant a traffic signal light at this time.

Announcements

Thursday, July 17 – Community Watch, 7:00 p.m., Courtroom.

Tuesday, July 29 – B.B. Thompson Choir performs at the 124th annual session of the Women's Baptist Home and Foreign Missionary Convention in Winston-Salem, N.C.

Saturday, August 2 – “Park it with the Mayor,” 11:00 a.m., Community Park

Saturday, August 2 – Senior Bingo, 1:00 to 3:00 p.m., Fire Hall.

Tuesday, August 5 – North Zone Neighborhood Discussion Group, 5:00 to 6:00 p.m., Site TBA.

Tuesday, August 5 – National Night Out, Fairmont Community Park, 6:00 p.m.

Monday, August 11 – Fairmont Chamber of Commerce, 6:30 p.m., Council Chambers.

Tuesday, August 12 – Central Zone Neighborhood Discussion Group, 6:00 to 7:00 p.m., Site TBA.

Tuesday, August 19 – Regular Town Board Meeting, 6:00 p.m., Council Chambers.

Thursday, August 21 – Community Watch, 7:00 p.m., Courtroom.

Monday, August 25 – First Day of School.

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Tuesday, August 26 – South Zone Neighborhood Discussion Group, 6:00 to 7:00 p.m., Courtroom.

Monday, September 1 – Labor Day Sidewalk Sale. Big bargains, music, excitement, and food. Drawing for cash prizes. Downtown, all day.

Monday, September 1 – Town offices closed in observance of Labor Day.

Each Saturday - Flea Market in Town Hall Parking Lot, starting at 7:00 a.m. Spaces are free.

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 6:20 p.m.

Jennifer H. Larson, CMC
Town Clerk

Special Meeting – August 12, 2008

The Fairmont Board of Commissioners held a special meeting on Tuesday, August 12, 2008 at 6:00 p.m. in the Council Chambers with Mayor Charles Kemp presiding. Commissioners present were Wade Sealey, Carol Leak-McKenzie, Charles Townsend, Jay Capps, and Wayland Lennon, III. Commissioner J.J. McCree was absent. Others present included Town Manager Blake Proctor, Town Clerk Jenny Larson and Jim Turner.

Town Manager Blake Proctor informed the board that a bid opening was held on Monday, August 11 at 2:00 p.m. in the Council Chambers. The eight bids opened were for the wastewater system improvements to serve Harger Lightning on N.C. Highway 130 East (CDBG 07-E-1647). The lowest bidder was Columbus Utilities, Inc. of Fair Bluff, North Carolina with a bid of \$174,719.84. The consulting engineers, Koonce, Noble & Associates, Inc., recommended awarding the contract to Columbus Utilities, Inc. Commissioner Lennon made a motion to award the contract for the wastewater system improvements to serve Harger Lightning to Columbus Utilities, Inc. of Fair Bluff, North Carolina in the amount of \$174,719.84. Commissioner Townsend seconded the motion and it passed unanimously.

There being no further business, a motion was made and seconded to adjourn the meeting at 6:05 p.m.

Jennifer H. Larson
Town Clerk

Regular Meeting – August 19, 2008

The Fairmont Board of Commissioners held their regular meeting on Tuesday, August 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, Wade Sealey, Charles Townsend, and Jay Capps. Commissioner Carol Leak-McKenzie was out of town and participated by telephone. 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. Others in attendance included Don Harvey, Gaines Grantham, Dr. Hal Herring, Sgt. Sammy Shropshire, Terry Evans, Eugene Seals, John Charles Robbins and Patricia Sealey.

Public Hearing – Old Field CDBG application

Mayor Kemp opened the second required public hearing on the Old Field CDBG application. Mr. Don Harvey with The Wooten Company gave a brief overview of the CDBG application. The application is basically the same as the previous one except it has a higher monetary commitment from the town in the amount of \$80,000. The application is due on August 29 but it will be awhile before the town will know the results. The commitment of \$80,000 is 10% of the total grant funds requested and if approved it will be spent over two fiscal years. The public hearing was closed at 6:11 p.m.

Call to Order and Invocation

Mayor Charles Kemp called the meeting to order at 6:12 p.m. and gave the invocation. He announced that Commissioner Leak-McKenzie was out of town and participating by telephone. Commissioner Leak-McKenzie announced that she is a new grandmother and that her daughter gave birth to a baby girl last Tuesday.

Special Presentation

South Robeson Medical Board – donation to Recreation Department

Mr. Gaines Grantham and Dr. Hal Herring presented a check in the amount of \$25,000 to the Fairmont Recreation Department from the South Robeson Medical Board. Mr. Grantham said the board plans to give annually in order for the town to have a quality recreation department.

Approval of Agenda

Commissioner Lennon made a motion to approve the agenda with the removal of Ordinance 08-111 and 08-114 and the addition of Resolution 08-10 under New Business. Commissioner Capps seconded the motion and it passed unanimously.

Public Comment Period/Citizens Appearance

Sergeant Sammy Shropshire – Fairmont Middle School request for highway sign

Sergeant Sammy Shropshire from Fairmont Middle School appeared before the board requesting a highway identification sign pointing toward the direction of the school.

Consent Agenda

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

- a. Approval of Minutes – Issue Forum, July 8, 2008, Regular Meeting, July 15, 2008 and Special Meeting, August 12, 2008.

Old Business

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

This item was removed from the agenda.

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

This item was removed from the agenda.

New Business

Approval of Town Flag design.

Mayor Kemp informed the board that Mrs. Tina Rhodes Seals had designed a town flag that the board approved on August 9, 1994. Mrs. April Rich Spivey took the original design and updated it by adding a motto and an “old glory” blue background. Mayor Kemp proposed to purchase 3 town flags for \$120 each. The Fairmont Chamber of Commerce will cover the cost of the flags and private funds will reimburse the chamber at a later date. Commissioner Sealey made a motion to approve the revised town flag design. Commissioner Capps seconded the motion and it passed unanimously. A copy of the flag design is hereby incorporated by reference and made a part of these minutes.

Resolution 08-07 – Setting Rental and Usage Rates for Public Recreational Facilities within the town and setting a maximum seating capacity in the Heritage Center.

Mr. Proctor explained the reasoning behind the rate schedule for public facilities was for revenue to break even. Mr. Proctor explained that town residents would get a 25% discount on renting the Heritage Center. Mr. Proctor based the rate schedule on comparable rates from other facilities in similarly sized towns. Commissioner Lennon asked how often the Heritage Center would have to be rented in order to break even. Mr. Proctor said two weekends a month would equal approximately \$1,000 a month or \$12,000 a year. Commissioner Lennon made a motion to adopt Resolution 08-07 – Setting Rental and Usage Rates for Public Recreational Facilities within the town and setting a maximum seating capacity in the Heritage Center. 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.

Accepting Deed to the Railroad Right of Way from the Fairmont Development Corporation.

Mr. Proctor explained that the Fairmont Development Corporation has deeded a portion of the railroad right of way to the Town of Fairmont. This strip of land connects the town limits to Harger Lightning and Grounding and paves the way for a contiguous rather than satellite annexation of Harger. Commissioner Lennon made a motion to accept the deed to the Railroad Right of Way from the Fairmont Development Corporation. Commissioner Sealey seconded the motion and it passed unanimously.

Resolution 08-08 – Stating the intent of the Town of Fairmont to annex the Railroad Right of Way and fixing the date of a public hearing.

Mr. Proctor stated the town needed to annex the railroad right of way on Highway 130 in order to contiguously annex Harger Lightning and Grounding at a future date. Commissioner Townsend made a motion to adopt Resolution 08-08 – Stating the intent of the Town of Fairmont to annex the Railroad Right of Way and fixing the date of a public hearing for September 16, 2008 at 6:00 p.m. in the Council Chambers. 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.

Resolution 08-09 – Fixing Date of Public Hearing on question of annexation pursuant to G.S. 160A-58.2 (Fairmont Christian Congregation of Jehovah's Witnesses).

Commissioner Lennon made a motion to adopt Resolution 08-09 – Fixing the date of a public hearing on the question of annexation of the Fairmont Christian Congregation of Jehovah's Witnesses for September 16, 2008 at 6:00 p.m. in the Council Chambers. Commissioner Townsend 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.

ABC Board appointment

Mayor Kemp announced that Jimmy Byrne would be stepping down from the Fairmont ABC Board on September 2 due to health reasons. Commissioner Lennon nominated L. Floyd (Larry Floyd, Jr.) to be appointed to the ABC Board. Commissioner Capps moved that nominations be closed and that L. Floyd be appointed to the Fairmont ABC Board. Commissioner Townsend seconded the motion and it passed unanimously.

Resolution 08-10 – Approving CDBG grant application for Old Field neighborhood.

Commissioner Townsend made a motion to adopt Resolution 08-10 – Approving the CDBG grant application for the Old Field neighborhood in the amount of \$850,000 with the town providing an \$80,000 local commitment match. Commissioner McCree 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 invited everyone to the grand opening of the Fairmont-South Robeson Heritage Center on Friday, August 29 at 3:00 p.m.

Commissioners Input

Commissioner Lennon suggested that the contact information for the ABC Board, the Planning Board and the Fairmont Housing Authority be placed on the town's website.

Manager Input

Mr. Proctor informed the board that he would talk to Lee Jernigan at the N.C.D.O.T. about installing a location sign for Fairmont Middle School.

Announcements

Wednesday, August 20 - Fairmont Middle School Open House, 9:30 - 11:30 a.m. and 12:45 - 2:15 p.m.

Thursday, August 21 - Rosenwald Elementary School Open House. 9:30 to 11:30 a.m. and 12:45 to 2:15 p.m.

Thursday, August 21 – Community Watch, 7:00 p.m., Courtroom.

Friday, August 22 - Fairmont High School Open House, 3:00 to 6:00 p.m.

Monday, August 25 – First Day of School.

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Monday, August 25 to Tuesday, September 2 - Fairmont Fall Ball Baseball and Soccer Registration to be held at Town Hall or Angie's Touch of Class. The registration fee is \$25 for baseball and \$15 for soccer. Participants in baseball must be 6 years old on or before May 1st and not turn 13 years old before May 1st. Soccer is for ages 3 to 12 years old. For more information contact Angie Lovin at 628-6027 or Mickey Williamson at 628-9883.

Tuesday, August 26 – South Zone Neighborhood Discussion Group, 6:00 to 7:00 p.m., Courtroom.

Friday, August 29 - Dedication of Fairmont-South Robeson Heritage Center and Memory Lane, 3:00 p.m., Downtown.

Saturday, August 30 - Public Tour of Fairmont-South Robeson Heritage Center, 9:00 a.m. to 12:00 noon.

Sunday, August 31 - Public Tour of Fairmont-South Robeson Heritage Center, 2:00 p.m. to 5:00 p.m.

Monday, September 1 - Public Tour of Fairmont-South Robeson Heritage Center, 8:00 a.m. to 2:00 p.m.

Monday, September 1 – Labor Day Sidewalk Sale, 7:00 a.m. to 3:00 p.m. Big bargains, music, excitement, and food. Drawing for cash prizes at 2:45 p.m. in front of the Heritage Center. Downtown, all day.

Monday, September 1 – Town offices and schools closed in observance of Labor Day.

Tuesday, September 2 - Small Town Main Street meeting, 6:00 p.m., Council Chambers, Town Hall.

Saturday, September 6 - "Park it with the Mayor," 11:00 a.m., Community Park.

Saturday, September 6 - Senior Bingo, 1:00 to 3:00 p.m., Fairmont-South Robeson Heritage Center.

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

September 20 - October 4 - Fall Litter Sweep/Clean and Green.

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 6:55 p.m.

Jennifer H. Larson, CMC
Town Clerk

Regular Meeting – September 16, 2008

The Fairmont Board of Commissioners held their regular meeting on Tuesday, August 19, 2008 at 6:00 p.m. in the Council Chambers with Mayor Charles Kemp presiding. Commissioners present were J.J. McCree, Carol Leak-McKenzie, Wayland Lennon III, Wade Sealey, 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, Public Works Director Ronnie Seals, Johnny Britt, Laverne Hunt, Jean Townsend and Lonnie Nealy. Others in attendance included April Rich Spivey, Tina Seals, Terry Evans, Shaina Hunt, Yasmon Carter, Taylor Locklear, Rev. Harold Salmon, Kevin Lindsay and several other citizens.

Public Hearings – Voluntary Satellite Annexation – Fairmont Christian Congregation of Jehovah’s Witnesses and Voluntary Contiguous Annexation – Town of Fairmont (Railroad Right of Way)

Mayor Kemp opened the Public Hearings on the Voluntary Satellite Annexation of the Fairmont Christian Congregation of Jehovah’s Witnesses and the Voluntary Contiguous Annexation of the Town of Fairmont property (Railroad Right of Way) on Highway 130. No one spoke on either proposed annexation.

The public hearings were closed at 6:01 p.m.

Call to Order and Invocation

Mayor Charles Kemp called the meeting to order at 6:01 p.m. and gave the invocation.

Mayor Presentations

Recognition of Tina Seals and April Spivey for town flag design.

Mayor Kemp announced that the new town flag was raised earlier today at 5:15 p.m. He then presented framed copies of the town flag design to Mrs. Tina Seals and Mrs. April Rich Spivey.

Employee recognition – years of service to the town

Mayor Kemp recognized Public Works Department employees Johnny Britt, Laverne Hunt, Jean Townsend and Lonnie Nealy for their combined 88 years of service to the town. Mr. Britt has 24 years, Mr. Hunt has 23 years, Mr. Townsend 21 years and Mr. Nealy 20 years of service.

Festival queens introduce themselves

Three of the Fairmont Farmers Festival queens introduced themselves at the meeting. They were Junior Miss Shaina Hunt, Tiny Miss Taylor Locklear and Royal Ambassador Yasmon Carter.

Approval of Agenda

Commissioner Lennon made a motion to approve the agenda and to move the Boys and Girls progress report to the top of the agenda and the presentation by Hobbs, Upchurch & Associates on the Marvin Street flooding to the top of old business. Commissioner Sealey seconded the motion and it passed unanimously.

Boys and Girls Club progress report.

Rev. Harold Salmon gave the following report from the Boys and Girls Club Committee:

“In our first meeting we decided to go out into the community and “feel out” community support for the creation of a Boys and Girls Club. In our second meeting, we discussed results of that and decided overall the results were mixed at best. Mostly we were hearing about tough economic times and stressed budgets. We believe funding can best be obtained by making requests in writing and submitting as budgets are being developed.

We have also determined that “Boys and Girls Clubs of America” has developed a working implementation guideline for organizing a local club and there is no need of trying to “reinvent the wheel.” That process is as follows: 1. Stimulate community interest. 2. Contact the BGCA Regional Service Director office in Atlanta, Georgia. 3. Organize a steering committee. 4. Conduct a Community Readiness Assessment. 5. Develop a Management Operating Agreement. 6. Organize an Advisory Council. 7. Determine a location for the club. 8. Determine costs, create a budget. 9. Raise the funds. 10. Secure a club director.

We are also aware of a parallel initiative to create a BGC in Fairmont and believe we should be working together to bring this about.”

Mayor Kemp and the board agreed that the Boys and Girls Club Committee should continue meeting and report back in October.

Public Comment Period/Citizens Appearance

Terry Evans – loss of police officers to other departments

Mr. Terry Evans was concerned about police officers coming to Fairmont to get their training and then leaving to work for other law enforcement agencies. He felt the board should use the national standards for police officer salaries.

Consent Agenda

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

- a. Approval of Minutes – Regular Meeting, August 19, 2008.
- b. Set Issue Forum for Tuesday, October 14, 2008 at 6:00 p.m. in the Fairmont – South Robeson Heritage Center.

Old Business

Presentation by Hobbs, Upchurch & Associates on Old Field Neighborhood flooding and decision on flooding plan

Mr. Kevin Lindsay, of Hobbs, Upchurch & Associates gave the following detailed report on the Old Field Neighborhood Drainage Study:

“After studying the Old Field Neighborhood, Pitman Mill, Canal, and Old Field Swamp Canal we recommend the following actions be taken to improve drainage in the area:

1. Request assistance from the Corps of Engineers and the State to re-dredge the Old Field Swamp Canal. As previously reported, beaver dams and sedimentation have raised the water level in the canal. This has caused water to back up into the Pittman Mill Canal and impact the storm drainage from the Old Field Neighborhood leading to the Canal. The Town’s work with USDA to clear the beaver dams lowered the water level by several feet, which is a significant improvement. However, the breached dams will be rebuilt over time and the sediment, vegetation, and beaver dam remains are still a significant restriction and will continue to cause the water in the canal to rise to levels that may cause flooding.
2. Institute a regular maintenance program for the Pittman Canal. While the sediment and vegetation that have accumulated in the bottom of the canal do not yet appear to be causing flooding, if left alone, the canal will eventually flood during heavy rains.
3. Improve the storm drainage system in the Old Field Neighborhood along Morro, Canal, Stafford and Marvin Streets.
 - Repair the blocked culvert and ditch west of Morro Street between Cottage and Canal (\$5,000).
 - Replace the grated inlets at the southeast corners of Canal and Morro and Stafford and Morro with curb inlets (along with a curb and gutter to direct runoff into the inlets) (\$6,000).

- Repair the existing asphalt swale on the south side of Canal Street. Approximately 100-feet needs to be replaced (at an estimated cost of (\$20.00 per foot) and another 400-feet needs to be cleaned out (\$2,000).
- Install four new catch basins (\$2,500 each) on Canal Street as shown on the attached map. The basins will intercept runoff that is currently overflowing the asphalt swale on the south side of the street (\$10,000).
- Construct a new asphalt swale on the north side of Canal Street to direct runoff into the proposed inlets described above (approximately 200 feet at an estimated cost of \$15.00 per foot) (\$3,000).
- Install six new catch basins (\$2,500 each) on Stafford Street as shown on the attached map. The basins will intercept runoff that is currently flowing to the south side of the street (\$15,000).
- Install four new catch basins (\$2,500 each) between Stafford Street and the Pittman Canal as shown on the attached map. The basins will intercept runoff that is currently overflowing Marvin Street (\$15,000).
- Install storm drain culverts, preferably reinforced concrete pipe, to connect the catch basins described above and quickly transport it to the Pittman Canal. Total length of pipe (15-inches to 30-inches) of 1,020 feet (\$44,000).
- The project will have to be routed through and around water and sewer lines and other utilities and also require erosion control measures and reseeding (\$10,000).
- The Engineer’s estimate for this work is \$112,500 including \$2,500 for part time inspection and as-built drawings by Hobbs, Upchurch & Associates.”

Commissioner Lennon made a motion to accept the Old Field Neighborhood drainage study and action plan presented by Hobbs, Upchurch & Associates. Commissioner Capps seconded the motion and it passed unanimously. A copy of the report is hereby incorporated by reference and made a part of these minutes.

Commissioner McCree asked if grants were available to fund the drainage project. Mr. Proctor said there were no grants available but the town could use Powell Bill funds to make payments on a bank loan. Commissioner Lennon made a motion to authorize Town Manager Blake Proctor to finalize engineering specifications, solicit construction bids and secure funding in the amount of \$112,500 for the Old Field Neighborhood drainage improvement plan. Commissioner McCree seconded the motion and it passed unanimously.

Resolution 08-11 – Revising Section 1A, Fairmont-South Robeson Heritage Center Rental and Usage Rates.

Mr. Proctor revised the Heritage Center rate schedule to remove confusing wording and because Robeson Community College needs both classrooms. Commissioner Lennon made a motion to adopt Resolution 08-11 – Revising Section 1A, Fairmont-South Robeson Heritage Center Rental and Usage Rates. 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.

Ordinance 08-116 – Satellite Annexation, Fairmont Christian Congregation of Jehovah’s Witnesses

Mr. Proctor read the following Ordinance 08-116 – Satellite Annexation, Fairmont Christian Congregation of Jehovah’s Witnesses:

“WHEREAS, the Fairmont Board of Commissioners has been petitioned under G.S. 160A-58.1 to annex the area described below; and

WHEREAS, the Fairmont Board of Commissioners has by resolution directed the Town Clerk to investigate the sufficiency of the petition; and

WHEREAS, the Town Clerk has certified the sufficiency of the petition and a public hearing on the question of this annexation was held at Town Hall at 6:00 p.m. on September 16, 2008, after due notice by publication on September 5, 2008; and

WHEREAS, the Fairmont Board of Commissioners finds that the petition meets the requirements of G.S. 160A-58.1(b), to wit:

- a. The nearest point on the proposed satellite corporate limits is not more than three (3) miles from the corporate limits of the Town of Fairmont;
- b. No point on the proposed satellite corporate limits is closer to another municipality than to the Town of Fairmont;
- c. The area described is so situated that the Town of Fairmont will be able to provide the same services within the proposed satellite corporate limits that it provides within the primary corporate limits;
- d. No subdivision, as defined in G.S. 160A-376, will be fragmented by this proposed annexation;
- e. The area within the proposed satellite corporate limits, when added to the area within all other satellite corporate limits, does not exceed ten percent (10%) of the area within the primary corporate limits of the Town of Fairmont; and

WHEREAS, the Fairmont Board of Commissioners further finds that the petition has been signed by all the owners of real property in the area who are required by law to sign; and

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WHEREAS, the Fairmont Board of Commissioners further finds that the petition is otherwise valid, and that the public health, safety and welfare of the Town of Fairmont and of the area proposed for annexation will be best served by annexing the area described;

NOW, THEREFORE, BE IT ORDAINED by the Board of Commissioners of the Town of Fairmont, North Carolina that:

Section 1. By virtue of the authority granted by G.S. 160A-58.2, the following described non-contiguous territory is hereby annexed and made part of the Town of Fairmont as of September 30, 2008:

Fairmont Christian Congregation of Jehovah's Witnesses: Beginning at an iron rod which is North 48 degrees 48 minutes 7 seconds East 279.22 feet from an iron rod which is at the intersection of the northeast boundary of the property of the Town of Fairmont as recorded in Deed Book 775 at page 597 and the northwest right of way of Marion Stage Road (SR 2433) and running thence North 41 degrees 12 minutes 29 seconds West 581.11 feet to an iron rod; thence North 52 degrees 41 minutes 43 seconds East 267.14 feet to an iron rod; thence South 41 degrees 12 minutes 29 seconds East 562.92 feet to an iron rod in the northwest right of way of Marion Stage Road; thence with the northwest right of way of Marion Stage Road South 48 degrees 48 minutes 07 seconds West 266.52 feet to the beginning, containing 3.5 acres, more or less, and being all of Tract Two (2) as shown on the map entitled "Division of Property Surveyed for Margery P. Wallace" prepared by Dixie Land Surveying, PLLC, and recorded in Map Book 43, page 6, Robeson County Registry.

Section 2. Upon and after September 30, 2008, the above described territory and its citizens and property shall be subject to all debts, laws, ordinances and regulations in force in the Town of Fairmont and shall be entitled to the same privileges and benefits as other parts of the Town of Fairmont. Said territory shall be subject to municipal taxes according to G.S. 160A-58.10.

Section 3. The Mayor of the Town of Fairmont shall cause to be recorded in the office of the Register of Deeds of Robeson County, and in the office of the Secretary of State at Raleigh, North Carolina, an accurate map of the annexed territory, described in Section 1 above, together with a duly certified copy of this ordinance. Such a map shall also be delivered to the County Board of Elections, as required by G.S. 163-288.1.

Commissioner Lennon made a motion to adopt Ordinance 08-116 – Satellite Annexation, Fairmont Christian Congregation of Jehovah's Witnesses. Commissioner Capps seconded the motion and it passed unanimously. A copy of the signed ordinance is hereby incorporated by reference and made a part of these minutes.

Ordinance 08-117 – Continuous Annexation, Town of Fairmont (Railroad Right of Way)

Mr. Proctor read the following Ordinance 08-117 – Continuous Annexation, Town of Fairmont (Railroad Right of Way):

WHEREAS, The Board of Commissioners adopted Resolution 08-08 at its meeting of August 19, 2008, stating the intent of the Town Board of the Town of Fairmont to annex the area described below, owned by the Town of Fairmont, pursuant to General Statute 160A-31(g); and,

WHEREAS, a public hearing on the question of this annexation was held at Town Hall at 6:00 pm on September 16, 2008, after due notice by publication on September 5, 2008;

NOW, THEREFORE, BE IT ORDAINED by the Board of Commissioners of the Town of Fairmont, North Carolina that:

Section 1. By virtue of the authority granted by G.S. 160A-31, the following described territory is hereby annexed and made part of the Town of Fairmont as of September 30, 2008:

Railroad Right-of-Way from Harger Lightning & Grounding Company to the Town Limits at Industrial Drive, Fairmont, North Carolina: All that certain tract or parcel of land lying about 0.7 miles east of the center of Fairmont, North Carolina, adjacent to and on the north side of NC Highway 130, adjacent to and on the east side of SR 2300, Industrial Drive, and adjoining the lands of the HNC Property, LLC (Book 1619 at page 117) on the east, NC Highway 130 on the south, Ed. F. Hodges, Inc. (Book 720 at page 691) on the west. Gaston Sealey (486/185) and Southern States Cooperative, Inc. (597/61) on the north, and being more particularly described as follows:

BEGINNING at a nail found in the center of SR 2300, Industrial Drive, at its intersection with the north right-of-way line (130-foot right of way) of the Old Seaboard Coastline Railroad, now the Fairmont Development Corporation (Book 582 at page 150), this nail being located North 02 degrees 14 minutes East 68.82 feet from a pk nail found in the centerline intersection of the railroad with SR 2300 and running from the beginning nail with the north line of the old north right-of-way line South 68 degrees 31 minutes 45 seconds East 914.66 feet to an iron rod found in the west line of the HNC Property, LLC (Book 1619 at page 691); thence with and beyond the west line of the HNC Property, LLC tract South 21 degrees 28 minutes 25 seconds West 130.0 feet to a point in the south right-of-way line of the old railroad tract; thence with the south right-of-way line (130-foot right of way) of the railroad tract North 68 degrees 31 minutes 45 seconds West 869.30 feet to a point at the intersection of the south right-of-way line of the old railroad and the center of SR 2300; thence with the center of SR 2300, Industrial Drive, North 02 degrees 14 minutes 00 seconds East 137.65 feet to the beginning, containing 2.66 acres, more or less. And being a part of that certain tract conveyed by the Seaboard Coastline Railroad to the Fairmont Development Corporation in Book 582 at page 750, Robeson County Registry. Bearings are referenced to NC Grid, NAD 83, horizontal distance. This description was prepared from deeds (Map Book 17 at page 95) as shown above and computations, not from a current survey, by Johnny W. Nobles. This property is identified in the Robeson County Tax Office as a part of 0508 03 003.

Section 2. Upon and after September 30, 2008, the above described territory and its citizens and property shall be subject to all debts, laws, ordinances and regulations in force in the Town of Fairmont and shall be entitled to the same privileges and benefits as other parts of the Town of Fairmont. Said territory shall be subject to municipal taxes according to G.S. 160A-58.10.

Section 3. The Mayor of the Town of Fairmont shall cause to be recorded in the office of the Register of Deeds of Robeson County, and in the office of the Secretary of State at Raleigh, North Carolina, an accurate map of the annexed territory, described in Section 1 above, together with a duly certified copy of this ordinance. Such a map shall also be delivered to the County Board of Elections, as required by G.S. 163-288.1.

Commissioner Sealey made a motion to adopt Ordinance 08-117 – Continuous Annexation, Town of Fairmont (Railroad Right of Way). Commissioner Capps seconded the motion and it passed unanimously. A copy of the signed ordinance is hereby incorporated by reference and made a part of these minutes.

New Business

Appoint Linda Vause to the Firefighter's Relief Fund.

Commissioner Lennon made a motion to appoint Linda Vause to the Firefighter's Relief Fund. Commissioner Sealey seconded the motion and it passed unanimously.

Mayor Input

Mayor Kemp stated that since the board was unable to pass a property maintenance code, then another course of action must be taken to improve the appearance of buildings downtown. He has written a letter to all the building owners downtown and in October he will talk to property owners individually to encourage them to continue the improvements on Main Street.

Mayor Kemp announced that Lucinda's Jewelry and Gifts will be moving to Main Street and will have a grand opening in October.

Commissioners Input

There was no input from the commissioners this month.

Manager Input

Mr. Proctor announced that the town's motor grader has a right rear axle broken and since it is an old piece of equipment, it will be declared surplus at next month's meeting.

Mr. Proctor informed the board that the town's street sweeper is down and will cost \$8,000 to \$9,000 to repair. The repair work will be paid with left over funds from the bridge repair work.

Mr. Proctor announced that the next Robeson County Municipal Association meeting will be Thursday, September 25 at 7:00 p.m. in the Red Springs Community Center.

Mr. Proctor announced that he would be out of state on Friday and Monday to visit his grandson.

Announcements

Thursday, September 18 - Fairmont Community Watch, 7:00 p.m. Courtroom.

Saturday, September 20 - Annual Billy Wilcox, Jr. Memorial Scholarship Bike Ride, 11:30 a.m. start, Shrine Club, Lumberton, NC.

September 20 - October 4 - Fall Litter Sweep/Clean and Green.

Monday, September 22 - Rosenwald Elementary School PTA meeting, 6:00 p.m.

Friday, October 3 - Schools closed, Teacher workday.

Saturday, October 4 - "Community Chat" - 11:00 a.m., Heritage Center. Mayor Kemp invites all citizens to come and discuss community issues.

Saturday, October 4 - Senior Bingo, 1:00 to 3:00 p.m., Heritage Center.

Saturday, October 4 - Gary Suggs Benefit concert for his daughters, 12:00 noon to 5:00 p.m., Fairmont Community Park. Southern Rock, Blue Grass and Country.

Tuesday, October 7 - N.C. Small Town Main Street meeting, 6:00 p.m., Council Chambers.

Saturday, October 11 - Fairmont Farmers Festival Scholarship Pageant, 3:00 p.m. and 6:00 p.m., E. R. Gause Auditorium, Rosenwald Elementary School.

Monday, October 13 - Fairmont Chamber of Commerce, 6:30 p.m., Council Chambers.

Tuesday, October 14 – Issue Forum, 6:00 p.m. Heritage Center.

Thursday, October 16 - Community Watch, 7:00 p.m., Courtroom.

Friday, October 17 - First Annual Fairmont Chamber of Commerce - Farmers Festival Golf Tournament, Flag Tree Golf Course, Four Man Captain's Choice, 1:00 p.m. shotgun start.

Saturday, October 18 - 22nd Annual Fairmont Farmers Festival.

Monday, October 20 - NCDMV Mobile Drivers License Unit, 9:00 a.m. to 5:00 p.m., in front of the Fire Hall.

Tuesday, October 21 - NCDMV Mobile Drivers License Unit, 8:00 a.m. to 4:00 p.m., in front of the Fire Hall.

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Tuesday, October 21 - Regular Town Board meeting, 6:00 p.m., Council Chambers.

Friday, October 31 - Schools closed, Teacher workday.

Friday, October 31 - Trick or Treat with Dr. Electrode, Front Porch of Town Hall. Halloween Carnival at Fire Station, Time TBA.

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

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 Capps seconded the motion and it passed unanimously.

Mayor Kemp, Commissioners Sealey, Leak-McKenzie, Lennon, McCree, Townsend and Capps along with Robert Price, Blake Proctor and Jenny Larson were in attendance during closed session.

Commissioner Lennon made a motion to come out of closed session at 7:22 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 – Town Manager given ability to rent spare town car

Commissioner Lennon made a motion, seconded by Commissioner Sealey, to provide the Town Manager the ability to rent a spare town car for \$25 a day plus gas if the need arises. The motion passed 5 to 1 with the board voting as follows:

For: Commissioners Lennon, Sealey, Townsend, Capps and Leak-McKenzie
Against: Commissioner McCree

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 – October 21, 2008

The Fairmont Board of Commissioners held their regular meeting on Tuesday, October 21, 2008 at 6:00 p.m. in the Council Chambers with Mayor Charles Kemp presiding. Commissioners present were J.J. McCree, Carol Leak-McKenzie, Wayland Lennon III, Wade Sealey, and Jay Capps. Commissioner Charles Townsend was absent. 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, Public Works Director Ronnie Seals and Officer Aldawson Shipman, Jr. Others in attendance included Shaina Hunt, Victoria Flowers, Rachel Sealy, Alina McCollum, Brittany Deese, Brianna Hunt, Madison Strickland, Haley Ivey, Sharon Lewis, Bob Fisher, and Jessica Lowery.

Call to Order and Invocation

Mayor Charles Kemp called the meeting to order with the assistance of Fairmont Farmers Festival Royal Ambassador Victoria Flowers who banged the gavel. Mayor Kemp also gave the invocation.

Mayor Presentations

Presentation of framed print by Bob Fisher, Robeson County Public Library.

Mr. Bob Fisher presented a framed print of Tyron Palace to the board on behalf of the Robeson County Public Library.

Introduction of new Police Officer Aldawson Shipman, Jr.

Chief Hassell introduced new Police Officer Aldawson Shipman, Jr. Chief Hassell also invited the public to attend a Gang Symposium at the Heritage Center on November 12 at 6:00 p.m.

Introduction of Jessica Lowery, Executive Director of the Robeson County Partnership for Children and Smart Start

Ms. Jessica Lowery, the new Executive Director for the Robeson County Partnership for Children and Smart Start, introduced herself to the board and gave a brief overview of the partnership's programs.

Introduction of 2008-2009 Fairmont Farmers Festival Queens.

The 2008-2009 Fairmont Farmers Festival Queens introduced themselves to the board. They are Royal Ambassador Victoria Flowers, Ambassador Shaina Hunt, Mini Ambassador Rachel Sealey, Wee Miss Alina McCollum, Little Miss Madison Strickland, Tiny Miss Haley Ivey, Junior Miss Brittany Deese and Teen Miss Brianna Hunt. Miss Ava Lyne Lewis was away at college but her mother, Sharon Lewis, read a statement from her to the board.

Approval of Agenda

Commissioner Lennon made a motion to approve the agenda. Commissioner Leak-McKenzie seconded the motion and it passed unanimously.

Public Comment Period/Citizens Appearance

There were no public comments.

Consent Agenda

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

- a. Approval of Minutes – Regular Meeting, September 16, 2008.

Old Business

There was no old business.

New Business

Veterans Day Proclamation by Mayor Kemp.

Mayor Kemp read a proclamation in honor of Veterans Day. This proclamation is hereby incorporated by reference and made a part of these minutes. Mayor Kemp announced that a Veterans Day program will be held on Saturday, November 8 at 11:00 a.m. in the Heritage Center.

Resolution 08-12 – authorizing the disposition of surplus equipment by private negotiation and sale.

Town Manager Blake Proctor read Resolution 08-12, authorizing the disposition of surplus equipment by private negotiation and sale. Mr. Proctor informed the board that the town's motor grader is in poor condition and has a value of \$1,000. Commissioner Lennon made a motion to adopt Resolution 08-12 authorizing the disposition of surplus equipment by private negotiation and sale. 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.

Resolution 08-13 – Identity Theft Detection and Prevention Program.

Mr. Proctor read the title of Resolution 08-13, Identity Theft Detection and Prevention Program. This program is required by state law and must be in place by November 1, 2008. Commissioner Lennon made a motion to adopt Resolution 08-13, Identity Theft Detection and Prevention Program. Commissioner Sealey 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.

Resolution 08-14 – Directing the Clerk to investigate a petition to voluntarily annex Harger Lightning & Grounding.

Mr. Proctor read the title of Resolution 08-14, directing the clerk to investigate a petition received under G.S. 160A-31. Mr. Proctor informed the board that Harger Lightning & Grounding has submitted a petition to voluntarily annex their property, which is contiguous to the town limits. Commissioner Lennon made a motion to adopt Resolution 08-14, directing the clerk to investigate a petition to voluntarily annex Harger Lightning & Grounding. Commissioner Capps seconded the motion and it passed unanimously. A copy of the petition and signed resolution is hereby incorporated by reference and made a part of these minutes.

Planning Board – reappoint Phostenia McCrimmon, Dennis Hicks and Betty Love.

Commissioner Sealey made a motion to reappoint Phostenia McCrimmon, Dennis Hicks and Betty Love to the Fairmont Planning Board. Commissioner Lennon seconded the motion and it passed unanimously.

Mayor Input

Mayor Kemp thanked Town Clerk Jenny Larson, Recreation Director Mickey Williamson, Public Safety Director Robert Hassell and Public Works Director Ronnie Seals for their work on the Fairmont Farmers Festival.

Mayor Kemp passed out free tickets to the Robeson County Democratic Rally to be held at the Southeastern Farmers Market on Thursday, October 23 at 6:00 p.m.

Mayor Kemp announced that the next RCMA meeting will be Tuesday, October 28 at 7:00 p.m. at the Rowland Senior Citizens Center.

Commissioners Input

Commissioners Lennon and Sealey commended the town employees and volunteers for the good job they did on the Fairmont Farmers Festival.

Manager Input

There was no manager input.

Announcements

Friday, October 31 - Schools closed, Teacher workday.

Friday, October 31 - Trick or Treat with Dr. Electrode, Front Porch of Town Hall. Halloween Carnival at Fire Station, Time 6:00 p.m.

Saturday, November 1 - Guinness World Record truck pull and strength demonstration, 2:00 to 4:00 p.m. John Brookfield and John Bruney will attempt a two man tractor trailer truck pull over a one mile course just south of town to the medical clinic on Walnut Street. Afterwards they will demonstrate their incredible strength in the Town Hall parking lot. This is a free event and the public is cordially invited.

Tuesday, November 4 - Election Day - Don't forget to go vote!

Tuesday, November 4 - N.C. Small Town Main Street meeting, 6:00 p.m., Council Chambers.

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

Friday, November 7 - Fairmont High School Football - HOME vs. South Robeson, 7:30 p.m.

Saturday, November 8 - "Red, White & Blue Sidewalk Sale", Downtown Fairmont, 7:00 a.m. to 3:00 p.m. Vendors and Store bargains, food, Dr. Electrode returns for more fun and music. To honor our Veterans there will be a tribute program at 11:00 a.m. at the Heritage Center. Members of the Army Reserves will participate. Please plan to attend.

Monday, November 10 - Chamber of Commerce social, 6:30 p.m., Rosenwald Elementary School.

Tuesday, November 11 - Town offices and schools closed in observance of Veteran's Day. Let's honor our veterans today!

Tuesday, November 11 - Central Zone Neighborhood Discussion Group, 6:00 to 7:00 p.m., Fairmont Middle School Cafeteria.

Monday, November 17 - NCDMV Mobile Drivers License Unit, 10:30 a.m. to 4:30 p.m., in front of the Fire Hall.

Tuesday, November 18 - NCDMV Mobile Drivers License Unit, 8:30 a.m. to 3:30 p.m., in front of the Fire Hall.

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

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 6:36 p.m.

Jennifer H. Larson, CMC
Town Clerk

Regular Meeting – November 18, 2008

The Fairmont Board of Commissioners held their regular meeting on Tuesday, November 18, 2008 at 6:00 p.m. in the Council Chambers with Mayor Charles Kemp presiding. Commissioners present were J.J. McCree, Carol Leak-McKenzie, Charles Townsend, Wayland Lennon III, Wade Sealey, 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, and Recreation Director Mickey Williamson. There were several citizens in attendance as well.

Call to Order and Invocation

Mayor Charles Kemp called the meeting to order and gave the invocation. He asked everyone to keep Mrs. Tina Seals in their prayers following her heart bypass surgery and to remember the family of Rev. Hilton Deese who just passed away.

Mayor Presentations

Recognition of Wayland Lennon and Mickey Williamson.

Mayor Kemp presented the first A-1 Steakhouse Cook-off award to Wayland Lennon and Mickey Williamson for their participation in the Kansas City BBQ festival held at the Farmers Market in Lumberton. Their team, "Its 5 o'clock somewhere," won prizes for best booth and 2nd place in the dessert category.

Approval of Agenda

Commissioner Sealey made a motion to approve the agenda. Commissioner Leak-McKenzie seconded the motion and it passed unanimously.

Public Comment Period/Citizens Appearance

There were no public comments.

Consent Agenda

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

- a. Approval of Minutes – Regular Meeting, October 21, 2008.

Old Business

Resolution 08-15 – Fixing date of public hearing on question of annexation pursuant to G.S. 160A-31. (Harger Lightning & Grounding)

Mr. Proctor read the long title of Resolution 08-15, fixing the date of public hearing on the question of annexation pursuant to G.S. 160A-31. The public hearing on the voluntary annexation of Harger Lightning and Grounding will be at 6:00 p.m. on December 16, 2008. Commissioner Lennon made a motion to adopt Resolution 08-15, fixing the date of public hearing on the question of annexation pursuant to G.S. 160A-31 for Harger Lightning and Grounding. 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.

Loan Terms – Old Field Flood Control Program.

Mr. Proctor has been in contact with three local banks regarding obtaining loan funds for the Old Field Flood Control Program. BB&T was the only bank interested in loaning money to the town for this project. Mr. Proctor asked for terms and rates for \$120,000 and \$125,000, paid monthly over six, seven and eight years. Bid packets have been mailed out for the flood control project and the bids will be opened on Thursday, November 20 at 2:00 p.m. Hobbs, Upchurch and Associates have estimated the project to cost \$117,500 but recommended we borrow at least \$120,000 to \$125,000. Mr. Proctor asked the board for authorization to go out and borrow the funds once the bids are opened. The money to repay the loan will come out of the Powell Bill fund. Commissioner Lennon made a motion to authorize the Town Manager to borrow \$125,000 for the Old Field flood control project with a term of six years at BB&T. Commissioner McCree seconded the motion and it passed unanimously with Commissioner Sealey abstaining due to owning property in the area. The loan of \$125,000 over six years would have monthly payments of \$1,919.97 with an annual cost of \$23,069.64 and the total paid back would be \$138,237.84.

New Business

Letter requesting variance from manufactured housing age limits.

Mr. Proctor informed the board that Mr. Ernest Britt, owner of the Bell Haven mobile home park in the town's ETJ, has requested a variance on the age of three mobile homes that were placed in the park in violation of the town's zoning ordinance. Commissioner Lennon asked if Mr. Britt had followed proper procedure and gone before the Planning Board. Mr. Proctor replied that Mr. Britt had not gone before the Planning Board choosing to appeal directly to the board instead. Town Attorney Rob Price said Mr. Britt has not followed proper procedure for a variance. The board took no action and Mayor Kemp asked Mr. Proctor to inform Mr. Britt to either follow proper procedure for obtaining a variance or to move the trailers.

Approval of Urgent Repair Program Partnership with the Towns of Chadbourn and Rowland.

Mr. Proctor asked the board to approve a partnership with the Towns of Chadbourn and Rowland for an Urgent Repair Program grant. In the past, the town has partnered with the Town of Maxton. The grant amount is \$75,000 and each town would get \$25,000 to repair homes with the most urgent needs. The grant is being written now by the Wooten Company and Fairmont will be the lead agency. Commissioner Lennon made a motion to approve the Urgent Repair Program partnership with the Towns of Chadbourn and Rowland. Commissioner Sealey seconded the motion and it passed unanimously.

Mayor Input

Mayor Kemp reminded everyone about Holiday on Main coming up on Friday, December 5. There will be a Twilight Christmas Parade at 6:00 p.m., followed by a tree lighting ceremony in Fairmont Community Park and entertainment at the Heritage Center.

Mayor Kemp stated the Employee Thanksgiving cookout would be Wednesday, November 26 at 12:00 noon in the Fire Hall. Commissioner Lennon will be cooking the hamburgers and hot dogs.

Commissioners Input

Commissioner Townsend announced that the First Baptist Church on North Main Street would be feeding Thanksgiving dinner to the public on Saturday, November 22 from 11:00 a.m. to 2:00 p.m. at the House of Joy.

Commissioner Lennon invited everyone to attend the LRCOG annual meeting on Thursday, November 20.

Manager Input

Mr. Proctor announced that he has been appointed to the NCCCMA Professional Development Committee and the Civic Education Committee.

Announcements

Saturday, November 22 - Lumberton Christmas parade, 10:00 a.m.

Tuesday, November 25 - South Zone Discussion Group, 6:00 p.m., Courtroom.

Wednesday, November 26 - Schools closed, Teacher workday.

Wednesday, November 26 - Town Employee Thanksgiving cookout, 12:00 p.m., Fire Hall.

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Thursday, November 27 and Friday, November 28 - Town offices and schools closed in observance of Thanksgiving.

Tuesday, December 2 - Main Street Committee, 6:00 p.m., Heritage Center.

Friday, December 5 - Holiday on Main. Twilight Christmas Parade, 6:00 p.m., Downtown, Christmas Tree Lighting, 6:45 p.m., Fairmont Community Park, Santa, Music and Refreshments, 7:00 p.m., Heritage Center.

Saturday, December 6 - Marietta Christmas Parade, 11:00 a.m. followed by the Lake View Christmas Parade at 3:00 p.m.

Monday, December 8 - Chamber of Commerce Christmas Party, 6:00 p.m. Civitan Clubhouse.

Saturday, December 13 - Senior Citizens Christmas Party, 12:00 p.m., Heritage Center.

Monday, December 15 - NCDMV Drivers License Mobile Unit, 10:30 a.m. to 4:30 p.m., Town Hall parking lot.

Tuesday, December 16 - NCDMV Drivers License Mobile Unit, 8:30 a.m. to 3:30 p.m., Town Hall parking lot.

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

Monday, December 22 - Friday, January 2 - Schools closed for Christmas break.

Tuesday, December 23 - Town Employee Christmas Luncheon, 12:00 p.m., Heritage Center.

Wednesday, December 24 - Friday, December 26 - Town offices closed in observance of Christmas.

Wednesday, December 24 - "Santa Visits the Kids," 5:00 to 8:00 p.m.

Thursday, January 1 - Town offices closed in observance of New Year's Day.

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 6:25 p.m.

Jennifer H. Larson, CMC
Town Clerk

Regular Meeting – December 16, 2008

The Fairmont Board of Commissioners held their regular meeting on Tuesday, December 16, 2008 at 6:00 p.m. in the Council Chambers with Mayor Charles Kemp presiding. Commissioners present were J.J. McCree, Carol Leak-McKenzie, Charles Townsend, Wayland Lennon III, Wade Sealey, and Jay Capps. Commissioner Lennon arrived at 6:07 p.m. Staff present included Town Manager Blake Proctor, Town Clerk Jenny Larson, Public Works Director Ronnie Seals, Finance Director Linda Vause, and Recreation Director Mickey Williamson. Town Attorney Robert Price was not present. There were several citizens in attendance as well including John Masters and Michael Bass.

Public Hearing – Voluntary Contiguous Annexation – Harger Lightning & Grounding

Mayor Kemp opened the public hearing on the Voluntary Contiguous Annexation of Harger Lightning & Grounding on Highway 130 East. No one spoke during the hearing.

The public hearings were closed at 6:02 p.m.

Call to Order and Invocation

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

Mayor Presentations

Recognition of Michael Bass, finalist for the Wendy's High School Heisman Award.

Mayor Kemp recognized Fairmont High School Senior Michael Bass for being named a finalist for the Wendy's High School Heisman Award.

Approval of Agenda

Town Manager Blake Proctor asked the board to add Resolution 08-16, Approval of Financing Terms for the Old Field Flood Control Project under Unfinished Business. Commissioner Sealey made a motion to approve the agenda with the addition of Resolution 08-16, Approval of Financing Terms. Commissioner Capps seconded the motion and it passed unanimously.

Public Comment Period/Citizens Appearance

There were no public comments.

Consent Agenda

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

- a. Approval of Minutes – Regular Meeting, November 18, 2008.

Old Business

2007-2008 - Audit Report – John Masters, S. Preston Douglas & Associates.

Mr. John Masters of S. Preston Douglas & Associates presented the 2007-2008 Audit Report to the board. He said the town’s tax collection rate was 89% which is the normal for Robeson County municipalities. He warned the board that due to the economy, the state may try to balance its budget on the back of municipalities like it did in 2002 and 2003. Mr. Masters stated that the General Fund had an erosion in excess of \$200,000 due in part to the shortfall in the water and sewer fund. The undesignated portion of the fund balance is \$333,000 or 16%, twice the amount dictated by the state (8%). Commissioner McCree asked if the fund balance could be less than 16% by June 30, 2009 and Mr. Masters said yes. He would prefer the town to have 3 to 4 months of operating expenses, which would be 24 to 33% of the undesignated fund balance. Mr. Masters had several concerns about the town’s water and sewer fund. The fund had a deficit of \$61,049, which is not good because an enterprise fund is supposed to pay for itself. Mr. Masters said the Local Government Commission (LGC) would definitely comment negatively on the fund’s deficit. Mr. Masters also warned the board about grants and their matches. Finance Director Linda Vause informed the board that matching grants like CDBG take a hit on the town’s fund balance and revenue. There has been \$150,000 spent on matching grants in the past four years. Mr. Masters reiterated that there are some uncertainties in the future that are going to affect all municipalities due to reduction in state revenues. Commissioner Lennon stated that the town may have to consider raising property taxes and water bills in order to increase fund balance and revenue.

Ordinance 08-118 – Contiguous Voluntary Annexation of Harger Lightning & Grounding.

Mr. Proctor read the title of the following Ordinance 08-118, Continuous Voluntary Annexation of Harger Lightning & Grounding:

WHEREAS, the Fairmont Board of Commissioners has been petitioned under G.S. 160A-58.1 to annex the area described below; and

WHEREAS, the Fairmont Board of Commissioners has by resolution directed the Town Clerk to investigate the sufficiency of the petition; and

WHEREAS, the Town Clerk has certified the sufficiency of the petition and a public hearing on the question of this annexation was held at Town Hall at 6:00 p.m. on December 16, 2008, after due notice by publication on December 1, 2008; and

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WHEREAS, the Fairmont Board of Commissioners finds that the petition meets the requirements of G.S. 160A-31;

NOW, THEREFORE, BE IT ORDAINED by the Board of Commissioners of the Town of Fairmont, North Carolina that:

Section 1. By virtue of the authority granted by G.S. 160A-31, the following described territory is hereby annexed and made part of the Town of Fairmont as of December 31, 2008:

Harger Lightning and Grounding, 12779 NC Highway 130 East

Tract one:

Lying and being in Fairmont Township, Robeson County, North Carolina, on the east side of the Town of Fairmont, about 0.15 miles southeast of the intersection of Secondary Road 2300 (Industrial Drive) and NC Highway 130 (Business), and being more particularly described as follows:

BEGINNING at an iron rod in the northeastern right-of-way line of NC Highway 130 (Business) (a 60-foot right of way), said iron rod being located North 58 degrees 35 minutes 23 seconds West 1,196.63 feet from North Carolina grid monument "Grantham", having coordinates of North equals 269,869.381 and East equals 1,971,660.495, said iron rod also marking the southwest corner of property now or formerly owned by William T. Bailey and Timothy W. Bailey, as described in a deed recorded in Book 839, Page 785, Robeson County Registry; thence from the point of beginning along the northeastern right-of-way line of NC Highway 130 (Business) North 68 degrees 31 minutes 45 seconds West 400.02 feet to an iron rod marking the Southeast corner of property now or formerly owned by Fairmont Development Corporation described in a deed recorded in Book 582, Page 750, Robeson County Registry; thence along the southeastern line of the Fairmont Development Corporation property North 21 degrees 28 minutes 25 seconds East 80.05 feet to an existing iron rod; thence along the southeastern line of property now or formerly owned by Gaston Sealey and wife, Augustine B. Sealey, described in a deed recorded in Book 486, Page 185, Robeson County Registry, North 21 degrees 28 minutes 25 seconds East 445.12 feet to an existing iron rod; thence along a southwest line of said Sealey property South 68 degrees 49 minutes 21 seconds East 454.26 feet to an iron rod; thence along the northwestern line of said Bailey property the following two courses and distances: South 28 degrees 23 minutes 05 seconds West 450.82 feet to an existing iron axle and South 21 degrees 27 minutes 42 seconds West 79.95 feet to the point and place of beginning, containing 5.11 acres, more or less.

Tract two:

BEGINNING at a iron rod found, the Northeast or 5th corner of the Apple Holdings, LLC, 5.11 acre tract (1183/206), said iron rod being located North 28 degrees 23 minutes 05 seconds East 450.82 feet from an axle found, the 6th corner of said 5.11 acre tract, this axle being located North 21 degrees 27 minutes 42 seconds East 79.95 feet from an iron rod found in the North right of way line (60 feet right of way) of NC Highway 130, the beginning or first corner of said 5.11 acre tract, this iron rod being located from Deed Book 1352, Page 766, North 58 degrees 35 minutes 23 seconds West 1196.63 feet from NC Grid Monument "Grantham" having NC Grid Coordinates N=82256.352 meters and E=600963.310 meters and runs thence from said beginning iron rod with the North line of said 5.11 acre tract North 68 degrees 49 minutes 21 seconds West 454.26 feet to an iron rod found at the Northwest or the 4th corner of said 5.11 acre tract; thence North 21 degrees 28 minutes 25 seconds East 452.0 feet to an iron rod set; thence South 68 degrees 49 minutes 21 seconds East 509.11 feet to an iron rod set; thence South 28 degrees 23 minutes 05 seconds West 455.60 feet to the beginning containing 5.0 acres more or less. And being a part of that 90 acre tract conveyed by Gaston Sealey to Gaston Sealey and wife, Augustine B. Sealey by deed dated 24 October 1980 and recorded in Deed Book 486, Page 185, Robeson County Registry. Bearings are referenced to NC Grid NAD 83 from Book 1352, page 766. This is the property described in the deed recorded in Book 1622 at page 257. Being identified in the tax records as parcel 0508-03-003.

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Section 2. Upon and after December 31, 2008, the above described territory and its citizens and property shall be subject to all debts, laws, ordinances and regulations in force in the Town of Fairmont and shall be entitled to the same privileges and benefits as other parts of the Town of Fairmont. Said territory shall be subject to municipal taxes according to G.S. 160A-58.10.

Section 3. The Mayor of the Town of Fairmont shall cause to be recorded in the office of the Register of Deeds of Robeson County, and in the office of the Secretary of State at Raleigh, North Carolina, an accurate map of the annexed territory, described in Section 1 above, together with a duly certified copy of this ordinance. Such a map shall also be delivered to the County Board of Elections, as required by G.S. 163-288.1.

Section 4. Notice of adoption of this ordinance shall be published once, following the effective date of annexation, in a newspaper having general circulation in the Town of Fairmont.

Commissioner Lennon made a motion to adopt Ordinance 08-118, Continuous Voluntary Annexation of Harger Lightning & Grounding. Commissioner Capps seconded the motion and it passed unanimously. A copy of the signed ordinance is hereby incorporated by reference and made a part of these minutes.

Resolution 08-16 – Approval of Financing Terms for Old Field Flood Control Project

Mr. Proctor went over the financing terms for the Old Field Flood Control Project. The amount to be financed is \$120,000 over 6 years at 3.37% interest. Commissioner Lennon made a motion to adopt Resolution 08-16, Approval of Financing Terms for the Old Field Flood Control Project. Commissioner McCree 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.

New Business

Proclamation – Human and Civil Rights Month.

Mayor Kemp read a Proclamation naming January 2009 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.

Discussion of Zoning Permit fees.

Mr. Proctor informed the board that the town charges \$35 for a zoning permit fee regardless of the size of the building project. He suggested drafting a resolution for a sliding scale zoning permit fee based on project cost. Commissioner Lennon responded that fees for certain financial transactions are the same regardless of the size because the work is the same. He was concerned that increasing the fee for large projects could be business deterring. Commissioner Sealey suggested Mr. Proctor research what other municipalities charge for zoning permit fees and report back to the board with his findings.

Mayor Input

Mayor Kemp commended Renee Webster, her daughter, Brittany, and the Fairmont Interact Club for volunteering to clean both alleyways downtown on Monday, December 22.

Mayor Kemp reminded everyone of the “Santa Visits the Kids” program on Christmas Eve, the Martin Luther King, Jr. Day program on January 19 and the Employee Christmas Luncheon on December 23.

Mayor Kemp read the following statement to be included as part of the official record:

“Since we will not be together again as a Government Body until next year, I would like to take this opportunity to offer my sincere thanks to each board member on your dedicated service to the citizens of our community over this past year. Together we have advanced the progress of our town, improved the lives of her citizens, and taken steps to shape Fairmont’s growth. We should all take pride in the fact that even though we have not always agreed, we have chosen not to be disagreeable and have sought a common ground by which we can stand together. This is a fact which shows our common desire to place community above self and to serve unselfishly. I see great things ahead for Fairmont and with the focused concentration of all our energy and various points of view which we offer, Fairmont and her citizens will continue to be the role model for other communities. To each of you and to the wonderful citizens which support Fairmont, love her, and will carry her forward, I wish each a very Merry Christmas, a blessed holiday, an a most enjoyable and prosperous New Year.”

Commissioners Input

Commissioner Sealey thanked everyone who worked on Holiday on Main because the parade was outstanding.

Commissioner McCree was wondering if it would be possible to notify citizens when scheduled repair work on fire hydrants or other lines would cause the water to be cut off for a period of time.

Commissioner Lennon apologized for being late to the meeting tonight but he was chasing a thief outside his house. This is the third time since the summer of 2007 that someone has robbed his house.

Manager Input

Mr. Proctor informed the board that in addition to New Years Day, the Town offices will be closed on Friday, January 2, 2009 with employees using a vacation or compensation day.

Announcements

Monday, December 22 - Friday, January 2 - Schools closed for Christmas break.

Tuesday, December 23 - Town Employee Christmas Luncheon, 12:00 p.m., Heritage Center.

Wednesday, December 24 - Friday, December 26 - Town offices closed in observance of Christmas.

Wednesday, December 24 - “Santa Visits the Kids,” 5:00 to 8:00 p.m.

Thursday, January 1 and Friday, January 2 - Town offices closed in observance of New Year's Day.

Tuesday, January 6 - N.C. Small Town Main Street meeting, 6:00 p.m., Heritage Center.

Monday, January 12 - Fairmont Chamber of Commerce meeting, 6:00 p.m., Council Chambers.

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

Monday, January 19 - Town offices and schools closed in observance of the Dr. Martin Luther King, Jr. Holiday.

Monday, January 19 - Martin Luther King, Jr. Day Program, 12:00 noon, Heritage Center.

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

Monday, January 26 - Rosenwald Elementary School PTA meeting, 6:30 p.m.

Monday, January 26 and Tuesday, January 27 - Schools closed for Teacher workdays.

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 6:59 p.m.

Jennifer H. Larson, CMC
Town Clerk

Regular Meeting – January 27, 2009

The Fairmont Board of Commissioners held their regular meeting on Tuesday, January 27, 2009 at 6:00 p.m. in the Council Chambers with Mayor Charles Kemp presiding. Commissioners present were J.J. McCree, Carol Leak-McKenzie, Charles Townsend, Wayland Lennon III, Wade Sealey, and Jay Capps. Staff present included Town Manager Blake Proctor, Town Clerk Jenny Larson, Public Works Director Ronnie Seals, Public Safety Director Robert Hassell and Recreation Director Mickey Williamson. Town Attorney Robert Price was not present. There were several citizens in attendance as well including Ron Ross, Ethan Hunt, Morgan Atkinson, Chassity Bethea, James Thompson, Leon Jacobs, Vernell Freeman, Stephen Williams, Rita Davis-Jacobs, Brian Rabon and Haley Ivey.

Call to Order and Invocation

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

Mayor Presentations

Recognition of three students from area schools who have displayed human rights and brotherhood qualities.

Mayor Kemp recognized three students who have displayed human rights and brotherhood qualities at their schools. They are Ethan Hunt of Rosenwald Elementary School, Morgan Atkinson of Fairmont Middle School and Chassity Bethea of Fairmont High School.

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, James Thompson, Leon Jacobs, Vernell Freeman, Stephen Williams, Rita Davis-Jacobs and Corretta Brockington.

Tiny Miss Haley Ivey

Tiny Miss Fairmont Farmers Festival Haley Ivey introduced herself to the audience.

Approval of Agenda

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

Public Comment Period/Citizens Appearance

Rev. Brian Rabon – new business in town

Rev. Brian Rabon spoke about his family owned company, Nobar, Inc. They are purchasing a building on 213 N. Main Street next to the Heritage Center. The company does business all over the state but would like to know the procedures to be included on the list of certified contractors for Fairmont construction projects. Nobar, Inc. has three divisions: electrical (commercial, industrial and residential), advanced technologies (audio-visual, stage lighting, surveillance, etc.) and sales and services (rental and repair).

Consent Agenda

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

- a. Approval of Minutes – Regular Meeting, December 16, 2008 with an amendment on “Commissioner Input” to add the words “since the summer of 2007” under Commissioner Lennon’s comments.

Old Business

Boys and Girls Club Committee fund raising status report – Rev. Harold Salmon and Mr. Ron Ross, Director of the Lumberton Boys and Girls Club.

Mayor Kemp read the following report from Rev. Harold Salmon, who was unable to attend tonight:

“The Boys and Girls Club Committee met on Tuesday, December 9. The committee shared the following thoughts:

- This committee feels that the Boys and Girls Club is a very, very important project.
- That these are very tenuous and uncertain financial times for us as individuals, much of the work force, our community as well as our nation.
- Current circumstances make it difficult and even insensitive to approach individuals, businesses, and corporations, for funding when many face issues of whether they will survive.
- National organizations are finding it difficult to raise funds.
- Our local United Way is struggling with their current campaign.

This committee’s decision is to give the only responsible recommendation that can be made at this present time and recommend that this project be placed on-hold for a time of more secure and positive financial forecast.”

Mr. Ron Ross of the Lumberton-Robeson County Boys and Girls Club encouraged the board to continue with their efforts to establish a Boys and Girls Club in Fairmont. Mayor Kemp asked him if he would be willing to serve on Fairmont's Boys and Girls Club Committee and Mr. Ross said yes. Commissioner McCree asked Mr. Ross how much it would cost to run a club in Fairmont. Mr. Ross replied that with no rent or utilities, it would cost \$70,000 annually, which covers the salary of one full time and one part time employee.

New Business

Required N.C. State Fire Inspections.

Chief Hassell came before the board to educate the public on state required fire inspections. Chief Hassell said that only 53% of the town's businesses have been recently inspected. State law mandates that all businesses, churches, schools, group homes and restaurants be inspected. The fire inspection fee costs \$50 to \$250 based on the size of the building and can be paid in the water department. Stephanie Chavis, a county employee, conducts the inspections on behalf of the town.

Disposition of Swiss Piedmont Building

Mr. Proctor read the following memo into the record:

“The Town has been dealing with problems regarding the old Swiss Piedmont building for well over a decade. I have been working on a solution in partnership with County Manager Ken Windley, Dr. Freda Porter, and representatives from the Environmental Protection Agency.

The County has an EPA grant that identifies and assesses closed and/or abandoned properties that pose either hazardous risks or petroleum-based risks, or both. We have been meeting monthly for several months to ascertain those properties. I presented the Swiss Piedmont building and after a tour of inspection, Dr. Porter placed that property on the list.

The current grant is to pay for the assessments required under EPA rules to discern either petrol products in the ground or such hazardous materials as asbestos; there are two assessment phases that are required, and both are fully paid by the grant.

With the Swiss Piedmont building, the problem arises because the owner is shall we say “unavailable,” and is realistically expected to remain so forever. Therefore, Mr. Windley and I have devised a program that passes title to the County from the Town via a Quit Claim deed; a Warranty Deed is not required in these instances. The County will then proceed to make the assessments, after which an abatement grant will be sought from the EPA to pay for asbestos removal from the building. The building will then be available for sale, demolition, or other use.

I have talked with our attorney and he says that in the instance of no owner, such as in this case, the use of a Quit Claim deed is a legal and viable remedy. In fact, the Town recently used a Quit Claim deed to pass title of an abandoned house with no owner to a local resident who has since made the property livable and viable again; however, due to the size, location, and past use of the Swiss Piedmont property, Mr. Price thought that Commission approval of this transaction would be in order. Mr. Windley will be meeting with the full County Commission in their retreat this weekend, and he has scheduled a full half hour on this topic.

At this time, we are seeking permission from the Commission to issue a Quit Claim deed to the County so that they may proceed with this vital transaction at no cost to the Town. We would, of course lose any taxes due, but we have been writing them off annually in any case. Any proceeds from a sale or demolition would be equitably prorated between the County and the Town.”

Commissioner Lennon made a motion to approve a quit claim deed on the Swiss Piedmont building to Robeson County. Commissioner Sealey seconded the motion and it passed unanimously.

Mayor Input

Mayor Kemp read the following statement for the record:

“There's not one person sitting here at this table of elected officials who does not want our community to improve and be the best it can be. That is a given. There are sometimes different approaches and avenues which some may want to take while others may choose another way. But the goal is still the same: to achieve a better Fairmont.

I have a very simple philosophy which I live by: the view for the 2nd sled dog never changes and in keeping with this concept I do not choose to wait until the need for a solution arises but tackle a problem early and head on. I believe in pro-activity.

With due respect to the members of this board, when it became obvious that there was no support for the passage of either a minimum building maintenance or sign ordinance back in April, I, along with our manager, undertook a different approach. We have called, visited, or met in person with many downtown property owners to solicit their support and approval to improve their store fronts. To date the following has been achieved:

1. Two outdated store signs have been removed.
2. We have personally met with two building owners who have viewed proposed changes to their store fronts designed by the NC Main Street designer.

3. We are in the process of getting a building owner to remove an outdated sign on his building and do other repair work which the owner has promised.
4. We are in consultations with a potential developer who has shown interest in developing some buildings in our downtown.
5. We are awaiting the report of a consultant now who will offer her services for a fee to apply for the national historic registry for our downtown.
6. We got signatures from the R.O. Floyd family to tear down the cinder block building behind the Heritage Center for a parking lot.

These exhibits of proof underline our firm commitment to continue our efforts at improving our downtown. I believe I can include the manager in that both he and I will not rest until our entire downtown looks as it should. If that means we continue to call upon building owners, it will always mean we offer our extended hand of cooperation and not out of harassment. We seek and envision a thriving, attractive, bustling downtown core full of stores and with lots of commercial activity. These things are not possible by being timid or unassertive or being the 2nd sled dog and I don't believe anyone seated here at this table could be classified as such.

So the manager and I will continue to press forward, seeking positive changes, encouraging and scouring the horizon for new businesses, and extending the hand of cooperation to those who wish or seek it. We will go as far as we can legally and not one step further. We will continue to stay hopeful and when there is good news you will know it first. I see a bright future for our downtown.”

Commissioners Input

Commissioner Leak-McKenzie was glad the board agreed to put the Boys and Girls Club back on the program. She stated that children are our future and if we invest in our future, we will get a good return.

Commissioner Townsend attended the historic inauguration of President Barack Obama in Washington, D.C.

Manager Input

Mr. Proctor said Heritage Park has been enhanced with new landscaping by Mr. Sam Deese.

Mr. Proctor informed the board that it will be at least mid-February before we get the results of the CDBG application.

Announcements

Tuesday, February 3 - North Zone Neighborhood Discussion Group, 5:00-6:00 p.m., Rosenwald Cafeteria.

Tuesday, February 3 - NC Small Town Main Street meeting, 6:00 p.m., Heritage Center.

Saturdays, February 7, 14, 21, 28 & March 7 - Fairmont Recreation and Fairmont Civitans Dixie Youth Baseball Signups, 10:00 a.m. to 12:00 noon, Fairmont Department of Public Safety Employee Fitness Center (next to Ideal Florist). The different divisions are: T-Ball Ages 4-5, Coach Pitch Ages 6-8, Minor League 9-10 and Major League 11-12 (13 - age you are on May 1st). For more information contact Mickey Williamson at 628-9883.

Monday, February 9 – Chamber of Commerce social, 6:00 p.m., Callahan & Co., Salon & Spa.

Tuesday, February 10 - Central Zone Neighborhood Discussion Group, 5:30 p.m., FMS Cafeteria.

Friday, February 13 – 3rd Annual Pride in Fairmont Ceremony, 7:00 p.m., Heritage Center.

Saturday, February 14 - the “Sweetheart” of all Sidewalk Sales, 7:00 a.m. to 2:00 p.m., Downtown.

Saturday, February 14 - Senior Citizens Sweetheart Ball, 3:00 to 5:00 p.m., Heritage Center.

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

Thursday, February 19 - Community Watch, 7:00 p.m., Courtroom.

Tuesday, February 24 - Robeson County Municipal Association Meeting, 7:00 p.m., Heritage Center.

Wednesday, February 25 - South Zone Neighborhood Discussion Group, 5:30 p.m., Courtroom.
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 7:01 p.m.

Jennifer H. Larson, CMC
Town Clerk

Regular Meeting – February 17, 2009

The Fairmont Board of Commissioners held their regular meeting on Tuesday, February 17, 2009 at 6:00 p.m. in the Council Chambers with Mayor Charles Kemp presiding. Commissioners present were J.J. McCree, Carol Leak-McKenzie, Charles Townsend, Wade Sealey, and Jay Capps. Commissioner Wayland Lennon, III was out of town on business and participated in the meeting by telephone. Staff present included Town Manager Blake Proctor, Town Clerk Jenny Larson, Public Works Director Ronnie Seals, Public Safety Director Robert Hassell, Recreation Director Mickey Williamson and Police Officer Justin Locklear. Town Attorney Robert Price was not present. There were several citizens in attendance as well including Dr. Paul Keith Baker, Minnie Baker, Novella Worley, Bob Fisher and Tina Stepp.

Call to Order and Invocation

Mayor Charles Kemp called the meeting to order and announced that Commissioner Lennon was participating in the meeting by telephone from Tampa, Florida. Mayor Kemp also gave the invocation.

Mayor Presentations

Certificate of Recognition – Dr. Paul Keith Baker.

Mayor Kemp recognized Fairmont native Dr. Paul Keith Baker for his academic achievements as a professor of Early American History.

Introduction of new police officer – Justin Locklear.

Chief Robert Hassell introduced the town's newest police officer Justin Locklear.

Introduction of new Robeson County Public Library Director – Tina Stepp.

Mr. Bob Fisher introduced Mrs. Tina Stepp, the new Robeson County Public Library Director. Mr. Fisher is retiring as library director on February 28.

Approval of Agenda

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

Public Comment Period/Citizens Appearance

Mr. Huel Faulk – shopping carts littering community.

Mr. Huel Faulk has noticed several shopping carts littering the community. He asked the town to work with the merchants to get the carts cleaned up. Mr. Faulk mentioned that he has a group of volunteers willing to help.

Consent Agenda

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

- a. Approval of Minutes – Regular Meeting, January 27, 2009.

Old Business

There was no old business this month.

New Business

Ordinance 09-116 - Amending Title XV, Land Usage by adding Chapter 152A, Standards for Property Maintenance. (Introduction and discussion only.)

Town Manager Blake Proctor introduced Ordinance 09-116, Amending Title XV, Land Usage by adding Chapter 152A, Standards for Property Maintenance for discussion by the board. Mr. Proctor informed the board that this ordinance is not as stringent as ordinances he has introduced in the past. This ordinance only addresses abandoned and substandard structures, both residential and commercial. Mr. Proctor will put the ordinance on the March agenda for first reading and consideration.

Mayor Input

Mayor Kemp reminded the board of the Robeson County Municipal Association meeting on Tuesday, February 24 at 7:00 p.m. in the Heritage Center. The guest speaker will be Joann Anderson, President-CEO of SRMC.

Mayor Kemp thanked Town Clerk Jenny Larson for her slideshow presentation at the Pride Ceremony.

Mayor Kemp informed the board that the cinder block building behind the Heritage Center has been torn down and the area is being prepared for paving the parking lot.

Mayor Kemp asked the board to let Chief Hassell know if they wished to appoint or reappoint a citizen to the Police Advisory Board.

Commissioners Input

Commissioner Leak-McKenzie thanked Chief Robert Hassell and Major Danny Parker for their quick response when her husband went into a diabetic coma. She mentioned the possibility of creating a critical care unit that would respond when paramedics or ambulances are out on a call and can't get there right away.

Commissioner Sealey recently traveled to Raleigh and heard lots of praise about Fairmont while there. He commended the Mayor, board and citizens for helping Fairmont be noticed throughout the state.

Manager Input

Mr. Proctor contacted The Wooten Company about our CDBG and URP applications but there has been no word on either to date.

Mr. Proctor announced that NCDENR has issued the discharge permit for Harger.

Mr. Proctor updated the board on the Old Field Flood Control Project. Work began two weeks ago and with some change orders the contractors are installing a more effective system at no additional cost.

Announcements

Thursday, February 19 - Community Watch, 7:00 p.m., Courtroom.

Monday, February 23 - Rosenwald Elementary School PTA meeting, 6:30 p.m.

Tuesday, February 24 - Robeson County Municipal Association Meeting, 7:00 p.m., Heritage Center. Guest Speaker will be Mrs. Joann Anderson, President/CEO of SRMC.

Wednesday, February 25 - South Zone Neighborhood Discussion Group, 5:30 p.m., Courtroom.

Monday, March 2 - Chamber Boil, Fairmont Civitan Hut, 6:00 p.m. Tickets \$20 for non-Chamber members, \$15 for Chamber members.

Friday, March 6 - Schools closed for teacher workday.

Tuesday, March 3 - N.C. Small Town Main Street Meeting, 6:00 p.m., Heritage Center.

Saturday, March 7 - Senior Bingo, 1:00 to 3:00 p.m., Heritage Center.

Tuesday, March 10 - Initial Budget Workshop, 6:00 p.m., Council Chambers.

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

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 6:30 p.m.

Jennifer H. Larson, CMC
Town Clerk

Budget Workshop – March 10, 2009

The Fairmont Board of Commissioners held a budget workshop on Tuesday, March 10, 2009 at 6:00 p.m. in the Council Chambers with Mayor Charles Kemp presiding. Commissioners present were Wayland Lennon, III and Carol Leak-McKenzie. Commissioners absent were J.J. McCree, Charles Townsend, Wade Sealey, and Jay Capps. Staff present included Town Manager Blake Proctor and Town Clerk Jenny Larson.

Mayor Kemp noted that there was no quorum of the board present and that the meeting would be an informal discussion of the budget plans for Fiscal Year 2009-2010.

Town Manager Blake Proctor said two of the town's largest revenues are property tax and sales tax. He predicts that our property tax rate will see a 5% decrease due to the recession. He also predicted a 10% decrease in sales tax collected by the state.

The town's other main source of revenue is the water and sewer fund. Unfortunately we are not bringing enough in to pay the bond payment on the sewer plant that is due in May. Mr. Proctor is confident that the town will receive a \$250,000 capacity fee from the Town of Fair Bluff before the bond payment is due. The Town of Fair Bluff is scheduled to come online at our sewer plant by June and that will generate an additional \$12,000 a month in revenue. Mr. Proctor is trying to get \$1.5 million from the economic stimulus money for sewer line replacement.

The Public Safety Department was notified by U.S. Congressman Mike McIntyre of a \$38,354 grant from the American Recovery and Reinvestment Act to help fight crime. Mr. Proctor is also working with USDA on a \$240,000 65% loan, 35% grant to purchase seven new police cars. The town's cost would be \$25,000 a year for 5 years. Mr. Proctor said having new vehicles would cut the maintenance and repair budget in half.

Mr. Proctor said he would like to give a one or two percent cost of living raise to the employees but with the uncertain economic forecast, there may be no raises at all. He did say there would be one additional employee hired in Water and Sewer once Fair Bluff comes online.

Mr. Proctor and Finance Director Linda Vause have been working closely with Mr. Bob Segal, who is researching ways for the town to cut costs and increase revenues.

The workshop ended at 6:55 p.m.

Jennifer H. Larson, CMC
Town Clerk

Regular Meeting – March 17, 2009

The Fairmont Board of Commissioners held their regular meeting on Tuesday, March 17, 2009 at 6:00 p.m. in the Council Chambers with Mayor Charles Kemp presiding. Commissioners present were Wayland Lennon, III, J.J. McCree, Carol Leak-McKenzie, Charles Townsend, Wade Sealey, and Jay Capps. Staff present included Town Manager Blake Proctor, Town Attorney Robert Price, Town Clerk Jenny Larson, Public Works Director Ronnie Seals, Public Safety Director Robert Hassell, Finance Director Linda Vause, Tax Collector Rebecca Andrews and Recreation Director Mickey Williamson. There were several citizens in attendance as well including Huel Faulk and Ava Lyne Lewis.

Call to Order and Invocation

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

Mayor Presentations

Introduction of Miss Fairmont Farmers Festival Ava Lyne Lewis.

Miss Fairmont Farmers Festival Ava Lyne Lewis introduced herself to the board. She was away at college when the rest of the queens made an appearance back in October.

Approval of Agenda

Mayor Kemp asked the board to add closed session to the agenda to discuss personnel and land acquisition. Town Manager Blake Proctor asked the board to add “Stimulus Proposal – Sewer Rehabilitation Projects” under new business. Commissioner Lennon made a motion to approve the amended agenda. Commissioner Sealey seconded the motion and it passed unanimously.

Public Comment Period/Citizens Appearance

Mr. Huel Faulk – shopping carts littering community and dilapidated houses in Old Field area.

Mr. Huel Faulk reported that shopping carts are still littering the community and nothing has been done since his appearance before the board last month. He also asked the town to investigate the possibility of tearing down several dilapidated houses in the Old Field area. He thanked the board for the drainage project currently been completed in the Old Field area.

Consent Agenda

Commissioner Lennon asked for two corrections to the February 17, 2009 minutes. The first correction was to change the word “adoption” on page 2 to “consideration and first reading.” The second correction was to correct a typo on page 3 by changing “travelled” to “traveled.” Upon motion by Commissioner Lennon, and seconded by Commissioner Capps, it was unanimously voted to adopt the following consent agenda items:

- a. Approval of Minutes with noted corrections – Regular Meeting, February 17, 2009.
- b. Set Issue Forum for Tuesday, April 14, 2009 at 6:00 p.m. in the Heritage Center.

Old Business

Ordinance 09-116 - Amending Title XV, Land Usage by adding Chapter 152A, Standards for Property Maintenance.

Town Attorney Rob Price has some concerns about the language in Article II of the proposed ordinance. Mr. Proctor recommended the ordinance be tabled until the April meeting in order to make the necessary corrections. Commissioner Capps made a motion to table Ordinance 09-116 - Amending Title XV, Land Usage by adding Chapter 152A, Standards for Property Maintenance until the April board meeting. Commissioner Leak-McKenzie seconded the motion and it passed unanimously.

New Business

Discussion/Direction regarding abandonment of unopened street

Mr. Proctor was approached by Mr. Cornell Currie, who owns property on Cottage Street. One side of his property borders the unopened section of Manila Street and his mother owns the property on the other side. Mr. Currie would like the town to consider abandoning this 20 foot right of way and giving half to him and the other half to his mother. Mr. Proctor has discovered that there is a third property owner whose property also borders this right of way. Mr. Proctor said the area is wooded and that the town has no plans to build a street there. Commissioner McCree made a motion for the Town Manager to complete his research on abandoning the unopened Manila Street right of way and place it back on the agenda for April. Commissioner Sealey seconded the motion and it passed unanimously.

Stimulus Proposal – Sewer Rehabilitation Projects

Mr. Proctor presented a proposal from Hobbs, Upchurch & Associates for pursuing stimulus funding for a sewer rehabilitation project. The stimulus projects are proposed to be 50% grant and 50% loan. There are three priority project areas in town that need sewer line replacement and storm water drain separation. The estimated cost for doing work on all three project areas is \$1,980,000. Commissioner Townsend made a motion to spend a maximum of \$20,000 in engineering fees to prepare a design plan to receive stimulus funding for three priority sewer rehabilitation projects and to bring it back before the board if the engineering fees go over \$20,000. Commissioner Sealey seconded the motion and it passed unanimously.

Mayor Input

Mayor Kemp asked Mr. Proctor to meet with Public Works Director Ronnie Seals to try and solve the drainage issue at the intersection of Pine and Holly Streets and give a report at the April board meeting.

Commissioners Input

Commissioner Townsend reported that the Robeson County Board of Elections elected Terry Evans as Chairman of Fairmont Precinct 2. Commissioner Sealey added that Gaines Grantham was elected Chairman of Fairmont Precinct 1.

Commissioner Sealey asked for a status report on the possibility of Rowland connecting to our sewer system. Mr. Proctor responded that he worked with Rowland on applying for a CWMTF grant but the town missed the February 28 deadline.

Manager Input

Mr. Proctor is still waiting for the results of the town's CDBG application for the Old Field neighborhood.

Mr. Proctor announced that Spring Cleanup weeks in the town will be April 18 to May 2.

Announcements

Tuesday, March 26 – RCMA meeting hosted by the City of Lumberton, 7:00 p.m., Blackwater Grille.

Monday, March 30 and Tuesday, March 31 - Taste of Robeson "Spring Fest", 5:30 to 8:00 p.m., Bill Sapp Recreation Center (Cedar & 11th Street), Lumberton. One night: Adult - \$10, Child under 12 - \$6 and Child under 3 - free. Two nights: Adult - \$20, Child under 12 - \$12 and Child under 3 - free. Presented by Robeson County Church and Community Center.

Saturday, April 4 – Senior Bingo, 1:00 to 3:00 p.m., Heritage Center.

Sunday, April 5 - Fairmont Woman's Club Annual Turkey Dinner, 11:30 a.m. to 1:30 p.m., Fairmont High School Cafeteria. Tickets \$7.

Monday, April 6 – Fairmont Chamber of Commerce meeting, 6:00 p.m. Border Belt Museum (Depot).

Tuesday, April 7 – N. C. Small Town Main Street Meeting, 6:00 p.m., Heritage Center.

Friday, April 10 - Town offices closed in observance of Good Friday.

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Friday, April 10 - Fairmont Masonic Lodge will be selling Boston Butts. Tickets are \$20.

Saturday, April 11 – Easter Egg Hunt, Fairmont Community Park, 10:00 a.m., Ages 0 to 12.

April 10 - April 17 - Schools closed for Spring break.

Tuesday, April 14 – Town Issue Forum, 6:00 p.m., Heritage Center.

Thursday, April 16 – Community Watch, 7:00 p.m., Courtroom.

Monday, April 20 and Tuesday, April 21 – NCDMV Mobile Driver’s License Unit.
Monday hours: 10:30 a.m. to 4:30 p.m. Tuesday hours: 8:30 a.m. to 3:30 p.m.

Tuesday, April 21 - Regular Town Board Meeting, 6:00 p.m., Council Chambers.

Every Saturday – Flea Market, Museum Grounds starting at 7:00 a.m. (No Fee)

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

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 7:00 p.m. to prevent the disclosure of information that is deemed privileged or confidential as determined under General Statute 143-318.10(e) and to discuss personnel and land acquisition as permitted under General Statute 143-318.11(a)(5,6). Commissioner Leak-McKenzie seconded the motion and it passed unanimously.

Mayor Kemp, Commissioners Sealey, Leak-McKenzie, Lennon, McCree, Townsend and Capps along with Robert Price, Blake Proctor and Jenny Larson were in attendance during closed session.

Commissioner Sealey made a motion to come out of closed session at 7:50 p.m. Commissioner Lennon seconded the motion and it passed unanimously. Mayor Kemp announced that personnel and land acquisition had been discussed as permitted under General Statute 143-318.11(a)(5,6) and that no action was taken.

Adjournment

There being no further business, a motion was made and seconded to adjourn the meeting at 7:51 p.m.

Jennifer H. Larson, CMC
Town Clerk

Regular Meeting – April 21, 2009

The Fairmont Board of Commissioners held their regular meeting on Tuesday, April 21, 2009 at 6:00 p.m. in the Council Chambers with Mayor Charles Kemp presiding. Commissioners present were J.J. McCree, Carol Leak-McKenzie, Charles Townsend, Wade Sealey, and Jay Capps. Commissioner Wayland Lennon, III was out of town on business. Staff present included Town Manager Blake Proctor, Town Attorney Robert Price, Town Clerk Jenny Larson, Public Works Director Ronnie Seals, Public Safety Director Robert Hassell, Finance Director Linda Vause, and Recreation Director Mickey Williamson. There were several citizens in attendance as well including Don Harvey, Huel Faulk and Terry Evans.

Call to Order and Invocation

Mayor Charles Kemp called the meeting to order and gave the invocation. He announced that Commissioner Lennon was out of town on business and unable to participate by telephone.

Approval of Agenda

Town Manager Blake Proctor asked the board to add “motion to pursue USDA grant/loan funding for six police vehicles” under old business. Commissioner Sealey made a motion to approve the amended agenda. Commissioner Townsend seconded the motion and it passed unanimously.

Old Field CDBG application results – Don Harvey, The Wooten Company

Mr. Don Harvey of The Wooten Company gave the results of the Old Field CDBG application. Unfortunately, the town was five points shy of being funded. The town’s score was 711 and the next highest application that was funded scored 716. Fairmont was fifth on the list of applications and the top four were funded. The state has not yet disclosed the scoring specifics on where points were lost. Mr. Harvey was very disappointed that Fairmont did not get funded especially after the town committed a bigger match than in the previous application. Mr. Harvey said there was a glimmer of hope that federal stimulus funds could be used to fund the CDBG project because the town is next in line for funds.

Public Comment Period/Citizens Appearance

Huel Faulk – Dilapidated houses, speed bump procedures and shopping carts

Mr. Faulk asked what could be done to tear down two dilapidated houses, 102 Manilla Street and 604 Canal Street. An elderly citizen who lives near these two houses was recently attacked in her home.

Mr. Faulk asked what the procedures were for installing speed bumps. Speed bumps were recently placed onto Madison Street and Mr. Faulk said there have been both compliments and complaints. Mr. Faulk thought in the past that citizens were informed of the possibility of speed bumps being installed and then the board voted either for or against them.

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Mr. Faulk said that shopping carts are still littering the neighborhoods and that no one seems to care or accept his offer for help.

Terry Evans – Rep. Garland Pierce’s Town Hall meeting.

Mr. Terry Evans thanked the town for hosting Representative Garland Pierce’s Town Hall meeting at the Heritage Center.

Consent Agenda

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

- a. Approval of Minutes – Regular Meeting, March 17, 2009.
- b. Advertising 2008 delinquent property taxes the week of May 18, 2009.

Old Business

Ordinance 09-119 - Amending Title XV, Land Usage by adding Chapter 152A, Standards for Property Maintenance.

Mr. Proctor went over Ordinance 09-119 with Town Attorney Rob Price and said that Mr. Price had a couple of small changes to make. Mr. Price recommended adding the words “to children” at the end of Section 152.56 (3) and to strike the language “bringing it up to the standards described in the North Carolina State Building Code” in Section 152A.62 (1). Commissioner Townsend made a motion to table Ordinance 09-119 until the changes suggested by the attorney are made. Commissioner Leak-McKenzie seconded the motion. Mr. Price stated that the ordinance could be approved with noted changes. Commissioners Townsend and Leak-McKenzie withdrew their motion and second. Commissioner Capps made a motion to adopt Ordinance 09-119 - Amending Title XV, Land Usage by adding Chapter 152A, Standards for Property Maintenance with noted changes. Commissioner Sealey seconded the motion and the motion failed with a vote of 3 to 2 as follows:

For: Commissioners Sealey, Capps
Against: Commissioners McCree, Townsend, Leak-McKenzie

Mr. Proctor said he would bring the ordinance back before the board at the May meeting for a second and final reading with the changes recommended by the attorney.

Engineering Proposal for Sanitary Sewer Rehabilitation/Replacement Project for ARRA Funding.

Hobbs, Upchurch and Associates estimate the proposed sanitary sewer rehabilitation/replacement project will cost \$2,456,000. This includes approximately 10,000 lf of sanitary sewer line replacement and approximately 5,000 lf of sewer line rehabilitation. The estimated cost includes construction costs, contingencies, engineering design and construction administration/inspection. The deadline for applying for ARRA funds is June 8th. Hobbs, Upchurch and Associates' project design lump sum fee is \$135,000. Design services will include surveying, permit acquisition, funding application submittal, and preparation of design plans and specifications. Mr. Proctor informed the board that this project is needed because of the age and condition of the sewer lines. He cautioned however, that the town is not currently in a financial position to take on a loan of this magnitude. He added there is no guarantee that we would get the stimulus funding and the \$135,000 engineering fee would have to be spent up front. After discussion, the board chose to terminate the proposed sanitary sewer rehabilitation/replacement project due to financial constraints.

Resolution 09-02 – Applying for wastewater collection system upgrade funding under the American Recovery and Reinvestment Act of 2009 (ARRA).

This resolution was not needed since the board decided not to pursue ARRA funding for the sewer rehabilitation/replacement project due to the town's financial condition.

Urgent Repair Program – Assistance, Procurement and Disbursement Policies.

Commissioner Capps made a motion to adopt the Urgent Repair Program Assistance, Procurement and Disbursement Policies. Commissioner Leak-McKenzie seconded the motion and it passed unanimously. A copy of the signed policies are hereby incorporated by reference and made a part of these minutes.

Motion to pursue USDA grant/loan funding for six police vehicles

Commissioner Townsend made a motion that the Town affirmatively state its desire to pursue grant-loan financing under the ARRA Stimulus Funding for six police vehicles, at a cost of \$164,248 for five years at the lowest USDA rate available; and further, to authorize the Town Manager to sign any required documents. Commissioner Sealey seconded the motion and it passed unanimously.

New Business

Resolution 09-01 – Pre-Tax Premium Plan second amendment.

Finance Director Linda Vause explained the purpose of the resolution is to allow any employee who has lost insurance coverage for their children under the SCHIP plan to add them to the town's insurance with the employee paying the premium. Commissioner Capps made a motion to adopt Resolution 09-01 – Pre-Tax Premium Plan second amendment. Commissioner Leak-McKenzie 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 asked everyone to continue to pray for Fairmont Middle School Principal James Hunt during his recovery from a gunshot wound.

Mayor Kemp read a letter from the LRCOG asking the board to attend a workshop on Thursday, April 23 concerning utility finances.

Mayor Kemp announced that the RCMA meeting will be hosted by the Town of Pembroke on Tuesday, April 28 at 7:00 p.m. at Sheff's Seafood.

Commissioners Input

There was no commissioner input this month.

Manager Input

Report on drainage issue at intersection of Pine and Holly Streets.

Mr. Proctor met with Public Works Director Ronnie Seals and engineers from Hobbs, Upchurch and Associates to look at the drainage issue at the intersection of Pine and Holly Streets. The estimated cost to repair the drainage is between \$20,000 and \$25,000. Mr. Proctor reported that some loan funds may be left over from the Old Field drainage project and could be used toward resolving this issue.

Shopping Carts

Mr. Proctor reported that the shopping carts littering town have already been removed once but their reappearance is an ongoing problem.

Dilapidated Houses in Old Field area

Mr. Proctor is aware of the dilapidated houses in the Old Field area. They were targeted to be removed as part of the CDBG grant that did not get funded. Mr. Proctor said there were some funds in nuisance abatement that might be used to tear down one of the two houses.

Announcements

Saturday, April 25 – Kids Festival at Floyd's Strawberry Patch, 10:00 a.m. to 2:00 p.m. Proceeds benefit Robeson County Autism Society.

Saturday, April 25 - Fairmont Womanless Pageant, Heritage Center. Spaghetti dinner, 6:00 p.m. Pageant, 7:00 p.m. Tickets are \$10 and may be purchased at Angie's Touch of Class/Curves or at the door. Proceeds benefit Relay for Life. Sponsored by the Fairmont Farmers Festival queens and their parents.

Friday, May 1 and Saturday, May 2 - Robeson County Relay for Life, Lumberton High School.

Saturday, May 2 - 12th Annual Gospel Fest, 11:00 a.m. to 5:00 p.m., Border Belt Museum (Depot) grounds. Sponsored by Pat's Pennies.

Saturday, May 2 - "Park it with the Mayor", 11:00 a.m., Community Park.

Saturday, May 2 - Senior Bingo, 1:00 to 3:00 p.m., Heritage Center.

Monday, May 4 - Rosenwald Elementary School PTA meeting, 6:30 p.m.

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

Tuesday, May 5 - Fairmont Small Town Main Street meeting, 6:00 p.m., Heritage Center.

Thursday, May 7 - National Day of Prayer.

Monday, May 11 - Fairmont Chamber of Commerce, Place and time TBA.

Tuesday, May 12 - Central Zone Discussion Group, 6:00 p.m., Fairmont Middle School Cafeteria.

Saturday, May 16 - Senior Citizens Fashion & Talent Show, 3:00 to 5:00 p.m., Heritage Center.

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Monday, May 18 and Tuesday, May 19 – NCDMV Mobile Driver's License Unit, Town Hall Parking lot. Monday hours: 10:30 a.m. to 4:30 p.m. Tuesday hours: 8:30 a.m. to 3:30 p.m.

Every Saturday – Flea Market, Museum Grounds starting at 7:00 a.m. (No Fee)

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 7:10 p.m.

Jennifer H. Larson, CMC
Town Clerk

Regular Meeting – May 19, 2009

The Fairmont Board of Commissioners held their regular meeting on Tuesday, May 19, 2009 at 6:00 p.m. in the Council Chambers with Mayor Charles Kemp presiding. Commissioners present were J.J. McCree, Wayland Lennon, III, Carol Leak-McKenzie, Charles Townsend, Wade Sealey, and Jay Capps. Staff present included Town Manager Blake Proctor, Town Attorney Robert Price, Town Clerk Jenny Larson, Public Works Director Ronnie Seals, and Public Safety Director Robert Hassell. There were several citizens in attendance as well including Sybil Argintar, Luis Cruz, Daren Bastidas, John Jackson and Terry Evans.

Public Hearing – Rezoning two parcels of land on North Walnut Street from Residential, R-10 to Central Business, C-B.

The Public Hearing opened at 6:00 p.m. Town Manager Blake Proctor stated that the property owners of two parcels of land on North Walnut Street want to rezone from Residential, R-10 to Central Business, C-B. The Dollar General franchise is interested in building a stand alone store on the property, which is across the street from Lewis Brady Builders Supply. Mr. Terry Evans encouraged the rezoning because it will bring in business, taxes and jobs. Commissioner McCree was concerned about the poor drainage in the area. Mr. Daren Bastidas was also concerned about the watershed issue as well as the increase in traffic on Pine Street. Mr. Bastidas also worried that a retail store in that location could cause an increase in vagrants and crime. Mr. Albert Worley agreed with Mr. Bastidas. Mr. Bastidas suggested that Dollar General renovate a building downtown instead. The Public Hearing closed at 6:12 p.m.

Call to Order and Invocation

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

Mayor Presentations

Introduction of Sybil Argintar – National Historic Register consultant.

Mayor Kemp introduced Sybil Argintar, the consultant working on the town's downtown National Historic Register nomination.

Proclamation – Armed Forces Appreciation Day.

Mayor Kemp read a proclamation on Armed Forces Appreciation Day. He introduced representatives from each branch of the Armed Forces. A copy of the signed proclamation is hereby incorporated by reference and made a part of these minutes.

Introduction of new police officer – Luis Cruz

Public Safety Director Robert Hassell introduced the town's newest police officer, Luis Cruz. Officer Cruz just graduated from BLET at RCC and is fluent in Spanish.

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

John Jackson – Eastside Park sewer request

Mr. John Jackson, President of the Coalition for Justice read the following letter to the board:

“We, the Coalition for Justice with the residents of The East Side Park community request the installation of a sewer line in their community. To begin we ask that this matter be placed on the June Board meeting agenda as a public hearing or open discussion.

In a correspondence concerning statements made we are aware that the Mayor and Town Manager have stated that, the community would not be annexed, the sewer line would not be maintained by the Town, the sewer rate for out of town residents will not be changed.

We point out that the question of a sewer line to East Side Park is not a decision the Mayor and Town Manager can address alone. This should be addressed by the entire governing body when the request is presented. At this time the request is presented.

The community has not asked to be annexed and have no desire to be annexed. Once the sewer line is (if) installed it would have a low maintenance cost for years due to its newness. The Town would receive revenue immediately. You are aware that the sewer line is already located at the blue shell building which was annexed years ago. We doubt (a rumor) that it would cost one million dollars (\$1,000,000.00) to extend the line to the community. For that amount of money the entire area could be installed.

With federal stimulus funds the work could be done if the Town and the County went into a joint venture as was done with the blue shell building. How much did the shell building cost? The sewer line was extended to it.

This request is not a want, but rather a need. The area can no longer perk for septic tanks as told by a resident and some sewer waste is running above ground. This creates a health hazard. In this day and time to have sewer service near a community and they not be allowed to have it is travesty.”

Terry Evans – CDBG application for Old Field neighborhood and stimulus money

Mr. Terry Evans was disappointed that the town’s CDBG application for the Old Field neighborhood was rejected for a second time. Mr. Evans also had concerns about the town spending \$5,000 on engineering plans for a stimulus money project only for the town to decide not to move forward.

Consent Agenda

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

- a. Approval of Minutes – Regular Meeting, April 21, 2009 with the removal of the language “Since the ordinance was approved by less than the required vote” on page two.
- b. Set date for Public Hearing on Fiscal Year 2009-2010 Budget for Tuesday, June 16, 2009 at 6:00 p.m.in the Council Chambers.
- c. Set the following dates for Budget Workshops – Tuesday, June 9, Thursday, June 11 and Thursday, June 25 at 6:00 p.m. in the Council Chambers.

Old Business

Ordinance 09-119 - Amending Title XV, Land Usage by adding Chapter 152A, Standards for Property Maintenance.

Mr. Proctor presented the corrected Ordinance 09-119. Commissioner Lennon made a motion to adopt Ordinance 09-119 - Amending Title XV, Land Usage by adding Chapter 152A, Standards for Property Maintenance. Commissioner Capps seconded the motion and the motion passed with a vote of 4 to 3 with Mayor Kemp breaking the tie as follows:

For: Commissioners Lennon, Sealey, Capps and Mayor Kemp
Against: Commissioners McCree, Townsend, Leak-McKenzie

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

Resolution 09-03 – Closing unopened portion of Manilla street between Cottage and Stafford Streets.

Mr. Proctor asked the board to consider closing the unopened portion of Manilla Street between Cottage and Stafford Streets. Town Attorney Rob Price said the adjacent property owners would have to sign a petition requesting the street be closed and a public hearing would have to be held after proper notice is given to property owners in the vicinity. Mr. Proctor stated that he did not have all the signed petitions from the property

owners and suggested tabling the street closing until June. Commissioner Capps made a motion to table Resolution 09-03 – closing unopened portion of Manilla Street until the June board meeting. Commissioner Sealey seconded the motion and it passed unanimously.

Discussion/Direction – Pine and Holly Streets Drainage problem

Mr. Proctor consulted with Kevin Lindsay at Hobbs, Upchurch and Associates about doing an estimate for correcting the drainage problem at Pine and Holly Streets. The town borrowed \$120,000 for the Old Field Drainage Project and the total cost of that project was \$84,185. Mr. Proctor proposed using the remaining \$35,815 toward the Pine and Holly Streets Drainage problem. The cost estimate from Hobbs, Upchurch and Associates is \$33,540. Commissioner McCree made a motion to go forward with the Pine and Holly Streets drainage project. Commissioner Townsend seconded the motion and it passed unanimously.

New Business

Decision on rezoning two parcels on North Walnut Street from R-10 to C-B.

Mr. Proctor informed the board that the Planning Board unanimously approved Jetter Lewis's rezoning request for two parcels on North Walnut Street from R-10 to C-B. Commissioner McCree's major concern is flooding in the area. Mr. Proctor said the contractors will address the drainage problems in their building plans. Commissioner Lennon made a motion to approve the rezoning of two parcels on North Walnut Street from R-10 to C-B. Commissioner Sealey seconded the motion and it passed unanimously.

Approval of ABC permit for Cielito Lindo Mexican Restaurant.

Mr. Proctor told the board that the Planning Board unanimously approved the ABC permit for Cielito Lindo Mexican Restaurant. Cielito Lindo means "fair skies" in Spanish. Commissioner Lennon made a motion to approve the ABC permit for Cielito Lindo Mexican Restaurant. Commissioner Townsend seconded the motion and it passed unanimously.

Approval of ABC permit for Fairmont Golf Club.

Mr. Proctor told the board that the Planning Board unanimously approved the ABC permit for Fairmont Golf Club. Commissioner Lennon made a motion to approve the ABC permit for Fairmont Golf Club. Commissioner Capps seconded the motion and it passed unanimously.

Reappoint Fitzhugh Sealey, Dorothy McCormick and Ronald Hughes to the Planning Board.

Commissioner Townsend made a motion to reappoint Fitzhugh Sealey, Dorothy McCormick and Ronald Hughes to the Planning Board. Commissioner Capps seconded the motion and it passed by a vote of 5 to 0 with Commissioner Sealey abstaining from voting because his brother Fitzhugh Sealey is on the Planning Board.

Discussion/Decision on increasing Fair Bluff's sewer capacity.

Mr. Proctor has received a letter from the Town of Fair Bluff requesting to purchase an additional 50,000 gallons a day sewer capacity at a charge of \$1.00 per gallon. Fair Bluff also requested to spread out the \$50,000 payment over a three year period with two payments of \$16,750 and one payment of \$16,500. Mr. Proctor said this would bring their total capacity to 300,000 gallons per day. The plant can treat up to 1.75 million gallons per day. Commissioner Sealey made a motion to approve increasing Fair Bluff's sewer capacity by 50,000 gallons per day. Commissioner McCree seconded the motion and it passed unanimously.

Ordinance 09-120 – Adopting the Robeson County Potable Water Cross Connection Control Regulations.

Mr. Proctor informed the board that the state is requiring all water systems to have potable water cross connection control regulations. This ordinance would mainly affect restaurants and in ground swimming pools, where there is a chance that chemicals could backflow into the town's water system. Affected property owners will have to get a backflow preventer put in by a certified installer and then be inspected on an annual basis, all at the property owner's expense. Commissioner Lennon made a motion to adopt Ordinance 09-120 – adopting the Robeson County Potable Water Cross Connection Control Regulations. Commissioner Townsend seconded the motion. Town Attorney Rob Price had concerns about some of the provisions in the county ordinance that would have to be rewritten to fit the town's structure. After a call for vote, the motion was defeated unanimously and a revised ordinance will be placed on the June agenda.

Mayor Input

Mayor Kemp reminded everyone of the Memorial Day program to be held at 12:00 noon in the Heritage Center and the Memory Lane/Wall of Honor dedication at 3:00 p.m. on Monday, May 25.

Mayor Kemp announced that the RCMA meeting will be on Thursday, May 28 at 7:00 p.m. in the Proctorville Community Building.

Mayor Kemp was informed that the NCDMV Drivers License mobile unit would no longer be coming to Fairmont due to state budget cuts. Mayor Kemp is trying to contact DMV Commissioner Mike Robertson to convince him to continue letting the unit come to Fairmont at least once a month.

Commissioners Input

There was no commissioner input this month.

Manager Input

Correction to Budget Calendar

Mr. Proctor informed the board that the previous budget calendar erroneously had the first budget workshop scheduled for June 8. It was supposed to read Tuesday, June 9.

Chief Hassell crime statistics report

Public Safety Director Robert Hassell gave a report on crime statistics in the town. Compared to last year, property crime in Fairmont has gone down 19.6% and violent crime has gone down 68.1%.

Announcements

Thursday, May 21 - Community Watch, 7:00 p.m., Courtroom.

Sunday, May 24 - Bill "Big Dawg" Taylor BBQ chicken dinner, 11:00 a.m. to 2:00 p.m., Fairmont Fire Hall. Plates \$6.00. All proceeds benefit Fairmont Civitan Dixie Youth Baseball.

Monday, May 25 - Town offices and schools closed in observance of Memorial Day holiday.

Monday, May 25 - Memorial Day Sidewalk Sale, 7:00 a.m. to 2:30 p.m., Downtown.

Monday, May 25 - Memorial Day Ceremony, 12:00 noon, Heritage Center.

Monday, May 25 - Dedication of Memory Lane and the Wall of Honor, 3:00 p.m., Downtown.

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

Tuesday, June 2 - Small Town Main Street Committee, 6:00 p.m., Heritage Center.

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Saturday, June 6 - Senior Bingo, 1:00 to 3:00 p.m., Heritage Center.

Monday, June 8 - Chamber of Commerce, 6:00 p.m., Border Belt Museum.

Tuesday, June 9 - Budget Workshop, 6:00 p.m., Council Chambers.

Wednesday, June 10 - Last day of school.

Thursday, June 11 - Budget Workshop (if needed), 6:00 p.m., Council Chambers.

Friday, June 12 - Fairmont High School Graduation, 1:00 p.m., UNCP Givens Performing Arts Center.

Tuesday, June 16 - Regular Town Board Meeting, 6:00 p.m., Council Chambers. Public Hearing on Fiscal Year 2009-2010 Budget.

Every Saturday – Flea Market, Museum Grounds starting at 7:00 a.m. (No Fee)

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

Budget Workshop Meeting – June 9, 2009

The Fairmont Board of Commissioners held a budget workshop meeting on Tuesday, June 9, 2009 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, Wade Sealey, and Jay Capps. Commissioner Carol Leak-McKenzie was out of town on vacation. Staff present included Town Manager Blake Proctor, Town Clerk Jenny Larson and Public Works Director Ronnie Seals.

Mayor Charles Kemp called the meeting to order at 6:07 p.m. and gave the invocation. He stated the purpose of the meeting was a budget workshop on the Fiscal Year 2009-2010 budget.

Town Manager Blake Proctor gave an overview of the proposed budget. The General Fund budget for Fiscal Year 2009-2010 is \$1,789,500, a decrease of \$74,250 or 4% from 2008-2009 and includes appropriating \$27,500 in fund balance and no tax increases. The Water and Sewer Fund budget for FY 2009-2010 is \$1,078,250 with no increase in fees. The Water and Sewer Fund budget shows an increase of \$153,900 or 16.6% due to budgeting \$205,000 in contracted services revenue from the neighboring communities hooked onto the sewer plant. The Powell Bill Fund budget for FY 2009-2010 is \$127,700. The total budget for the three major funds is \$2,995,450, a decrease of \$29,096 or 1% from Fiscal Year 2008-2009.

Mr. Proctor went over the budget by departments. He stated that due to the nationwide economic slowdown, that there would be no cost of living adjustments for employees this year. The budget does reflect a slight increase in the salary line items to correctly account for an employee's option to sell 80 hours of compensation or vacation time once a year due to a hardship situation. The Police Department will move to four full time dispatchers instead of the current three, thus reducing the use of part time employees. The Public Works Department will be hiring an additional full time employee to help maintain the new sewer lines in Columbus County. The Water and Sewer Fund received \$250,000 in capacity fees in 2008-2009. Because of this, Mr. Proctor moved the Garage Department from the General Fund to the Water and Sewer Fund and \$48,000 will be used to reimburse the General Fund in 2009-2010. Mr. Proctor has budgeted \$47,500 reserve in the Powell Bill Fund. The money was originally going to be used for the Pine and Holly Streets drainage project but recent heavy rains have caused part of the sidewalk on Trinity Street to collapse. This sidewalk is heavily used by students walking to and from school. The drainage lines beneath it have also been washed away and will need to be replaced. The Pine and Holly Streets drainage project will have to be put on hold because of this emergency on Trinity Street.

Commissioner McCree asked if the town was going to receive another \$25,000 grant to fund the Recreation Department and Mr. Proctor replied affirmatively. He also asked if the Crossing Guard was still in the Police Department budget and Mr. Proctor said yes. Commissioner Townsend asked if there was money in the Fire Department to purchase a generator to raise the bay doors in case of a power outage. Mr. Proctor said they are looking at purchasing one now. Commissioner McCree asked for the grant status on purchasing new police vehicles. Mr. Proctor replied that the town's cost would be \$25,000 a year under a 35% grant and 65% loan and with the current state of the economy, we cannot afford that right now, so he removed it from the budget and the Police Department will not be getting any new cars in 2009-2010.

The board agreed there was no need to have a budget workshop on Thursday, June 11, so it was cancelled. There being no further business, a motion was made and seconded to adjourn the meeting at 7:33 p.m.

Jennifer H. Larson, CMC
Town Clerk

Regular Meeting – June 16, 2009

The Fairmont Board of Commissioners held their regular meeting on Tuesday, June 16, 2009 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, Wade Sealey, and Jay Capps. Commissioner Carol Leak-McKenzie was absent due to her husband's surgery. Staff present included Town Manager Blake Proctor, Town Clerk Jenny Larson, Finance Director Linda Vause, Public Works Director Ronnie Seals, and Public Safety Director Robert Hassell. Town Attorney Robert Price was not present. There were several citizens in attendance as well.

Public Hearing – 2009 JAG Recovery Act Award - \$38,354 for equipment.

The Public Hearing opened at 6:00 p.m. Mr. Proctor stated this grant is for equipment and no match is required. There was no public comment on this grant. Commissioner Lennon made a motion to close the public hearing at 6:01 p.m. Commissioner Sealey seconded the motion and it passed unanimously.

Public Hearing – Fiscal Year 2009-2010 Budget.

The Public Hearing opened at 6:01 p.m. Mr. Terry Evans had concerns about the town's quickly evaporating fund balance. He does not want to see the town run into the same problems it had a few years ago when the fund balance was dangerously low and the town received several letters from the state. Mr. Evans emphasized that a fund balance is like a savings account and dipping into it is a bad idea. Mr. Proctor responded that the water and sewer fund has had a zero fund balance which has caused an extra drain on the general fund balance. However, with new communities coming online at the sewer plant the water and sewer fund is starting to repay the general fund and will have a projected fund balance of \$60,000 to 70,000 for 2009-2010. Commissioner McCree asked if the water and sewer revenue has to stay in that fund. Mr. Proctor replied that the General Fund would be charging the Water Fund \$4,000 a month to help cover salaries of employees who do both water fund and general fund work. Commissioner McCree also asked if the Powell Bill funds would pay for the drainage work completed in the Old Field neighborhood and Mr. Proctor replied that it would be used to repay the loan. Commissioner Lennon also had concerns about the use of fund balance to balance the budget. He stated that a four cent tax increase would help move the town away from dipping into the fund balance. Commissioner Lennon made a motion to close the public hearing at 6:13 p.m. Commissioner Sealey seconded the motion and it passed unanimously.

Call to Order and Invocation

Mayor Charles Kemp called the meeting to order at 6:14 p.m. Before giving the invocation, he asked everyone to remember Commissioner Carol Leak-McKenzie and her husband, Andrew, who is undergoing surgery today.

Mayor Presentations

Mayor Kemp’s special guest was sick so he will introduce this person at the July meeting.

Approval of Agenda

Town Manager Blake Proctor asked the board to remove “Discussion/Direction regarding public dress code” from under new business because Town Attorney Rob Price has not finished his research on the subject. Commissioner Capps made a motion to approve the amended agenda. Commissioner Townsend seconded the motion and it passed unanimously.

Public Comment Period/Citizens Appearance

There was no public comment this month.

Consent Agenda

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

- a. Approval of Minutes – Regular Meeting May 19, 2009 and Budget Workshop, June 9, 2009
- b. Set Issue Forum for Tuesday, July 14 at 6:00 p.m. in the Heritage Center.

Old Business

CDBG Recovery Programs through ARRA.

Mr. Proctor informed the board of a new CDBG Recovery Program funded through the ARRA stimulus package. This \$500,000 housing grant requires no match and can only be used for housing rehabilitation, acquisition, clearance, relocation, substantial rehabilitation, replacement housing and emergency repairs. Mayor Kemp and Mr. Proctor have talked to Senator David Weinstein who feels Fairmont has a very good chance of getting approved for the Old Field neighborhood.

New Business

Discussion/Direction regarding public dress code.

This item was removed from the agenda.

Resolution 09-04 - Sale of Surplus Motor Vehicles by Private Negotiation and Sale.

Mr. Proctor asked the board to declare four vehicles in Public Works as surplus. They include a 1988 Chevrolet 1500, a 1993 Mercury Villager Van, a 1986 Ford Flat Bed and a 1985 Ford Flat Bed. All four vehicles are in poor condition with a total value of

\$3,000. Commissioner Lennon made a motion to adopt Resolution 09-04, Sale of Surplus Motor Vehicles by Private Negotiation and Sale. 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.

Acceptance of 2009 JAG Recovery Act Award, \$38,354 for equipment.

Mr. Proctor informed the board that the \$38,354 JAG Recovery grant will be spent on equipment and supplies for the Public Safety Department. Some of the equipment to be purchased includes four shotguns, four desktop computers, five laptops, one Segway, eight digital tape recorders, and surveillance equipment. Commissioner Lennon made a motion to accept the 2009 JAG Recovery Act Award in the amount of \$38,354 to purchase equipment for the Public Safety Department. Commissioner Sealey seconded the motion and it passed unanimously.

Set special meeting date to discuss sewer for East Side Park.

Mayor Kemp asked the board to set Tuesday, June 30 at 6:30 p.m., immediately following the budget adoption meeting, for a special meeting to discuss sewer for the East Side Park community. Mr. Proctor will ask County Manager Ken Windley to attend as well as County Commissioners Hubert Sealey, Tom Taylor, Roger Oxendine and Jerry Stephens. Commissioner Sealey suggested that Tony McEwen from Congressman Mike McIntyre's office be invited. Commissioner McCree added that Representative Garland Pierce should also be involved. Commissioner Lennon made a motion to set Tuesday, June 30, 2009 at 6:30 p.m. in the Council Chambers for a special meeting to discuss sewer for East Side Park. Commissioner McCree seconded the motion and it passed unanimously.

Mayor Input

Mayor Kemp invited everyone to come to the Fairmont Chamber of Commerce's First Annual Sizzling Summer Beach Bash at the Fairmont Golf Course on Thursday, June 18 from 5:00 to 9:00 p.m.

Mayor Kemp also invited everyone to the third annual Fairmont Fantastic Fourth featuring the music of Goldrush and a spectacular fireworks show on Sunday, June 28 starting at 5:00 p.m.

Commissioners Input

Commissioners McCree and Sealey emphasized the importance of the June 30th meeting about sewer for East Side Park and requested that representatives from the Robeson County Board of Commissioners and Hobbs, Upchurch and Associates be in attendance.

Manager Input

Canal work at Community Park.

The recent heavy rains caused part of the canal going through Community Park to wash away. The cost to repair the canal is \$10,000.

Reroofing one story section of Town Hall.

The recent heavy rains also caused the roof over the one story section of Town Hall to leak. The cost to repair the roof was \$ 4,960.

Announcements

Thursday, June 18 - Fairmont Community Watch, 7:00 p.m., Courtroom.

Thursday, June 18 - Fairmont Chamber of Commerce First Annual Sizzling Summer Beach Bash featuring Mark Roberts and Breeze, 5:00 to 9:00 p.m., Fairmont Golf Club. This is a free event! Please bring your lounge chairs and enjoy some beach music.

Friday, June 19 - Fairmont Library presents Zelnik the Magician, 4:00 p.m., Heritage Center. Free! 628-9331.

Tuesday, June 23 - Fairmont Library presents Jef the Mime, 10:00 a.m., Heritage Center. Free! 628-9331.

Sunday, June 28 - Fairmont's Fourth celebration, Community Park. The Goldrush Band will perform from 5:00 to 9:00 p.m. The fireworks will start around 9:30 p.m. Fun, free family event!

Tuesday, June 30 - Fairmont Library presents NC Children's Theatre, Alice in Wonderland, 10:00 a.m., Heritage Center. Free! 628-9331.

Tuesday, June 30 - Special Town Board Meeting, 6:00 p.m., Council Chambers. Adopted of FY 2008-2009 Amended Budget and FY 2009-2010 Budget.

Friday, July 3 - Town offices closed in observance of Independence Day.

Saturday, July 4 - Senior Bingo, 1:00 to 3:00 p.m., Heritage Center.

Tuesday, July 7 - Fairmont Library presents Get Creative with 4-H, 10:00 a.m., Heritage Center. Free! 628-9331.

Tuesday, July 14 - Fairmont Library presents Be Creative Story Program, 10:00 a.m., Heritage Center. Free! 628-9331.

Page 5 – Regular Meeting, June 16, 2009

Tuesday, July 14 - NCDMV Mobile Driver's License Unit, 10:30 a.m. to 4:30 p.m., Town Hall Parking lot in front of Fire Hall.

Tuesday, July 14 - Town Issue Forum, 6:00 p.m., Heritage Center.

Thursday, July 16 - Fairmont Community Watch, 7:00 p.m., Courtroom.

Tuesday, July 21 - Fairmont Library presents Be Creative Story Program, 10:00 a.m., Heritage Center. Free! 628-9331.

Every Saturday – Flea Market, Museum Grounds starting at 7:00 a.m. (No Fee).

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 6:40 p.m.

Jennifer H. Larson, CMC
Town Clerk

Special Meeting – June 30, 2009
Budget Adoption

The Fairmont Board of Commissioners held a special meeting on Tuesday, June 30, 2009 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, Carol Leak-McKenzie and Jay Capps. Staff present included Town Manager Blake Proctor, Town Clerk Jenny Larson, Finance Director Linda Vause, and Public Works Director Ronnie Seals.

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

Administrative Matters

Write Off Uncollected Water Accounts for 2008-2009 in the amount of \$2,603.03

Commissioner Capps made a motion to write off uncollected water accounts for 2008 - 2009 in the amount of \$2,603.03. Commissioner Townsend seconded the motion and it passed with a vote of 5 to 1 as follows:

For: Commissioners McCree, Townsend, Leak-McKenzie, Capps and Sealey
Against: Commissioners Lennon

A copy of the uncollected water accounts is hereby incorporated by reference and made a part of these minutes.

Release 1998 Property Taxes in the amount of \$1,250.23.

Commissioner Capps made a motion to release 1998 property taxes in the amount of \$1,250.23. Commissioner Townsend seconded the motion and it passed with a vote of 5 to 1 as follows:

For: Commissioners McCree, Townsend, Leak-McKenzie, Capps and Sealey
Against: Commissioners Lennon

A copy of the 1998 property tax accounts are hereby incorporated by reference and made a part of these minutes.

Ordinance 09-121 - Amended Fiscal Year Budget 2008-2009

After no discussion, Commissioner Lennon made a motion to adopt Ordinance 09-121 - Amended Fiscal Year Budget 2008-2009 in the amount of \$4,043,791.51. Commissioner Sealey seconded the motion and it passed unanimously. A copy of the 2008-2009 amended budget is hereby incorporated by reference and made a part of these minutes.

Ordinance 09-122 - Fiscal Year Budget 2009-2010

The Fiscal Year 2009-2010 Budget keeps the tax rate at .69 cents per hundred dollar valuation. After no discussion, Commissioner Lennon made a motion to adopt Ordinance 09-122 - Fiscal Year Budget 2009-2010 in the amount of \$3,189,566.28. Commissioner Capps seconded the motion and it passed 4 to 3 as follows:

For: Mayor Kemp, Commissioners Lennon, Capps and Sealey
Against: Commissioners McCree, Townsend and Leak-McKenzie

A copy of the 2009-2010 budget is hereby incorporated by reference and made a part of these minutes.

Commissioner Townsend made a motion to adjourn the budget adoption meeting at 6:10 p.m. Commissioner Leak-McKenzie seconded the motion and it passed unanimously. Mayor Kemp announced that the special called board meeting to discuss sewer for the East Side Park Community would begin at 6:30 p.m.

Jennifer H. Larson, CMC
Town Clerk

Special Meeting – June 30, 2009 East Side Park – Sewer

The Fairmont Board of Commissioners held a special meeting on Tuesday, June 30, 2009 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, Carol Leak-McKenzie and Jay Capps. Staff present included Town Manager Blake Proctor, Town Clerk Jenny Larson, Finance Director Linda Vause, and Public Works Director Ronnie Seals. Special guests included County Manager Ken Windley, County Commissioners Jerry Stephens, Hubert Sealey, Tom Taylor and Roger Oxendine, Mr. James Freeman from Hobbs, Upchurch and Associates and Mr. Tony McEwen of Congressman Mike McIntyre's office. East Side Park residents included Lois Carter, Barbara Hernandez, Annie Durant and Berlester Campbell.

Mayor Kemp called the meeting to order at 6:30 p.m. and introduced the special guests. He announced that Representative Garland Pierce was in session in Raleigh and unable to attend tonight's meeting.

Administrative Matters

Discussion – East Side Park community's need for sewer

Mayor Kemp thanked everyone for attending tonight's meeting. He began by going over a brief background of East Side Park's quest for sewer. The town last held a meeting on the issue on July 12, 2007, where the town continued to give its support of providing sewer for the community.

Town Manager Blake Proctor contacted Vanessa Blanchard of the Division of Community Assistance as well as David Lawrence with the School of Government for their thoughts and opinions on the town applying for a CDBG for sewer for East Side Park since it is in the town's ETJ. Mr. Lawrence responded that the town has the authority to apply for a CDBG for sewer in the town's ETJ. Mr. Proctor is concerned that the town cannot have more than one CDBG at a time and Fairmont has already applied for a CDBG-R for housing in the Old Field neighborhood. Another problem is that the county owns the water lines in East Side Park and there would be an issue with billing for sewer services.

County Commissioner Hubert Sealey spoke to Representative Garland Pierce and was assured that neither the town nor the county would have to provide a match for the CDBG sewer grant for East Side Park. County Commissioner Sealey plans to bring the matter before the County Board of Commissioners on Monday and will ask them to bill and collect for sewer services in East Side Park.

Page 2 – Special Meeting, East Side Park Sewer, June 30, 2009

Commissioner McCree asked if the county would apply for the CDBG grant if the town cannot have two at the same time. County Commissioner Sealey said he would have to talk to his board. Mr. Tony McEwen, from Congressman Mike McIntyre's office, said he would talk to Ms. Blanchard at the Division of Community Assistance to see if the town could have two CDBGs simultaneously.

Mr. Berlester Campbell from East Side Park asked if the town could take over the billing of water from the county in case the county does not agree to do the billing for sewer. Mr. Proctor said that could be an option if the county would agree to it. Ms. Lois Carter pleaded for the town and county to work together for a solution to the sewer problem in East Side Park.

Commissioner Capps made a motion to adjourn the meeting at 7:45 p.m. Commissioner Townsend seconded the motion and it passed unanimously.

Jennifer H. Larson, CMC
Town Clerk