

**Special Meeting – July 15, 2009
East Side Park – Sewer**

The Fairmont Board of Commissioners held a special meeting on Wednesday, July 15, 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, Public Safety Director Robert Hassell and Public Works Director Ronnie Seals. Others present included Terry Evans, John Jackson, Lois Carter and Berlester Campbell.

Mayor Kemp called the meeting to order and gave the invocation. He explained the purpose of the special meeting is to hear the decision made by the Robeson County Board of Commissioners on the East Side Park community's need for sewer.

Administrative Matters

Discussion – East Side Park community's need for sewer

Town Manager Blake Proctor reported that the Robeson County Board of Commissioners voted at their board meeting on July 6 to sell the water system lines in East Side Park to the Town of Fairmont. The system serves approximately 50 customers. The lines are over 25 years old and fully depreciated. The county estimated the value to be at least the net revenue over a five year period, or \$52,500. The town could apply for a Rural Center grant to cover the cost of purchasing the lines from the county and it would take about ten years to recoup the cost of the lines. Mr. Proctor has prepared a letter of intent to apply for a CDBG for sewer infrastructure in the amount of \$750,000 and Representative Garland Pierce has assured that no match would be needed for this grant.

Mr. Proctor stated that there are around 56 homes in the East Side Park community but not all of them are hooked onto county water. Public Works Director Ronnie Seals pointed out that all the houses have to be hooked onto the water system in order to get sewer.

Commissioner McCree made a motion to buy the water lines in the East Side Park community from Robeson County contingent on receiving a Rural Center grant to fund the purchase. Commissioner Townsend seconded the motion and it passed unanimously. Mr. Proctor reassured the board that if the costs end up being too high that the town can back out of the purchase at any time.

Commissioner Sealey asked if the residents of East Side Park had been surveyed on whether or not they want sewer services. Commissioner Lennon added that the residents need to be aware of the costs of providing water and sewer. Mr. Proctor stated that Hobbs, Upchurch and Associates would begin canvassing the neighborhood on Friday.

Mr. Proctor informed the board that a Public Hearing on applying for a sewer infrastructure CDBG for the East Side Park community would be held on Tuesday, July 28 at 6:00 p.m. in the Council Chambers.

There being no further business, the meeting adjourned at 6:21 p.m.

Jennifer H. Larson, CMC
Town Clerk

Regular Meeting – July 21, 2009

The Fairmont Board of Commissioners held their regular meeting on Tuesday, July 21, 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, Carol Leak-McKenzie and Jay Capps. Staff present included Town Manager Blake Proctor, Town Clerk Jenny Larson, Town Attorney Robert Price, Finance Director Linda Vause, Public Works Director Ronnie Seals, and Public Safety Director Robert Hassell. There were several citizens in attendance as well including Johna Strickland, Jan Tedder-Rogers, Peggy Spencer, Perry Ashley, Patricia McRae, Dr. Donald Morando, Dell Salome, Gloria Thompson-Currie and Patricia Arnette.

Call to Order and Invocation

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

Mayor Presentations

Special Events Coordinator – Jan Tedder-Rogers

Mayor Kemp introduced Jan Tedder-Rogers as Special Events Coordinator. She will use her talents to conceive and create new exciting events for Fairmont, amplify current events and help market the Fairmont-South Robeson Heritage Center.

Fairmont Medical Clinic – Introduction of Dr. Donald Morando

Ms. Patricia McRae works for the Physician Practices division of Southeastern Regional Medical Center. She introduced Fairmont Medical Clinic's new doctor, Dr. Donald Morando. She invited everyone to an open house at the Fairmont Medical Clinic on Thursday, August 6, from 5:30 to 7:30 p.m.

Fairmont Youth Initiative – Introduction of Co-Directors Gloria Thompson-Currie and Patricia Arnette

Mayor Kemp announced that after a long effort to start a youth program in Fairmont, a new youth initiative has been formed. Gloria Thompson-Currie and Patricia Arnette have volunteered to be co-directors of a new Fairmont Youth Council, with Mayor Kemp and Commissioner Charles Townsend as advisors.

Approval of Agenda

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

Public Comment Period/Citizens Appearance

There was no public comment this month.

Consent Agenda

Commissioner McCree asked that his comments on the budget public hearing on June 16, 2009 be added to the minutes. Upon motion by Commissioner Capps, and seconded by Commissioner Leak-McKenzie, it was unanimously voted to adopt the following consent agenda items with the amendment to June 16, 2009 minutes:

- a. Approval of Minutes – Regular Meeting June 16, 2009 and Special Meetings – Budget Adoption and East Side Park Sewer, June 30, 2009

Old Business

Resolution 09-03 – Closing of unopened portion of Manilla street.

Town Manager Blake Proctor explained to the board that the portion of Manilla Street between Cottage and Stafford Streets and Stafford and Canal Streets has never been opened. All of the neighboring property owners have signed the petition to have the unopened portion of Manilla Street permanently closed. Town Attorney Robert Price explained that Resolution 09-03 begins the process for closing the street. There will be a public hearing at the August 18 board meeting and then the board can pass a second resolution officially closing the street. Commissioner Lennon made a motion to adopt Resolution 09-03 – Closing of unopened portion of Manilla Street. Commissioner Sealey seconded the motion and it passed unanimously. A copy of this resolution is hereby incorporated by reference and made a part of these minutes.

Ordinance 09-120 – Amending Chapter 50, Water and Sewers, by adding a new subchapter, Cross Connection Controls.

Mr. Proctor read the long title of Ordinance 09-120 to the board and explained that all the references to Robeson County had been taken out. The cross connection controls is mandated by the state. Commissioner Sealey made a motion to adopt Ordinance 09-120, amending Chapter 50, Water and Sewers, by adding a new subchapter, Cross Connection Controls. Commissioner Lennon seconded the motion and it passed unanimously. A copy of this ordinance is hereby incorporated by reference and made a part of these minutes.

Discussion – East Side Park sewer issue.

Mr. Proctor informed the board that Hobbs, Upchurch and Associates is in the process of surveying the residents of the East Side Park community. There will be a CDBG public hearing on applying for a sewer infrastructure grant on Tuesday, July 28 at 6:00 p.m. in the Council Chambers. Mr. Proctor said that the Rural Center will not be accepting grant applications until October 1 so that does slow down the process of purchasing the water lines from Robeson County. Mr. Proctor stated there are 92 meters in the East Side Park community but only 45 are currently active. Of the active meters, 25 customers receive

the county's minimum monthly water bill of \$12. The board was reminded in town customers have a minimum water bill of \$19.34 and a minimum sewer bill of \$21.11. Out of town customers have a minimum water bill of \$38.68 and a minimum sewer bill of \$42.22. Mr. Proctor stated it would not be fair to town residents to continue to let East Side Park residents receive water for \$12 a month. The town cannot charge them in town rates either because other customers are paying the out of town rates. Mr. Proctor suggested the board either charge the residents in East Side Park the established out of town rates or get rid of the out of town rates period for all customers. Commissioner Lennon wanted to know if the residents in East Side Park were aware of what they would be paying if the town sticks to the out of town rate. He was concerned that the majority of the residents would not want sewer if they have to pay such high rates. Commissioner McCree felt the intention of the Robeson County Board of Commissioners in selling the water lines to Fairmont was for the town to keep the water rates at \$12 a month. Mr. Proctor believes that there would be some backlash from town residents if East Side Park gets preferential treatment with their water and sewer rates. Town Attorney Rob Price suggested that the town cannot treat East Side Park legally different from any other resident in town. He will do some research to see if the town can "grandfather" in the water rate of \$12 a month. Mr. Proctor pointed out that regardless of the water rate, the out of town rate for sewer would still be \$42.22 a month. He added that twelve residents on Eldorado Road currently pay the out of town rates for sewer and have done so for years. Commissioner McCree asked that the discussion of eliminating the out of town rates for water and sewer be added to the August agenda. Commissioner Lennon countered by stating that it is standard for municipalities across the state to charge double rates for out of town customers. He feels that many municipalities do this to give their tax paying citizens the lowest rates. Commissioner Sealey agreed that we need to help the residents of East Side Park but believes that Fairmont's citizens should always be the first priority. Commissioner Leak-McKenzie wants the residents of East Side Park to know what the potential water and sewer rates will be, regardless if it is the in town or out of town rate.

New Business

Resolution 09-05 - Adopting agreement to continue participation in the North Carolina Small Town Main Street Program for 2009-2010.

Mayor Kemp reminded the board that the town has participated in the North Carolina Small Town Main Street program since 2006 and with the state's assistance, Fairmont's downtown is continuing to improve. Commissioner Capps made a motion to adopt Resolution 09-05, adopting agreement to continue participation in the North Carolina Small Town Main Street Program for 2009-2010. Commissioner Leak-McKenzie seconded the motion and it passed unanimously. A copy of this resolution is hereby incorporated by reference and made a part of these minutes.

Approve revised Municipal Records Retention and Disposition Schedule.

Town Clerk Jenny Larson informed the board that the Municipal Records Retention and Disposition Schedule is a guide for how long records have to be kept. Commissioner Townsend made a motion to approve the revised Municipal Records Retention and Disposition Schedule. Commissioner Sealey seconded the motion and it passed unanimously. A copy of the schedule agreement page is hereby incorporated by reference and made a part of these minutes.

Discussion of proposed Youth Initiative.

Mayor Kemp discussed the proposed Fairmont Youth Initiative to be led by Co-Directors Gloria Thompson-Currie and Patricia Arnette. The new Fairmont Youth Center will be housed in the old Head Start building on Marion Stage Road. The property's owner has agreed to allow the town to use the building without fees or rent. Mayor Kemp has contacted a contractor to look at the building and determine what the renovation costs may be. Equipment costs will be added to the renovation figure and the town will then apply for grants from federal and state entities including the Golden Leaf Foundation. The Fairmont Youth Council will have temporary headquarters in the Department of Public Safety building located next to Ideal Florist. Commissioner Townsend made a motion to endorse the Fairmont Youth Initiative. Commissioner Lennon seconded the motion and it passed unanimously.

Sale of old Callahan TV building on Main Street.

Mr. Proctor informed the board that Mr. Phillip Wall has approached the town about purchasing the old Callahan TV building on Main Street. Mr. Wall is in negotiations with the Fairmont Development Corporation to purchase the old Smith Signs shop, which is next door to the Callahan TV building. Mr. Wall plans to turn the Smith Signs building into a restaurant and use the burned out Callahan building as a courtyard for outdoor dining. Mr. Proctor suggested the board sell the property to Mr. Wall for \$1.00 after he purchases the Smith Signs shop from the Fairmont Development Corporation. Commissioner McCree asked if this was the same building the town sold a few years ago and recently had to buy back. Mr. Proctor acknowledged it was the same property. The town originally sold it for \$800 and when the property was never developed, the town bought it back for \$400. Commissioner Capps made a motion to sell the old Callahan TV building on Main Street to Phillip Wall for \$1.00 with the stipulation that he provides a time table for his business plan and that a clause be added that the building reverts back to the town if the property is not developed within the timetable provided. Commissioner Lennon seconded the motion and it passed unanimously.

Annexation Agreement concerning assumption of debt of Rural Fire Protection District.

Mr. Proctor explained that when a municipality annexes property, the rural fire district loses revenue. The state requires municipalities to pay annually a proportionate share of interest and principal payments due on debt for facilities or equipment that existed at the time of the annexation. The town recently completed three voluntary annexations. The Fairmont Rural Fire Department has existing equipment debt annual payments in the amount of \$22,683 through 2023 and existing facilities debt annual payments in the amount of \$34,678 through 2047. The town agrees to pay the Fairmont Rural Fire Department in annual installments of \$311.14 from 2009 through 2023 and \$188.10 from 2024 through 2047. Commissioner Lennon made a motion to enter into an annexation agreement concerning the assumption of debt from the Fairmont Rural Fire Protection District. Commissioner Sealey seconded the motion and it passed unanimously. A copy of this agreement is hereby incorporated by reference and made a part of these minutes.

Public Safety Answering Points (PSAPs)

Mr. Proctor explained the difference between Primary Public Safety Answering Points (PSAPs) and Secondary PSAPs. A Primary PSAP can answer 911 calls from both landline and cell phones. A Secondary PSAP can only answer landline 911 calls. Robeson County and the City of Lumberton are both Primary PSAPs. Fairmont, Maxton, Pembroke, Red Springs and St. Pauls are Secondary PSAPs. The North Carolina 911 Board has decided to no longer pay for eligible 911 expenses in the Secondary PSAPs including 911 telephone systems, recorder systems, UPS devices and eligible maintenance costs. The town will no longer receive an estimated \$5,000 a year from Robeson County to cover equipment maintenance. Robeson County is currently building a new Emergency Operations Center that will open in 18-24 months. This new center will be able to handle 911 calls from all the Secondary PSAPs, thus eliminating the need for them. Mr. Proctor recommended going to centralized dispatch with the county due to the unknown costs of running our own dispatch system without state funds. The state has agreed to continue paying the 911 funds to Secondary PSAPs until the new central dispatch center is completed. Commissioner Sealey asked what the savings would be to the town if we agreed to go to centralized dispatch with the county. Public Safety Director Robert Hassell said the budget for dispatch is \$150,000 a year. The county will charge the town approximately \$35,000 a year for providing dispatch services and if the town kept two dispatchers to work in records, the cost would only be \$70,000 a year. Chief Hassell added there would be no one inside Town Hall after 5:00 p.m. after the merger with the county; therefore there would no longer be 24 hour access to the building. After discussion, Commissioner Lennon made a motion to write a letter of intent to go to centralized 911 dispatching with Robeson County. Commissioner Townsend seconded the motion and it passed unanimously.

Mayor Input

Mayor Kemp wanted the public to know that the town's fund balance is like a savings account that is used for unexpected expenses such as equipment repairs and water line breaks. Occasionally the fund balance is used for matches on much needed grants. Mayor Kemp assured the citizens that their money is in good hands and is not being misspent.

Commissioners Input

Commissioner Leak-McKenzie thanked Public Safety Director Robert Hassell and his staff for developing the Department of Public Safety website. She also thanked Public Works Director Ronnie Seals and his staff for the excellent job done on the canal dredging.

Manager Input

Mr. Proctor announced that half of the Urgent Repair funds, \$37,500, have been received.

Mr. Proctor let the board know that the entire budget for nuisance abatement, \$6,500, will be used to tear down the Brown house at the corner of Jackson and Pine Streets. The house has been burned out for several months and it has become a hazard to the children in the area. Mr. Brown has agreed to put a lien on the property in the amount of \$6,500.

Mr. Proctor informed the board that he would be out of the office from July 16 through July 20 for cornea surgery on his eye. He announced that Finance Director Linda Vause would be acting manager in his absence.

Announcements

Tuesday, July 28 - Fairmont Library presents Be Creative Story Program, 10:00 a.m., Heritage Center. Free! 628-9331.

Tuesday, July 28 – Special Board Meeting, Public Hearing on possible CDBG for East Side Park sewer, 6:00 p.m., Council Chambers.

Tuesday, August 4 - Fairmont Library presents Master Illusionist Jeff Jones, 11:30 a.m., Heritage Center. Free! 628-9331.

Tuesday, August 4 - National Night Out, 6:00 p.m., Fairmont Community Park.

Wednesday, August 5 - North Zone Neighborhood Meeting, 5:00 to 6:00 p.m., Rosenwald Elementary School Cafeteria.

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Tuesday, August 11 - 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, August 18 - Regular Town Board Meeting, 6:00 p.m., Council Chambers.

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

Tuesday, August 25 - First day of school.

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 7:32 p.m.

Jennifer H. Larson, CMC
Town Clerk

Special Meeting – July 28, 2009
Public Hearing – CDBG East Side Park Sewer

The Fairmont Board of Commissioners held a special meeting on Tuesday, July 28, 2009 at 6:00 p.m. in the Council Chambers with Mayor Charles Kemp presiding. Commissioners present were Carol Leak-McKenzie, J.J. McCree, Wade Sealey, and Jay Capps. Commissioners Wayland Lennon, III and Charles Townsend and Town Attorney Rob Price were not present. Staff present included Town Manager Blake Proctor, Town Clerk Jenny Larson, Finance Director Linda Vause and Public Works Director Ronnie Seals. Others present included Bill Lester of Hobbs, Upchurch and Associates, Terry Evans, Huel Faulk and John Jackson.

Mayor Charles Kemp stated the purpose of the meeting was a public hearing on a possible CDBG application to provide sewer to the East Side Park community. Town Manager Blake Proctor noted that there were no citizens present from the East Side Park Community.

Mr. Proctor stated that this public hearing is the first of two public hearings required when applying for Community Development Block Grant funds. Mr. Bill Lester, with Hobbs, Upchurch and Associates, informed the board that this hearing was publicized generically in case the town applies for a different type of CDBG instead of the one for sewer at East Side Park. Mr. Lester said the town submitted a pre application form for sewer development infrastructure to the Division of Community Assistance. DCA was impressed by the pre application form and has invited the town to present the project to them on Wednesday, August 5 in Raleigh. DCA will then review the project and either invite the town to apply for the CDBG funds or ask us to try again next year.

Mr. Lester said Hobbs, Upchurch and Associates canvassed the residents of the East Side Park community and have received 90% of the surveys given out. Commissioner McCree asked if the grant would cover the cost to install sewer for the entire community. Mr. Lester replied that more money would be needed than what can be applied for under the CDBG program. He suggested applying for funds from the North Carolina Rural Center to make up the difference. The maximum amount of funds you can apply for under a CDBG for infrastructure is \$750,000. He suggested applying for \$500,000 from the Rural Center because the rough cost estimate to provide sewer to East Side Park is \$1,250,000.

Commissioner McCree asked what the town's chances are in receiving the CDBG for sewer infrastructure. Mr. Lester replied that right now the town has a 50/50 chance. Following the meeting on August 5, if the town is invited to apply for funds, then the town's chances improve to 90%. Commissioner McCree also asked if the town could apply for a CDBG to repair houses in the East Side Park community at the same time. Mr. Lester stated that the CDBG program for housing rehabilitation was more competitive and harder to get funded than a CDBG for infrastructure. He pointed out that Robeson County's CDBG application for East Side Park included housing and sewer and that it failed because of the lack of matching funds.

Mr. Terry Evans suggested the board contact Congressman Mike McIntyre and Representative Garland Pierce and have them put into writing their promise that the match would be taken care of on the CDBG grant. Mr. Evans also mentioned looking into Golden Leaf funds for East Side Park. Mr. Lester said that Golden Leaf funds were hard to come by for infrastructure projects like this one.

Mr. Huel Faulk asked how many residents live in the target area. Mr. Lester said that the surveys were still being completed but he estimates a population of around 100 with 60-70 residential units.

There being no further business, Commissioner Sealey made a motion, seconded by Commissioner McCree to close the public hearing and adjourn the meeting at 6:25 p.m.

Jennifer H. Larson, CMC
Town Clerk

Regular Meeting – August 18, 2009

The Fairmont Board of Commissioners held their regular meeting on Tuesday, August 18, 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 illness. Staff present included Town Manager Blake Proctor, Town Clerk Jenny Larson, Town Attorney Robert Price, and Finance Director Linda Vause. There were several citizens in attendance as well including Peggy Spencer, Perry Ashley, Terry Evans, Lois Carter and Antonio Currie.

Public Hearing – Closing of unopened portion of Manilla Street

Three citizens spoke in favor of closing the unopened portion of Manilla Street. There being no further comments, the public hearing closed at 6:03 p.m.

Call to Order and Invocation

Mayor Charles Kemp called the meeting to order and gave the invocation. He announced that Commissioner Carol Leak-McKenzie was at home recovering from food poisoning.

Approval of Agenda

Town Manager Blake Proctor asked the board to add “Report on Rural Development Workshop” as “Item C” 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

Terry Evans – General Fund balance and East Side Park utility rates

Mr. Terry Evans said he never meant to say the town was misappropriating funds. His main concern is that it is a bad idea to balance the budget using fund balance. He also feels that it is not proper to discuss the utility rates for East Side Park without all the details.

Consent Agenda

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

- a. Approval of Minutes – Regular Meeting July 21, 2009 and Special Meeting, July 15, 2009 and July 28, 2009.

Old Business

Resolution 09-06 – Closing of unopened portion of Manilla street.

Town Manager Blake Proctor read Resolution 09-06 to the board. Commissioner McCree made a motion to adopt Resolution 09-06 – Closing of unopened portion of Manilla Street. Commissioner Lennon seconded the motion and it passed unanimously. A copy of this resolution is hereby incorporated by reference and made a part of these minutes.

Discussion of utility rates for East Side Park.

Commissioner Lennon made a motion to hold a workshop on the utility rates for East Side Park on Wednesday, August 26 at 6:00 p.m. in the council chambers. Commissioner Capps seconded the motion and it passed unanimously.

Old Field CDBG Administrative Services

Mr. Proctor solicited RFPs to provide the grant administrative services for the Old Field CDBG. The town received proposals from the Adams Company from Warsaw, NC, Hobbs, Upchurch and Associates from Southern Pines, NC and The Wooten Company from Raleigh, NC. Mr. Proctor reviewed the proposals in depth, paying particular attention to two major factors, the number of CDBG grants overseen specifically for Fairmont, and the cost of providing those oversight services. Mr. Proctor recommended The Wooten Company be awarded the contract for overseeing the administration of the CDBG grant contingent on grant acquisition from DCA. Commissioner Lennon made a motion to award the contract for the Old Field CDBG Administrative Services to The Wooten Company contingent on grant acquisition from DCA. Commissioner Townsend seconded the motion and it passed unanimously.

Direction/Decision on sale of old Callahan TV building on Main Street.

Mr. Proctor stated the board's motion last month to sell the old Callahan TV building for one dollar was against state law. G.S. 158-7.1(d) allows cities to convey property for economic development but several regulations must be met. Town Attorney Rob Price said the town would have to determine the fair market value of the property and the probable average hourly wage to be paid to workers by the business to be located at the property being conveyed. He suggested the town get an official appraisal of the property. Commissioner Capps made a motion to proceed with the necessary steps to sell the Old Callahan TV Building on Main Street under the General Statute regulations for Economic Development. Commissioner Lennon seconded the motion and it passed unanimously.

New Business

Resolution 09-07 – Sale of Surplus Vehicle

Mr. Proctor informed the board that the Public Safety Department wishes to declare a 1995 Ford Explorer as surplus. The vehicle is in poor condition and only has a value of \$500. The vehicle will not be replaced. Commissioner Lennon made a motion to adopt Resolution 09-07, sale of surplus vehicle. Commissioner Sealey seconded the motion and it passed unanimously. A copy of this resolution is hereby incorporated by reference and made a part of these minutes.

Proposed Water Shortage Response Plan.

Mr. Proctor reported that the DENR has been reviewing all the water shortage ordinances for compliance with state law. The town's drought management ordinance was found deficient due to the lack of adequate penalties for violators. Mr. Proctor was told that our ordinance was "laughable." DENR provided the town with a model water shortage ordinance that includes tougher penalties. Town Attorney Rob Price was concerned the violation penalties in the model ordinance seem like "overkill" and is too stiff. Commissioner Lennon asked what would happen if we choose not to change the ordinance. Mr. Proctor said they gave the impression the town would have trouble receiving future natural resources grants. Commissioner Lennon was upset that it took the state almost two years to read the ordinance that was required to be adopted during the drought back in October 2007. Commissioner McCree suggested that further discussion of the drought ordinance be added to the special workshop on August 26 and the rest of the board concurred with him.

Report on Rural Center workshop

Mr. Proctor read the following report for the record:

"On Thursday, August 13th, I attended a Rural Center sponsored workshop entitled "Responsible and Effective Oversight of Consulting Engineers." Municipalities submitting Rural Center grant applications during the year will get Extra Credit Points for attending this conference; in addition, more Bonus Points will be given if the attendee gives a report to the Commissioners about the workshop.

The meeting started with a very interesting and lively panel discussion in the first person of the myriad problems that could pop up with your consultant if oversight is lacking. This was followed by a talk by a county Public Works Director about how consulting engineer Requests for Qualifications (RFQs) and Requests for Proposals (RFPs) should be prepared in order to mitigate future problems.

This was followed by a discussion from Rural Center and USDA engineers about the do's and don'ts of preparing the required Preliminary Engineering Reports. This segment of the workshop was worth the entire day's attendance.

The Executive Director of the Cape Fear Council of Governments presented a talk titled "Contract Negotiations 101," detailing how contracts with the consulting engineers should be undertaken to provide safeguards for any future problems, what may occur with any projects or with the consulting engineer themselves.

Finally, a spokesman from the Local Government Commission gave a talk about what was supposed to have been "Financial Management in Stressful Economic Times," but turned out to be a lecture on reading an interpreting the Annual Report – a topic that was keyed more to the interest of Finance Officers than to consulting engineering. I, of course, understood all he was saying due to my accounting background, but I'm not sure that was the case with the administration people in attendance.

Overall, it was an interesting and informative workshop, and I gave it 4 ½ points out of a possible 5 on the rating sheet."

Mayor Input

Mayor Kemp reported that the Youth Initiative progress was moving at a snail's pace but a contractor would have figures on repairing the old Head Start building by tomorrow. The new Youth Council should also be in place by next month.

Mayor Kemp reported that the "Pavilion in the Pines" fundraising project is underway. It will be a 40 x 40 permanent stage for concerts, plays, weddings, etc. in the Community Park.

Mayor Kemp also reminded everyone that August 29 will be the one year anniversary of the Fairmont-South Robeson Heritage Center opening.

Commissioners Input

Commissioner Townsend asked the Department of Public Safety to be visible with school starting back as reassurance for both parents and children, as more children will be walking further than in the past due to school bus stops being farther apart.

Commissioner Lennon announced the Committee of 100 will be hosting a golf tournament at the Fairmont Golf Course on Thursday, August 20 and elected officials are invited to a cookout from 4:30 to 7:00 p.m. Commissioner Lennon let the board know that he will be out of town on business for the November board meeting but he would call in.

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Commissioner Sealey announced that he would be out of town on business during the September board meeting and that he probably would not be able to call in.

Manager Input

The Town Manager had no input this month.

Announcements

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

Tuesday, August 25 - First day of school.

Wednesday, August 26 - South Zone Neighborhood Discussion Group, 6:00 p.m., Town Hall Courtroom.

Tuesday, September 1 - NC Small Town Main Street meeting, 6:00 p.m., Heritage Center.

Saturday, September 5 - Senior Bingo, 1:00 to 3:00 p.m., Heritage Center.

Monday, September 7 - Town offices and schools closed in observance of Labor Day.

Monday, September 7 - Third annual Old Timey Labor Day Sidewalk Sale & Ice Cream Making Contest. Sidewalk Sale 7:00 a.m. to 3:00 p.m. on Main Street. Ice Cream Making Contest, 1:00 p.m. to 3:00 p.m. in the Heritage Center.

Tuesday, September 8 - NCDMV Mobile Driver's License Unit, 10:30 a.m. to 4:30 p.m., Town Hall Parking lot in front of Fire Hall.

Monday, September 14 - Fairmont Chamber of Commerce, 6:00 p.m., Border Belt Museum (Depot).

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

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

September 19 - October 3 - Fall Litter Sweep and Community Cleanup weeks.

Friday, October 2 - Unity Pull for Tourism, 3:00 to 6:00 p.m. Chief Iron Bear Collins will pull a 20,000 pound tractor trailer two miles as part of a five day focus on tourism in Robeson County. He was start pulling the truck on Marion Stage Road near the Heritage Havens apartments, turn onto Main Street and complete his two miles at Town Hall.

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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 6:41 p.m.

Jennifer H. Larson, CMC
Town Clerk

Special Meeting – August 26, 2009
Workshop on Utility Rates for East Side Park

The Fairmont Board of Commissioners held a special meeting on Wednesday, August 26, 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, Carol Leak-McKenzie 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 Finance Director Linda Vause. There were several citizens in attendance as well including John Charles Robbins, Perry Ashley, Terry Evans, Lois Carter and John Jackson.

Call to Order and Invocation

Mayor Charles Kemp called the meeting to order and gave the invocation. He stated the purpose of the meeting was for the board to discuss possible utility rates for the East Side Park Community.

Discussion of Utility Rates for East Side Park

Mr. Proctor informed the board that the town currently charges all out of town water and sewer users double the rates charged in town residents. The town currently has eleven water accounts outside of the city limits, mostly on El Dorado Road and only one out of town sewer customer, the Snak Shak. Town residents pay \$19.34 for the base water rate and \$21.11 for the base sewer rate for a total of \$40.45. Out of town customers pay \$38.68 for the base water rate and \$42.22 for the base sewer rate for a total of \$80.90.

The residents of East Side Park currently pay a \$12.00 base rate for water from Robeson County. The county plans to sell the water lines in the area to the town. He gave the board the option of continuing to charge the residents in East Side Park the basic \$12.00 a month for water and charging the in-town rate or higher for sewer. Commissioner McCree suggested keeping the water rate at \$12.00 a month and charging the in town rate for sewer, \$21.11, which would be a total minimum bill of \$33.11. He was worried about price gauging the residents of East Side Park due to their low income status.

Commissioner Lennon felt there needs to be a premium on what out of town customers pay to bank in reserve for repairs. Residents who reside outside the city limits don't have the same rights and benefits as the citizens inside the town limits and it would be an unfair burden to the tax paying citizens for out of town customers to pay the same or less for water and sewer.

Commissioner Sealey asked how many of the East Side Park residents have been asked if they want sewer or not. Mr. Proctor replied they need to know what the rates are going to be before that question is asked. Commissioner Capps said it was crucial that we know how many residents want the service. Commissioner Lennon added that it would not make sense to spend \$1.2 million to extend sewer to only 20 homes.

Commissioner Sealey was concerned that town residents would be upset when they learn that East Side Park will be receiving their water at a lower rate. Commissioner Leak-McKenzie felt that if the citizens knew East Side Park residents would be receiving county water at the county rate they would be more understanding. Commissioner Lennon stated that once the town purchases the lines from the county, it will be town water not county water, regardless of the source.

Commissioner Lennon felt that regardless of the water rate, there needs to be a premium on sewer because the residents are out of town and do not pay town property taxes. He suggested a 50% rate for sewer, which would be \$31.67 a month. If the water rate remains at \$12.00 a month, the minimum monthly bill would be \$43.67, only \$3.22 more than what in town citizens pay.

Mr. Proctor suggested the board go with \$12 as the minimum water rate and focus on the sewer rate instead. Mr. Proctor cautioned the higher the rate the fewer people that will be interested in connecting to the sewer system. Commissioner McCree suggested 25% for sewer, or \$26.39 a month for a total minimum monthly bill of \$38.39, which would be \$2.06 less than what in town citizens pay. Commissioner Capps suggested 35% for sewer, or \$28.50 a month for a total minimum monthly bill of \$40.50, only five cents more than what in town citizens pay. Commissioner Sealey agreed with the 35% proposal for sewer. Mayor Kemp suggested splitting the difference at 30% for sewer, or 27.45 a month for a total minimum monthly bill of 39.45, which would be \$1.00 less than what in town citizens pay. Commissioner McCree said he could not agree with the 30% for sewer.

Mr. Proctor explained that the minimum rate is for 2,000 gallons of water and sewer. The current in town rate for the per 1,000 gallons coverage is \$2.08 for water and \$2.29 for sewer. Instead of increasing these overages rates by 25%, 30% or 35%, he suggested keeping the overage rate the same as the in-town rate.

The board agreed to have further discussion and make a decision on the utility rates at the September 15th board meeting.

Adjournment

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

Jennifer H. Larson, CMC
Town Clerk

Regular Meeting – September 15, 2009

The Fairmont Board of Commissioners held their regular meeting on Tuesday, September 15, 2009 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, Interim Public Safety Director Danny Parker, Finance Director Linda Vause, Recreation Director Mickey Williamson, and Public Works Director Ronnie Seals. Others in attendance included Bill Lester, Terry Evans, Huel Faulk, Perry Ashley, John Charles Robbins, Peggy Spencer, Felicia Locklear and several other citizens.

Public Hearing – Robeson County Comprehensive Solid Waste Management Plan, Three Year Update

The public hearing opened at 6:00 p.m. Mr. Proctor explained that Robeson County is required to have a Solid Waste Management Plan municipalities can piggy back on. The county has to update the plan every three years and a public hearing is required. There was no public comment and the hearing was closed.

Public Hearing – Robeson County Multi-Jurisdictional Hazard Mitigation Plan

The public hearing opened at 6:01 p.m. Mr. Proctor explained that Fairmont is included in the Robeson County Multi-Jurisdictional Hazard Mitigation Plan. State law requires a public hearing be held. There was no public comment and the hearing was closed.

Public Hearing – CDBG East Side Park Sewer (Second Public Hearing)

The public hearing opened at 6:02 p.m. Mr. Proctor explained that this is the second required public hearing on the sewer CDBG application for East Side Park. Mr. Bill Lester with Hobbs, Upchurch and Associates explained that the first CDBG public hearing was more generic but the second one is focused on East Side Park sewer. Mr. Lester provided the details of the proposed CDBG grant which would cover the construction of sewer main and service lines on Stackhouse Road and half of Howard Circle. Mr. Huel Faulk asked how much the grant was for. Mr. Lester replied that it a \$750,000 infrastructure grant that requires no local match. Ms. Lois Carter asked if the town was still going to apply for a Rural Center grant. Mr. Proctor replied that the town is going to put in a supplemental grant request to the Rural Center in the amount of \$500,000 to complete the sewer infrastructure. The funds from the CDBG grant would be the match for the Rural Center grant. The hearing closed at 6:12 p.m.

Call to Order and Invocation

Mayor Charles Kemp called the meeting to order at 6:12 p.m. and gave the invocation. Mayor Kemp explained that Commissioner Wade Sealey was on his way back from the airport in Fayetteville and would be participating by phone until he arrived in Fairmont.

Approval of Agenda

Town Manager Blake Proctor asked the board to add the following resolutions to Old Business: Resolution 09-10 Submitting a CDBG Infrastructure application, Resolution 09-11 Applying for a Supplemental Grant from the NC Rural Center, and Resolution 09-12 Establishing Goal for Participation of Minority Business in Building Construction Contracts. Commissioner Townsend made a motion to approve the amended agenda. Commissioner Leak-McKenzie seconded the motion and it passed unanimously.

Commissioner Sealey arrived at 6:15 p.m.

Public Comment Period/Citizens Appearance

Huel Faulk – Grass growing in street

Mr. Huel Faulk asked for help in cleaning up Jenkins and Market Streets because there is grass growing in the road.

Consent Agenda

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

- a. Approval of Minutes – Regular Meeting, August 18, 2009 and Special Meeting, August 26, 2009.
- b. Set Issue Forum for Tuesday, October 13, 2009 at 6:00 p.m. in the Fairmont – South Robeson Heritage Center.
- c. Reappoint Steve Floyd to the ABC Board for a three year term.

Old Business

Discussion of Drought Management Ordinance

Town Manager Blake Proctor informed the board that the state recently passed a law that requires all municipalities to have a strong drought management ordinance. If Fairmont does not add more “teeth” to our current ordinance, the town could be at risk of not getting federal and state grants. Commissioner Lennon spoke to a representative with DENR who explained that our ordinance needs more formal guidelines. Commissioner Lennon requested that Mr. Proctor bring the revised ordinance back to the board for consideration at the October meeting.

Decision on utility rates for East Side Park.

Commissioner Lennon made a motion for the town to proceed with the initiative to bring sewer to East Side Park, purchasing the water lines from Robeson County and maintaining the current double out of town rates for water and sewer. Commissioner Capps seconded the motion. Mayor Kemp opened the floor for discussion before putting the motion to a vote. Commissioner Townsend asked Town Attorney Rob Price about charging uniform rates. Mr. Price replied that the town can charge a different rate for out of town customers. Mayor Kemp added that he contacted Jeff Hughes at the School of Government who agreed that towns are given express authority to adopt different rate structures for out of town users. Commissioner Capps feels price is not the determining factor but demand since the CDBG grant requires almost 100% participation. He has talked to several residents of East Side Park who are not interested in receiving sewer service. Mayor Kemp asked Commissioner Lennon to explain his motion. Commissioner Lennon replied that the town has had the same double rates for out of town customers since the 1970s and does not see any reason to change it now. Commissioners McCree and Townsend did not understand the reason behind charging double rates when the town will make a profit on the water and sewer revenue since the grants will cover the construction costs. Commissioner Lennon was willing to compromise on a different rate structure at the workshop but after talking to many upset citizens, he went back to his original position of keeping the double rate for out of town customers. Mayor Kemp called for a vote and the motion passed with a vote of 4 to 3 as follows:

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

The CDBG sewer grant application is due by mid-October. Commissioner Capps made a motion for Hobbs, Upchurch and Associates to visit all the households in East Side Park and have the residents sign a sewer interest survey by Tuesday, September 29, when a special meeting will be held at 6:00 p.m. in the Council Chambers to discuss the results. Commissioner Sealey seconded the motion and it passed with a vote of 4 to 3 as follows:

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

Resolution 09-10 Submitting a CDBG Infrastructure application.

Resolution 09-11 Applying for a Supplemental Grant from the NC Rural Center.

Resolution 09-12 Establishing Goal for Participation of Minority Business in Building Construction Contracts.

Resolutions 09-10, 09-11 and 09-12 were tabled until the special meeting on Tuesday, September 29, 2009.

New Business

Resolution 09-08 – Approving the Three Year Update of the Robeson County Comprehensive Solid Waste Management Plan.

Commissioner Townsend made a motion to adopt Resolution 09-08 – Approving the Three Year Update of the Robeson County Comprehensive Solid Waste Management Plan. 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.

Resolution 09-09 – Supporting the inclusion of the Town of Fairmont in the Robeson County Multi-Jurisdictional Hazard Mitigation Plan.

Commissioner Lennon made a motion to adopt Resolution 09-09 – Supporting the inclusion of the Town of Fairmont in the Robeson County Multi-Jurisdictional Hazard Mitigation Plan. 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.

Harger CDBG change order.

Mr. Proctor explained that the Harger Lightning CDBG Economic Development Project has a balance of \$64,950 out of the original \$400,000. Columbus Utilities has submitted a fee of \$64,303.20 for sewer pump repair and replacement thus necessitating the need for a CDBG change order. Two pumps were repaired at the old sewer plant and a spare pump purchased for a lift station. Commissioner Capps made a motion to approve the Harger CDBG change order in the amount of \$64,303.20 Commissioner Lennon seconded the motion and it passed unanimously.

Ordinance 09-123 – Ordering the Code Enforcement Officer to enforce the Property Maintenance Code (Mercer properties, Main Street)

Ms. Felicia Locklear, of the LRCOG, stated the Norma Mercer properties at 309 and 319 South Main Street are in violation of Fairmont's Property Maintenance Code. 309 South Main Street has a severely leaking roof and visible water damage. 319 South Main Street has severe fire damage. The owner refuses to make permanent repairs to the buildings. Fines of \$50 per day per property will begin on October 1 until the violation has been mitigated. Commissioner Capps made a motion to adopt Ordinance 09-123 – Ordering the Code Enforcement Officer to enforce the Property Maintenance Code (Mercer properties, Main Street). Commissioner Sealey 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 09-124 – Ordering the Code Enforcement Officer to enforce the Property Maintenance Code (Williamson property, Market Street)

Ms. Locklear explained that the D.W. Williamson, Jr. property located at the corner of McDaniel and Market Streets has a large hole in the roof and visible water damage. Mr. Williamson has not contacted the town concerning his intent for the property. Fines of \$50 per day will begin on October 1 until the violation has been mitigated. Commissioner Townsend made a motion to adopt Ordinance 09-124 – Ordering the Code Enforcement Officer to enforce the Property Maintenance Code (Williamson property, Market Street). Commissioner Leak-McKenzie 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.

Mayor Input

Mayor Kemp announced that a farewell reception for Chief Robert Hassell will be Friday, September 18 from 4:00 to 7:00 p.m. in the Heritage Center. Chief Hassell recently accepted the position of Police Chief in the Town of Hope Mills.

Mayor Kemp announced Robeson County will host the RCMA meeting on Tuesday, September 22 at 7:00 p.m. at the Black Water Grille in Lumberton. Mayor Kemp is the RCMA Chairman and Town Clerk Jenny Larson is the Secretary for 2009-2010.

Commissioners Input

Commissioner Sealey apologized for being late but he has been out of town since last Wednesday.

Manager Input

Mr. Proctor announced that the Urgent Repair Program was currently working on two homes in Fairmont.

Mr. Proctor stated that Fairmont's population is now 2,751.

Mr. Proctor informed the board that some work was done to level the sidewalk on Main Street in front of 232 South Main Street.

Mr. Proctor announced that the library's new hours are Monday, Wednesday and Friday from 2:00 to 6:00 p.m. and Tuesday and Thursday from 9:00 a.m. to 1:00 p.m.

Mr. Proctor stated the owner of the old Post Office/YO! building is considering donating the property to the town. Mr. Proctor would like to move the library there. Commissioner Townsend thought the property would be a great place for youth activities.

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Mr. Proctor introduced Interim Director of Public Safety Danny Parker. Chief Parker will serve as Interim Director while the search for a new chief is conducted.

Announcements

September 19 - October 3 - Fall Litter Sweep and Community Cleanup weeks.

Sunday, September 20 - Former Farmers Festival Queens reception, Heritage Center, 3:00 p.m.

Wednesday, September 23 – Walker Brothers Circus, lot behind Fire Hall, shows at 5:30 and 7:30 p.m.

Saturday, September 26 - "Fall N 2 Safety" Community Watch Membership Drive, Border Belt Museum grounds, 9:00 a.m. to 5:00 p.m., Games, food and fun.

Friday, October 2 - Teacher workday, schools closed.

Friday, October 2 - Barbeque Plate Dinner sponsored by the Fairmont Woman's Club to raise funds for the "Pavilion in the Pines" project, Fairmont Fire Hall, 4:00 to 7:00 p.m. Plates \$6.00. Tickets available from any Woman's Club member, Festival Queens, Baptist or Methodist youth.

Saturday, October 3 - South Robeson Rescue Unit Community Fun Day, 10:00 a.m. to 4:00 p.m. at the SRRU Headquarters on South Walnut Street.

Saturday, October 3 - Senior Citizens Hot Dog Cookout, Luther Britt Park, Lumberton, 1:00 to 3:00 p.m.

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

Friday, October 9 - Fairmont High School Homecoming. Fairmont vs. South Robeson, 7:30 p.m.

Saturday, October 10 - Fairmont Farmers Festival Pageant, E.R. Gause Auditorium, Rosenwald Elementary School.

Monday, October 12 - Chamber of Commerce, Border Belt Museum, 6:00 p.m.

Tuesday, October 13 - 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, October 13 - Town Issue Forum, Heritage Center, 6:00 p.m.

Friday, October 16 - 2nd Annual Chamber of Commerce Farmers Festival Golf

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Tournament, Fairmont Golf Club. Mark Roberts and Breeze will perform beach music following the tournament.

Saturday, October 17 - Fairmont Farmers Festival, Parade at 10:00 a.m., Downtown Fairmont. The Pizazz Band will play from 9:00 p.m. to 12:00 a.m. at the Southeastern NC Agricultural Center in Lumberton.

Saturday, October 17 and Sunday, October 18 - "Raid on Ashpole" Civil War battle re-enactment across from Fairmont Community Park. Battle at 2:00 p.m. on Saturday and Sunday. Time period church service, Sunday at 11:00 a.m. in the park.

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 7:29 p.m.

Jennifer H. Larson, CMC
Town Clerk

Special Meeting – September 29, 2009
Sewer Survey Results for East Side Park

The Fairmont Board of Commissioners held a special meeting on Wednesday, September 29, 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, Carol Leak-McKenzie and Jay Capps. Staff present included Town Manager Blake Proctor, Town Clerk Jenny Larson, Public Works Director Ronnie Seals, Interim Public Safety Director Danny Parker, Recreation Director Mickey Williamson and Finance Director Linda Vause. Others in attendance included Bill Lester and several citizens.

Call to Order and Invocation

Mayor Charles Kemp called the meeting to order and gave the invocation. He stated the purpose of the meeting was to hear a report from Hobbs, Upchurch and Associates on the sewer interest survey conducted in East Side Park.

Sewer Survey Results for East Side Park

Mr. Bill Lester, of Hobbs, Upchurch and Associates, gave a report on the door-to-door surveys conducted in the East Side Park community to determine the level of interest in connecting to the Town's water and sewer systems at the out of town double rate. They also attempted a direct mailing to residents to insure maximum coverage of the area. Mr. Lester stated there are 64 total units (53 occupied, 11 vacant) in the area targeted for infrastructure improvements as discussed with the NC Division of Community Assistance and NC Rural Center for funding. Of the 53 occupied units, a response was received from 28 homes. A total of 25 indicated they do not wish to participate at the noted rates, with three answering yes to the survey.

Commissioner McCree asked if the town could still go forward with the grant application. Mr. Lester said yes but the double rates will be included in the application and the grant administrators would expect most of the residents to connect to the sewer system, which is unlikely based on the survey results.

Commissioner Lennon made a motion to drop the CDBG and Rural Center grant application process for East Side Park due to a lack of sufficient interest to connect to sewer by the residents. Commissioner Capps seconded the motion and it passed with a vote of 4 to 3 as follows:

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

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

Regular Meeting – October 20, 2009

The Fairmont Board of Commissioners held their regular meeting on Tuesday, October 20, 2009 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 Clerk Jenny Larson, Interim Public Safety Director Danny Parker, Public Works Director Ronnie Seals and Recreation Director Mickey Williamson. Town Attorney Robert Price was not present. Others in attendance included Kaylin Bailey, Natalee Britt, Tristen Rich, Madilyn Mayers, Elizabeth Rogers, Kensey Bartley, Brianna Hunt, Madison Strickland, Huel Faulk, Perry Ashley and several other citizens.

Call to Order and Invocation

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

Mayor Presentations

Introduction of 2009-2010 Fairmont Farmers Festival Queens.

The 2009-2010 Fairmont Farmers Festival Queens introduced themselves to the board. They are Royal Ambassador Brianna Hunt, Mini Ambassador Madison Strickland, Wee Miss Kaylin Bailey, Little Miss Natalee Britt, Tiny Miss Tristen Rich, Junior Miss Madilyn Mayers, Teen Miss Elizabeth Rogers, and Miss Kensey Bartley. Ambassador Brittany Deese was unable to make the meeting.

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 7 at 10:00 a.m. in the Fire Hall.

Certificate of Appreciation – Festival Chairman Jenny Larson

Mayor Kemp presented a Certificate of Appreciation to Fairmont Farmers Festival Chairman Jenny Larson.

Approval of Agenda

Town Manager Blake Proctor asked the board to add Ordinance 09-126 to New Business. Commissioner Sealey made a motion to approve the amended agenda. Commissioner Lennon 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 Capps, and seconded by Commissioner Leak-McKenzie, it was unanimously voted to adopt the following consent agenda items:

- a. Approval of Minutes – Regular Meeting, September 15, 2009 and Special Meeting, September 29, 2009.

Old Business

There was no Old Business this month. Mr. Proctor stated he is working on a revised drought ordinance for the November meeting.

New Business

Ordinance 09-125 – Amending Section 152A.112, Civil Penalty, of Chapter 152A, Standards for Property Maintenance, of Title XV, Land Usage.

Mr. Proctor explained that the purpose of Ordinance 09-125 is to clarify the civil penalty for Chapter 152A, Standards for Property Maintenance. It adds a maximum penalty of \$3,000 for non-compliance. Town Attorney Rob Price recommended adding the maximum penalty. Commissioner McCree wanted to know how we can fine property owners for non-compliance when the town owned Callahan Building is not up to code. Commissioner Lennon made a motion to adopt Ordinance 09-125 – Amending Section 152A.112, Civil Penalty, of Chapter 152A, Standards for Property Maintenance, of Title XV, Land Usage. Commissioner Sealey seconded the motion and it passed with a vote of 4 to 3 as follows:

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

Ethics Training Requirement for Elected Officials.

Commissioner Lennon wanted the board to be aware that the state has adopted an ethics training requirement for elected officials.

Bridge Inspection Agreement with NCDOT.

Mr. Proctor informed the board that the bridge inspection agreement with the NCDOT is needed for the mandatory inspections of the bridges on Mitchell, Floyd and Morro Streets. Commissioner Townsend made a motion to adopt the Bridge Inspection Agreement with the NCDOT. Commissioner Lennon seconded the motion and it passed unanimously. A copy of the signed agreement is hereby incorporated by reference and made a part of these minutes.

Ordinance 09-126 – Amending Section 152A.63, “Order – Contents” of Chapter 152A, Standards for Property Maintenance, of Title XV, Land Usage.

Mr. Proctor asked that the following language be added to the end of subparagraph (1) under the “Order-Contents” Section 152A.63 of Chapter 152A:

“The order may require that the property be vacated and closed only if continued occupancy during the time allowed for repair will present a significant threat of bodily harm, taking into account the nature of the necessary repairs, alterations, or improvements; the current state of the property; and any additional risks due to the presence and capacity of minors under the age of 18 or occupants with physical or mental disabilities. The order shall state that the failure to make timely repairs as directed in the order shall make the dwelling subject to the issuance of an order allowing the Town to make the repairs or cause the property to be vacated and closed.”

Commissioner Lennon made a motion to adopt Ordinance 09-126 – Amending Section 152A.63, “Order – Contents” of Chapter 152A, Standards for Property Maintenance, of Title XV, Land Usage. Commissioner Capps seconded the motion and it passed with a vote of 4 to 3 as follows:

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

Mayor Input

Mayor Kemp announced that he has meet extensively with Joe Craig of Heartland Publications. The company has agreed to start an online newspaper for Fairmont that will feature news, sports and social events. The name will be FairmontBugle.com and it will be online in the coming months.

Mayor Kemp mentioned that the RCMA meeting will be hosted by the Town of Red Springs on Tuesday, October 27 at 7:00 p.m. in their Community Building.

Mayor Kemp congratulated Town Manager Blake Proctor for being selected the LRCOG Region N Manager of the Year.

Commissioners Input

Commissioner Leak-McKenzie asked for an update on the possible donation of the old post office/YO building to the town. Mr. Proctor replied that the property was appraised at \$70,000 and the tax value is \$139,000. He is waiting to hear back from the property’s owner.

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Commissioner McCree was concerned that there are several properties in town that need improvement. He suggested the town work with these property owners rather than fine them in light of the fact the town owns property that is also in violation of the town code.

Commissioner Lennon and Commissioner Sealey thanked everyone who helped with the Fairmont Farmers Festival.

Manager Input

Mr. Proctor announced he is preparing an ordinance to discuss at the November meeting that will address computer gaming.

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 6:45 p.m. to prevent the disclosure of information that is deemed privileged or confidential as determined under General Statute 143-318.10(e) and to discuss personnel and attorney client privilege as permitted under General Statute 143-318.11(a)(3,6). Commissioner Lennon seconded the motion and it passed unanimously.

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

Commissioner Sealey made a motion to come out of closed session at 6:55 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.

Announcements

Friday, October 23 - Fairmont High School Varsity Football vs. Red Springs, Home, 7:30 p.m.

Saturday, October 24 - Robeson County History Museum present "The Way We Were - Fairmont" at the Heritage Center from 10:00 am until 1:00 p.m. Please bring your old pictures of Fairmont to be scanned and added to the museum's collection.

Thursday, October 29 - Fairmont High JV Football vs. East Columbus, Home, 6:30 p.m.

Friday, October 30 - Teacher workday, schools closed.

Friday, October 30 - Fairmont High School Varsity Football vs. East Columbus, Away, 7:30 p.m.

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Saturday, October 31 - Halloween - Dr. Electrode will give out candy to kids on the front porch of Town Hall from 7:00 to 8:30 p.m.

Sunday, November 1 - Daylight Savings Time, Set clocks back one hour.

Tuesday, November 3 - Election Day. Polls open from 6:30 a.m. to 7:30 p.m. at the Town Hall Courtroom and the Hector McLean Public Library.

Wednesday, November 4 - North Zone Discussion Group, Rosenwald Elementary School Cafeteria, 5:30 p.m.

Friday, November 6 - Fairmont High School Varsity Football vs. St. Pauls, Home, 7:30 p.m.

Saturday, November 7 - Red, White & Blue Sidewalk Sale, Main Street, 7:00 a.m. to 12:00 noon

Saturday, November 7 - Veteran's Day Ceremony, Fire Hall, 10:00 to 11:00 a.m.

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

Monday, November 9 - Fairmont Chamber of Commerce, Border Belt Museum, 6:00 p.m.

Tuesday, November 10 - 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, November 10 - Central Zone Discussion Group, Fairmont Middle School Cafeteria, 6:00 p.m.

Wednesday, November 11 - Town offices and schools closed in observance of Veteran's Day.

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 6:58 p.m.

Jennifer H. Larson, CMC
Town Clerk

Regular Meeting – November 17, 2009

The Fairmont Board of Commissioners held their regular meeting on Tuesday, November 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, Wade Sealey, Charles Townsend, and Jay Capps. Commissioner Wayland Lennon III was away on business but participated by telephone. Staff present included Town Manager Blake Proctor, Town Clerk Jenny Larson, Town Attorney Robert Price, Interim Public Safety Director Danny Parker, Finance Director Linda Vause, Public Works Director Ronnie Seals and Recreation Director Mickey Williamson. Others in attendance included Tony Rogers, Jan Tedder-Rogers, Rev. Harold Salmon, Al Norris, Perry Ashley and several other citizens.

Call to Order and Invocation

Mayor Charles Kemp called the meeting to order and announced that Commissioner Lennon was participating by telephone. He asked everyone to keep former Town Manager Ben Hill in their prayers before giving the invocation. Mr. Hill was having surgery in Florence, South Carolina.

Mayor Presentations

Introduction of 2010 Fairmont Farmers Festival Co-Chairmen

Mayor Kemp announced that Town Clerk Jenny Larson was stepping down as Fairmont Farmers Festival Chairman in order to spend more time with her family. Mayor Kemp introduced the 2010 Fairmont Farmers Festival Co-Chairmen Tony Rogers and Jan Tedder-Rogers.

Approval of Agenda

Town Manager Blake Proctor asked the board to remove “Reduction in departmental work hours” from under Old Business and “Resolution 09-10 – Adopting the Robeson County Multi-Jurisdictional Hazard Mitigation Plan” from 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

Pastor Harold Salmon – Internet Gambling

Pastor Harold Salmon of Trinity United Methodist Church spoke on the negative impact of Internet Gambling on our community, state and nation. He feels these type of businesses are a “menace to society” and morally destructive. This type of gaming is highly addictive and fuels crime against property because of the “get rich quick” mentality. He urged the board to take action to remove these internet gaming establishments from town or at least make it difficult for them to flourish.

Al Norris – Internet Gambling

Mr. Al Norris is the owner of the Fairmont Business Center on Main Street. He stated that his business is not an Internet Gambling establishment. He sells internet and phone time. He insisted that the “sweepstakes” games that are played at his business are no different than playing “Monopoly” at McDonalds. He feels that gambling is no different than overeating or smoking. Mr. Norris also mentioned a statewide injunction.

Consent Agenda

Commissioner McCree asked that the comments concerning the Callahan Building being in violation of the town code under the discussion of Ordinance 09-125 be added to the October 20 board minutes. Upon motion by Commissioner Capps, and seconded by Commissioner Townsend, it was unanimously voted to adopt the following consent agenda item with amendment:

- a. Approval of Minutes – Regular Meeting, October 20, 2009

Old Business

Reduction in departmental work hours.

This item was removed at the request of Town Manager Blake Proctor.

New Business

Ordinance 09-127 – Computer Gaming Establishments.

Mr. Proctor read the long title of Ordinance 09-127, an ordinance creating a new Chapter 115, Computer Gaming Establishments, of Title XI, Business Regulations of the Fairmont Code of Ordinances. Mr. Proctor explained that the purpose of Ordinance 09-127 is to establish zoning rules and privilege license fees for computer gaming establishments. He proposed a privilege license fee of \$1,000 annually for every computer connected to the internet and a privilege license fee of \$500 annually for every computer that is not connected to the internet. The ordinance will also prevent computer gaming establishments from being located in the downtown area once the town receives the historic downtown designation. Town Attorney Rob Price stated that there are two current statewide injunctions that prevent law enforcement from raiding computer gaming establishments. However, the injunctions do not prevent the town from levying privilege license fees or regulating zoning. Commissioner Lennon suggested increasing the privilege license fees as a way to raise revenue, which could then be used to purchase new police cars. Commissioner Lennon made a motion to adopt Ordinance 09-127 Computer Gaming Establishments with an amendment to Section 115.02 that the privilege license fees for every computer connected to the internet be \$3,000 annually and every computer not connected to the internet be \$1,500 annually. Commissioner Capps seconded the motion and it passed with a vote of 4 to 3 as follows:

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

The ordinance will be brought back to the board at the December meeting for a second reading and adoption.

Norma Mercer - Request for relief from fines.

Mr. Proctor informed the board that Mrs. Norma Mercer has requested relief from the fines being charged against two properties on Main Street that are in violation of the town code. She is currently being charged \$50 per building per day. Mr. Proctor suggested giving Mrs. Mercer a forty (40) day extension and withdraw the current fines to give her time to complete repair work on her buildings. Commissioner McCree does not understand how the town can fine someone for code violations when the town's own Callahan Building is also in violation. Commissioner Lennon made a motion to grant Mrs. Norma Mercer an extension to repair her properties until Friday, January 8, that the fines on the properties continue to accrue during the extension and if the properties are not remediated according to town code then all fines would be due. Commissioner Sealey seconded the motion and it passed with a vote of 4 to 3 as follows:

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

Resolution 09-10 – Adopting the Robeson County Multi-Jurisdictional Hazard Mitigation Plan.

This item was removed at the request of Town Manager Blake Proctor.

Mayor Input

Mayor Kemp announced that a job fair will be held at the Heritage Center on Wednesday, November 18 from 10:00 a.m. to 2:00 p.m.

Mayor Kemp mentioned that the RCMA meeting will be hosted by the Town of Rowland on Tuesday, November 24 at 7:00 p.m. at the Senior Citizen Nutrition Site.

Mayor Kemp reminded everyone that Holiday on Main and the second annual Twilight Christmas Parade will be Friday, December 4 at 6:00 p.m. featuring recording artist Victoria Huggins.

Mayor Kemp stated the Thanksgiving Employee Cookout will be Wednesday, November 25 at 12:00 noon in the Fire Hall.

Mayor Kemp added that the December board meeting will be held at the Heritage Center and will be preceded by a social for the newly elected board members at 5:00 p.m.

Commissioners Input

Commissioner McCree stated that the town should fix our own dilapidated building by January 8 or be in violation just like Mrs. Mercer. Commissioner Sealey asked if we had a quote on fixing the old Callahan building. Mr. Proctor replied that he did not but that the building would have to be gutted. Commissioners McCree and Leak-McKenzie agreed that the building should be gutted.

Commissioner Sealey announced that Michael Walters was sworn in today as our newest state senator replacing David Weinstein. Mayor Kemp said Senator Walters will be introduced at the December board meeting.

Manager Input

Mr. Proctor announced that he attended a required CDBG-R workshop recently in Raleigh. The CDBG-R project for the Old Field neighborhood should begin at the end of January.

Announcements

Wednesday, November 18 - Fairmont Job Fair, 10:00 a.m. to 2:00 p.m., Fairmont South Robeson Heritage Center. Bring your resume!

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

Saturday, November 21 - Lumberton Christmas Parade, 10:00 a.m.

Tuesday, November 24 - South Zone Discussion Group, 6:00 p.m., Courtroom.

Wednesday, November 25 - Teacher workday, schools closed.

Wednesday, November 25 - Town Employee Cookout. Town Offices close at noon.

Thursday, November 26 and Friday, November 27 - Town offices and schools closed in observance of Thanksgiving.

Tuesday, December 1 - NC Small Town Main Street meeting, 6:00 p.m., Heritage Center.

Friday, December 4 - 2nd Annual Holiday on Main, Twilight Christmas Parade, 6:00 p.m. Christmas Tree lighting in the park, 6:45 p.m., Entertainment in the Heritage Center, 7:30 p.m.

Saturday, December 5 - Marietta Christmas Parade, 11:00 a.m.

Page 5 – Regular Meeting, November 17, 2009

Tuesday, December 8 - NCDMV Mobile Driver's License Unit, 10:30 a.m. to 4:30 p.m., Town Hall Parking lot in front of Fire Hall.

Saturday, December 12 - Senior Citizens Christmas Party, 1:00 to 3:00 p.m., Heritage Center.

Tuesday, December 15 - Regular Town Board Meeting, 6:00 p.m. Heritage Center (Swearing in Ceremony for Mayor and Commissioners).

December 21 - January 1 - School closed for winter break.

Thursday, December 24 - Santa Visits the Kids, 5:00 p.m. Santa delivers toys on the fire truck.

December 24, 25 and 28 - Town offices closed for Christmas.

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 6:47 p.m.

Jennifer H. Larson, CMC
Town Clerk

Regular Meeting – December 15, 2009

The Fairmont Board of Commissioners held their regular meeting on Tuesday, December 15, 2009 at 6:00 p.m. in the Fairmont-South Robeson Heritage Center with Mayor Charles Kemp presiding. Commissioners present were J.J. McCree, Wayland Lennon III, Carol Leak-McKenzie, Wade Sealey, Charles Townsend, Jay Capps and Perry Ashley. Staff present included Town Manager Blake Proctor, Town Clerk Jenny Larson, Town Attorney Robert Price, Interim Public Safety Director Danny Parker, Finance Director Linda Vause, Public Works Director Ronnie Seals, Tax Collector Rebecca Andrews and Recreation Director Mickey Williamson. Others in attendance included John Masters, Rev. Harold Salmon, Rev. Jesse Yarbrough, Senator Michael Walters, Superior Court Judge Frank Floyd and about 50 citizens.

Call to Order and Invocation

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

Mayor Presentations

Introduction of Senator Michael Walters

Mayor Kemp introduced our new state Senator Michael Walters, who recently replaced Senator David Weinstein. Senator Walters encouraged the board and citizens to call him with their needs and concerns.

Presentation of plaque to former Festival Chairman Jenny Larson

Mayor Kemp presented a plaque to former Fairmont Farmers Festival Chairman Jenny Larson in appreciation of her years as chairman from 2004-2009.

Proclamation – Human and Civil Rights Month

Mayor Kemp read a Proclamation naming January 2010 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.

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

Pastors Harold Salmon and Jesse Yarbrough – Internet/Computer Gambling

Pastor Harold Salmon of Trinity United Methodist Church and Pastor Jesse Yarbrough of Fairmont First Baptist Church spoke on the negative impact of internet gambling on our community, state and nation. They feel these type of businesses are a “menace to society” and morally destructive. This type of gaming is highly addictive and fuels crime against property because of the “get rich quick” mentality. They urged the board to unite and put aside political differences to adopt the computer gaming ordinance in order to make it difficult for these internet gaming establishments to flourish.

Consent Agenda

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

- a. Approval of Minutes – Regular Meeting, November 17, 2009

Old Business

2008-2009 Audit Report – John Masters, S. Preston Douglas & Associates

Mr. John Masters went over the 2008-2009 Audit Report. The town’s tax collection rate is 87% but is in line with the county tax collection rate. The downturn in the economy and the state budget troubles resulted in lower Sales Tax and Powell Bill revenues. The town’s sewer revenue has increased for the first time in many years due to other towns tying onto the system, resulting in a fund balance for the water/sewer fund. Commissioner McCree was concerned about the town’s fund balance, which the LGC shows at 15% and the audit at 13%. Mr. Masters said the state requires a minimum fund balance of 8%. Commissioner McCree is worried about the erosion of the fund balance because the town has to budget a portion of the fund balance every year to balance the budget.

Ordinance 09-127 – Computer Gaming Establishments.

Mayor Kemp reminded the board that this is the second reading of Ordinance 09-127, Computer Gaming Establishments. Town Manager Blake Proctor asked the board to adopt an amendment to the definition of “Computer Gaming Establishment” and add Section 115.05, Codes Enforcement Officer to Ensure Compliance. The amendments are as follows with changes underlined:

“COMPUTER GAMING ESTABLISHMENT. Any business enterprise utilizing one or more computers as game promotions or for amusement. In a game promotion, a person may conduct a game of chance in connection with the sale of consumer products or services and/or for which the elements of chance and prize are present. This term includes, but is not limited to, internet sweepstakes, internet cafés, and cybercafés. This definition only applies where a machine emits, issues, displays, prints out or otherwise records any receipt, paper, coupon, token, or other form of record which is capable of being redeemed, exchanged or repurchased for cash, cash equivalent, prizes, services or any other item of value, whether or not the value of such distribution is determined by electronic games played or by predetermined odds. This includes a system which invites patrons to purchase prepaid internet access cards that also allow them to use computer terminals with gaming software as an ancillary benefit.

This does not include any lottery approved by the State of North Carolina.”

“§115.05 SAME; CODES ENFORCEMENT OFFICER TO ENSURE COMPLIANCE. The Fairmont Codes Enforcement Officer shall ensure that the regulations contained herein shall be enforced; to such ends, the Codes Enforcement Officer may inspect business establishments for such compliance.”

Commissioner McCree had concerns about the \$3,000 and \$1,500 privilege license fees being too high and was worried the town might be sued. Mr. Proctor feels it is more justifiable to have the privilege fees set at \$1,000 and \$500 since the town charged \$1,000 per video poker machine in the past. Town Attorney Rob Price advised that imposing a fee at a rate intended to drive computer gaming businesses out of town could cause problems. He added that the lower the rate the less likely the town will be sued. Commissioner Lennon made a motion to adopt Ordinance 09-127, Computer Gaming Establishments as amended. Commissioner Capps seconded the motion and it passed with a vote of 4 to 3 as follows:

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

Town Attorney Rob Price was concerned that the ordinance may need to be voted on again in January due to the amendments. Mr. Proctor countered that an ordinance can be amended up until adoption. Mayor Kemp declared the ordinance in effect and if the attorney’s research proves otherwise, then the ordinance would be brought back before the board in January. A copy of the ordinance is hereby incorporated by reference and made a part of these minutes.

Ratification of vote regarding extension for Norma Mercer

Mr. Proctor asked for a ratification of the vote regarding an extension for Norma Mercer's properties since Commissioner Lennon voted by telephone last month and it was a tie vote broken by the mayor. The extension will give Mrs. Mercer until January 8 to do repair work. Commissioner McCree asked if the town would do work on its dilapidated building by that date. Mr. Proctor replied the town would have to dip into the fund balance and right now we cannot afford it.

Commissioner Lennon made a motion to ratify the vote giving an extension to Norma Mercer. Commissioner Capps seconded the motion and it passed with a vote of 4 to 3 as follows:

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

Organizational Meeting

Comments from outgoing Commissioner Jay Capps

Commissioner Capps thanked the citizens for the opportunity to serve them. He felt the last four years were positive, good years.

Swearing in of Mayor and Commissioners by Superior Court Judge Frank Floyd.

Superior Court Judge Frank Floyd swore in Commissioners Charles Townsend, Wayland Lennon III, Perry Ashley and Mayor Charles Kemp. A copy of their sworn oaths is hereby incorporated by reference and attached to these minutes.

Comments by newly elected officials.

Commissioner Ashley thanked everyone who helped with her campaign. She is ready to learn and work with her fellow commissioners to bring economic growth and youth programs to Fairmont.

Commissioner Townsend thanked the citizens for their continued support. He wants to make the best decisions for Fairmont to help it grow and thrive and become a community with pride and dignity.

Commissioner Lennon thanked the voters and looks forward to serving them. He is humbled to be a part of Fairmont's bright shining future. He promised to be deliberate and prudent in overcoming challenges.

Mayor Kemp thanked his courageous wife, Laura, for coming tonight to stand with him as he was sworn in for his 33rd year in public office. He thanked the voters and his supporters for helping him win his second term as mayor. He thanked the Seniors in Touch committee for providing the refreshments prior to the meeting. Mayor Kemp stated many improvements have been made in Fairmont the past four years. His plans for the next four years include more jobs for our citizens and programs for our youth.

Set Meeting Schedule.

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

Select Mayor Pro Tempore.

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

New Business

There was no new business this month.

Mayor Input

Mayor Kemp announced that the Employee Christmas Luncheon would be Wednesday, December 23 at 12:00 noon in the Heritage Center.

Mayor Kemp emphasized the importance of the Youth Forum to be held on Tuesday, January 12 at 7:00 p.m. in the Heritage Center.

Commissioners Input

Commissioner Lennon commended everyone who assisted with Holiday on Main and the Twilight Christmas Parade. He also thanked the staff for all they do throughout the year.

Manager Input

Mr. Proctor announced that that the \$400,000 CDBG grant for Harger Lightning & Grounding has been successfully closed out with a good report.

Mr. Proctor informed the board that he would be on vacation from December 29-31 and that Finance Director Linda Vause would be acting manager.

Announcements

December 21 - January 1 - School closed for winter break.

Thursday, December 24 - Santa Visits the Kids, 5:00 p.m. Santa delivers toys on the fire truck.

December 24, 25 and 28 - Town offices closed for Christmas.

Friday, January 1 - Town offices closed for New Year's Day.

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

Tuesday, January 5 - N.C. Small Town Main Street meeting, 6:00 p.m., Heritage Center.

Monday, January 11 - Chamber of Commerce, 6:00 p.m., Border Belt Museum.

Tuesday, January 12 - Youth Needs and Assessment Forum, 7:00 p.m., Heritage Center. All citizens are urged to attend. There will be a panel discussion and audience participation forum.

Monday, January 18 - Town offices and schools closed in observance of Dr. Martin Luther King, Jr. Day.

Monday, January 18 - 5th annual Dr. Martin Luther King, Jr. Celebration, Heritage Center, Time TBA.

Tuesday, January 19 - Regular Town Board meeting, 6:00 p.m., Council Chambers.

Monday, January 25 and Tuesday January 26 - Schools closed for teacher workdays.

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

Fairmont Youth Forum
Fairmont-South Robeson Heritage Center
Tuesday, January 12, 2010
7:00 p.m.

The first Fairmont Youth Forum was held on Tuesday, January 12, 2010 at 7:00 p.m. at the Fairmont-South Robeson Heritage Center. Mayor Charles Kemp was the facilitator of the meeting and Town Clerk Jenny Larson took minutes. The panel consisted of Commissioner Perry Ashley, Sgt. Sammy Shropshire, Crystal Collins, Sean Locklear and Maurice Townsend. There were approximately 125 citizens in the audience, with 40 of those being youth.

Mayor Kemp welcomed everyone to the forum. He introduced the panelists and explained the purpose of the forum was to gather input and suggestions and establish short and long term goals for improving the lives of Fairmont youth.

Panel Discussion

Sgt. Sammy Shropshire, Fairmont Middle School Teacher/Coach

Sgt. Sammy Shropshire explained that youth spell love “time.” He has spent seven years with Project Hope building self-esteem, self-discipline and motivation. Kids want someone to spend time with them and listen. Sgt. Shropshire said a main concern is the youth who go home after school with no one at home. These kids are seeking things to do. Some suggestions are a bowling alley, skating rink, gym access, and an after school center with a tutoring program.

Crystal Collins, Lumbee Bank Branch Manager

Mrs. Crystal Collins is the mother of two young children. They participate in Fairmont’s Dixie Youth Baseball program but they have to go to Lumberton for other sports and activities. She would like to see more activities for children offered here in Fairmont.

Maurice Townsend, Fairmont High School Senior

Mr. Maurice Townsend appreciated the opportunity to voice the concerns of the youth. Most of his friends say that Fairmont is too boring, with nothing to do that is interesting. Some suggestions they mentioned to him include creating a youth group that focuses on community service like visiting rest homes and donating to special causes. For recreation, they would like educational trips, town dances and more sporting events like using Rosenwald’s gym for basketball. Mr. Townsend also spoke of mentoring sessions, college fairs and career days, where local businesses could come talk to teens about internships and advice on getting a job. Mr. Townsend also said that it would be good to start a program similar to the YO! program where teens can go after school and get assistance in finding a job.

Sean Locklear, Dixie Youth Baseball Coach

Mr. Sean Locklear has volunteered as a coach in the Fairmont Dixie Youth Baseball program for several years. His concern is that participation in the baseball program drops as the kids get older. A major problem is getting enough adults to volunteer and help coach. Mr. Locklear said teamwork is a key to a child's success in the future. The more youth work together as a team when they are younger the more like they will work together when they get older and later when they join the workforce. He suggested forming basketball and football teams to supplement the baseball program to keep kids busy year round.

Perry Ashley, Town Commissioner

Commissioner Perry Ashley agreed that more volunteers are needed if current and future youth programs are to be successful. She said that today's youth are smart and can do much more than the low expectations that adults place on them. She wants to help inspire the young people of our community to do great things.

Audience Participation

Jan Tedder- Rogers, 300 Martin Street

Mrs. Jan Tedder-Rogers is the manager of Biggs Park Mall in Lumberton. She volunteered to come to the Heritage Center 3 or 4 times a month to give advice to youth on what an employer expects and how to dress.

Bethany Barnoski, FHS Sophomore

Miss Bethany Barnoski is a sophomore at Fairmont High School. She loves the idea of a dance. She also likes the idea of a career fair and suggested a possible youth lock-in.

Kim Ivey, 600 Mitchell Street

Mrs. Kim Ivey is a member of Oakton Baptist Church. Their church has had prayer walks in Fairmont. On the last Saturday of every month, they have a back yard Bible Club behind Bo's and Food Lion.

Commissioner Charles Townsend

Commissioner Charles Townsend is ready to do more than just talk. He is ready to look for the money to build a Boys and Girls Club for the youth in Fairmont.

Sandra Pridgen, Golf Course Road

Mrs. Sandra Pridgen felt the ideas mentioned tonight are a good start and hopes that action will be taken on them soon. She added that her son would be happy to volunteer and give baseball catching and pitching lessons when the weather turns warm.

Steven Marshall, FHS Sophomore

Mr. Steven Marshall, sophomore at Fairmont High School, used to participate in the Fairmont Police Explorers program that ended last year. He would like to see that program start back up.

Bridgit Bass, Old Stage Road

Ms. Bridgit Bass mentioned that not every child is interested in baseball or basketball. She suggested turning the vacant lot across the street from Heather's (corner of Cottage and Walnut Street) into a skate park. There is no skate park in this part of the state and it could draw kids from other areas as well. Her son suggested that a wall in town be designated just for graffiti art as a way for kids to express themselves.

Monte McCallum, Business Owner

Mr. Monte McCallum owns a business in downtown Fairmont. He is working toward getting a youth center in Fairmont. He suggested that some of the empty buildings in town could be turned into a small arcade or pool room. He volunteered his time to help with the youth and to pay the cost of the DJ and refreshments at the first youth dance.

Jeremy Jones, Student

Mr. Jeremy Jones would like to see a Boys and Girls Club with tutoring and a computer lab. He even suggested a YMCA with a swimming pool.

Angie Lovin, Business Owner

Mrs. Angie Lovin suggested communicating with local churches as a way to help spread the word about youth activities and get adult volunteers.

Rev. Chester Hopkins, Pastor, First Baptist North Main

Rev. Chester Hopkins is the Pastor of First Baptist Church on North Main Street. He said his church is willing to partner with the town on youth activities. He suggested focusing on the young men in the community.

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Huel Faulk, 106 Jenkins Street

Mr. Huel Faulk suggested an X-Box or similar video game tournament with trophies.

Recommendations/Suggestions

Short Term Goals:

Mayor Kemp realizes that we cannot build a youth center right away. He suggested a short term goal of a Valentine's Day Dance on February 12 in the Fire Hall or other suitable location with a cost of \$2.00 to get in to cover the cost of the DJ and food. He said that dances could easily be done on a regular basis as long as there are enough adult volunteers to chaperone. Another short term goal is creating a Fairmont Youth Council, whose main responsibility will be coming up with activities for the youth in town. Finally, better communication will be the key to getting youth to participate and voice their concerns. Mayor Kemp will form a youth group email list to insure good communication.

Mayor Kemp announced that the next free movie in the Heritage Center will be Friday, January 29 at 7:00 p.m.

Mayor Kemp announced that another Youth Forum would be held on April 13. The forum ended at 8:35 p.m.

Jennifer H. Larson, CMC
Town Clerk

Regular Meeting – January 19, 2010

The Fairmont Board of Commissioners held their regular meeting on Tuesday, January 19, 2010 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, Wade Sealey, Charles Townsend, and Perry Ashley. Staff present included Town Manager Blake Proctor, Town Clerk Jenny Larson, Town Attorney Robert Price, Interim Public Safety Director Danny Parker, Finance Director Linda Vause, Public Works Director Ronnie Seals, and Recreation Director Mickey Williamson. Others in attendance included Brittany Wade, Jeremy Baldwin and about 11 citizens.

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 and civil rights as well as brotherhood qualities at their schools. They are Anthony Ford of Rosenwald Elementary School, Brittany Wade of Fairmont Middle School and Jeremy Baldwin of Fairmont High School.

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

Mayor Kemp recognized the firefighters who volunteered to help with the “Santa Visits the Kids” program held on Christmas Eve.

Approval of Agenda

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

Public Comment Period/Citizens Appearance

There was no public comment this month.

Consent Agenda

Commissioner McCree asked that the minutes be amended to include comments by Town Manager Blake Proctor and Town Attorney Rob Price concerning the gaming ordinance. Upon motion by Commissioner Townsend, and seconded by Commissioner Sealey, it was unanimously voted to adopt the following consent agenda item as amended:

- a. Approval of Minutes – Regular Meeting, December 15, 2009

Old Business

Agreement for Professional Services with The Wooten Company for CDBG-R Housing Recovery Project.

Mr. Proctor informed the board that The Wooten Company wrote the application for the CDBG-R and the agreement just makes everything official. Commissioner Lennon made a motion to accept the Agreement for Professional Services with The Wooten Company for the CDBG-R Housing Recovery Project. Commissioner Townsend seconded the motion and it passed unanimously. A copy of the agreement is hereby incorporated by reference and made a part of these minutes.

Ordinance 09-128 – Adopting the CDBG-R Project Ordinance for the Fairmont Housing Recovery Project.

Mr. Proctor stated this ordinance is a required document for the CDBG-R project. Commissioner Lennon made a motion to adopt Ordinance 09-128 – Adopting the CDBG-R Project Ordinance for the Fairmont Housing Recovery Project. Commissioner Leak-McKenzie seconded the motion and it passed unanimously. A copy of the ordinance is hereby incorporated by reference and made a part of these minutes.

Resolution 09-11 – Providing Community Development Code of Conduct and Conflict of Interest Policy for CDBG 09-R-1961, the Fairmont Housing Recovery Project.

Mr. Proctor informed the board this resolution is a required document for the Division of Community Assistance. Commissioner Lennon made a motion to adopt Resolution 09-11 – Providing Community Development Code of Conduct and Conflict of Interest Policy for CDBG 09-R-1961, the Fairmont Housing Recovery Project. 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 09-12 – Approving and Adopting the Program Manual for Fairmont FY 2009 Housing Recovery CDBG program.

Mr. Proctor stated this resolution authorizes the manager and clerk to execute grant related documents. Commissioner Lennon made a motion to adopt Resolution 09-12 – Approving and Adopting the Program Manual for Fairmont FY 2009 Housing Recovery CDBG program. 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.

New Business

Corps of Engineers meeting on Old Field Swamp.

Mr. Proctor met with representatives of the Army Corps of Engineers last week to discuss dredging the Old Field Swamp. The representatives were impressed with the clean canal. They will write up a report that can be taken to U.S. Congressman Mike McIntyre to request authorization to dredge the swamp. There is a possibility the town can rent the heavy equipment needed to do the work from Robeson Community College and use their students to operate them. Mr. Proctor said the town would have to go almost to Hog Swamp in order to dredge properly and improve drainage conditions. Commissioner McCree asked if the Corps of Engineers would assist with the beaver problem. Mr. Proctor replied that the beaver dams are still the town's problem. He estimates there are over 200 beavers and 40 dams in the swamp area.

Consideration of removal of traffic light at intersection of Walnut and Center Streets.

Mr. Proctor did some research and discovered that the NCDOT refused to remove the traffic light at the intersection of Walnut and Center Streets because of the line of sight problems created by Big Brick Warehouse. Mr. Proctor is going to ask the DOT if they would consider changing the timing on the traffic light instead so it would not stay green so long on Walnut Street when traffic is on Center Street.

Mayor Input

Mayor Kemp announced the town's downtown application for the National Historic Register will be considered on February 11. Mayor Kemp asked Mr. Proctor to revisit the sign ordinance and present it to the board at the February meeting.

Mayor Kemp announced the RCMA meeting would be Tuesday, January 26 at 7:00 p.m. in Parkton.

Mayor Kemp announced there will be a Census Forum on Tuesday, February 2 at 7:00 p.m. in the Heritage Center.

Mayor Kemp stated there will be a meeting for downtown business owners on Wednesday, February 3 to discuss how the National Historic Register can benefit their properties.

Mayor Kemp appointed Ms. Carol King to the Robeson County Recycling Committee.

Commissioners Input

Commissioner Ashley asked if the town could apply for a grant to replace failing sewer lines. Mr. Proctor replied the town would've had to spend \$220,000 to have a shovel ready project for stimulus funds and since the grant was competitive the board did not want to spend money on a project that was not guaranteed to be funded. Mr. Proctor is planning to talk to the Rural Center to see if they can help get some funding to repair the worst sewer lines in town. Commissioner Townsend requested Mr. Proctor present some action plan options at the February board meeting.

Commissioner Sealey mentioned he has been approached by several entities who want to bid on providing the town's next audit.

Manager Input

There was no Manager Input this month.

Announcements

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

Monday, January 25 and Tuesday January 26 - Schools closed for teacher workdays.

Friday, January 29 - Perdue Farms Job Fair, 10:00 a.m. to 12:00 noon in the Courtroom.

Friday, January 29 - FREE MOVIE, 7:00 p.m., Heritage Center.

Tuesday, February 2 - Census Forum, 7:00 p.m., Heritage Center

Saturday, February 6 - Baseball sign-up, 10:00 a.m. to 12:00 p.m., Town Hall Courtroom.

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

Tuesday, February 9 - Pride in Fairmont Ceremony, 7:00 p.m., Heritage Center.

Friday, February 12 - Sweetheart Party for the residents of Greenbriar with Mayor Kemp and the Festival Queens, 3:30 p.m.

Saturday, February 13 - Senior Bingo/Sweetheart Party, 1:00 to 3:00 p.m., Heritage Center.

Saturday, February 13 - Baseball sign-up, 10:00 a.m. to 12:00 p.m., Town Hall Courtroom.

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

Thursday, February 18 - The Fairmont Recreation Department is sponsoring an AARP Driver Safety Program. The cost is \$14 (AARP Member \$12) on Thursday, February 18 from 12:30 to 4:30 p.m. in the Fire Hall. Some insurance companies will give you a discount with program certificate. For more information or to sign up, contact Instructor Acenath Herring at 628-8978 or Mickey Williamson at 628-988.

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 6:37 p.m.

Jennifer H. Larson, CMC
Town Clerk

Regular Meeting – February 16, 2010

The Fairmont Board of Commissioners held their regular meeting on Tuesday, February 16, 2010 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, Wade Sealey, Charles Townsend, and Perry Ashley. Staff present included Town Manager Blake Proctor, Town Clerk Jenny Larson, Town Attorney Robert Price, Interim Public Safety Director Danny Parker, Finance Director Linda Vause, and Recreation Director Mickey Williamson. Others in attendance included Carlyle Gandy, Mande Swisher and about 7 citizens.

Call to Order and Invocation

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

Mayor Presentations

Downtown one step closer to be named on the National Register of Historic Places

Mayor Kemp announced that the state of North Carolina has approved Fairmont's nomination for our downtown to appear on the National Register of Historic Places. The paperwork has been forwarded to Washington, D.C. for final approval.

Introduction of Mande Swisher, Robeson County Ag Tourism Development Agent

Mayor Kemp introduced Mande Swisher, Robeson County Agricultural Extension Tourism Development Agent.

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

Mr. Carlyle Gandy – Gaming Ordinance

Mr. Carlyle Gandy owns the Internet Café on Walnut Street and has been in Fairmont for 3 years. He did not know that the board was debating a gaming ordinance until after it had been adopted. Mr. Gandy said he does not make enough money to cover a privilege license fee of \$1,500 per machine per year. He asked the board to reconsider and lower the fee to a more reasonable and fair rate.

Consent Agenda

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

- b. Approval of Minutes – Regular Meeting, January 19, 2010

Commissioner Lennon asked that any amendments to the minutes be brought back to the board at the next month's meeting for final approval.

Old Business

None

New Business

Ordinance 10-129 – Signs and Signage

Mr. Proctor stated Town Attorney Rob Price wants to make some adjustments to Ordinance 10-129. He asked the board for their input for inclusion in the final ordinance. Commissioner McCree had a problem with the 90 days to comply with the sign ordinance. He wanted to know what the appeal process would be if more time was needed. Commissioner McCree also thought it should be clarified that political signs are not considered prohibited signs. He asked about if a flea market sign nailed to a tree would be in violation of the ordinance. Mr. Proctor replied that a sign on a tree in a person's yard was ok but a telephone pole was not. Commissioner McCree would also like to see specific fines for violation of the ordinance instead of using the general fine ordinance already in place. Commissioner Ashley was concerned about the section prohibiting off premises signs. She pointed out the Fairmont Golf Club sign at the intersection of Walnut Street and Highway 130 Bypass would be in violation if the ordinance passes. Mr. Proctor clarified that the golf course sign is directional and that directional signs are allowed. Commissioner Lennon was not sure why there needs to be an exception and appeals process. Commissioner McCree asked if a business would have to pay an additional \$25 zoning fee for a directional sign and Mr. Proctor said no. Mr. Proctor and Mr. Price will review the ordinance and suggested changes and will bring it back to the board in March.

Ordinance 10-130 – Revised Sewer Use Ordinance

Mr. Proctor informed the board that state law and DENR is requiring that our current sewer use ordinance be updated. The town's consultant, Nadine Blackwell, wrote the revised ordinance. Town Attorney Rob Price found minor technical problems such as some typos and bad cross references that need to be addressed before the ordinance can be adopted. Mr. Price was also concerned about the stiff penalties and wants to make sure it is required by state statute or just a recommendation from the consultant. The ordinance will be brought back to the board for adoption in March.

Resolution 10-01 – Mosquito Control

Commissioner Lennon made a motion to adopt Resolution 10-01 – Mosquito Control, naming Town Manager Blake Proctor and Public Works Director Ronnie Seals as agents for the town. 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.

Discussion of financing options for Wastewater system repairs.

Mr. Proctor read the following memo verbatim for the record:

“Alternatives for funding sewer collection system improvements

BACKGROUND

As the Board requested during the January 19th meeting, I have been seeking alternative funding sources to assist the Town in resolving our long-standing sewer collection system issues caused by aging lines and manholes: As you know, we have sewer lines in the ground dating as far back as 1914 – that’s going on ninety-six years!

While the majority of the newer lines in our system are PVC plastic pipe with sealed joints, older lines are concrete, and the oldest lines are terra cotta (vitreous clay) pipes, both of the latter very often with no caulking or jointing whatsoever between sections. Additionally, though many of our newer manholes are molded concrete, our oldest are made of bricks and by-now-crumbling mortar. These old lines and manholes are rife with roots, grown thick from the nutrients flowing through the lines.

The problems that are now occurring are both the continual breakdown in lines underneath our streets and the inordinate amounts of rainwater not merely seeping but pouring into our old lines and manholes, and thence making its way to our new high-tech sewer plant, reducing the efficiency and increasing operating costs of the plant itself.

POSSIBLE SOURCES OF FUNDING

I am sure that this is not an exhaustive listing of prospective funding sources; however, they are generally the most available and most easily obtained programs:

1. Community Development Block Grants (CDBGs) – These are highly competitive Federal grants that are usually used to alleviate concentrated housing needs, or to provide assistance for economic development. The Town has recently utilized CDBGs for both purposes. Grants may range up to \$1,000,000 with sizeable matches being required, but generally average \$750,000 for infrastructure projects. Unfortunately, only one open CDBG may be extant in a community at any one time, and we already have a CDBG now for the Old Field Project.

2. Clean Water Management Trust Fund (CWMTF) – This is a State fund to assist communities in need to build water and sewer infrastructure. Governor Perdue has taken all the money from the CWMTF for this year in order to balance the State budget. Expectations are that this program will not be funded in the 2010-2011 Fiscal Year, and perhaps not in FY2011-2012 either. When money becomes available, this is probably our best source of funding, assuming we can wait that long.
3. GoldenLEAF I talked with Pat Cabe – This source may be available for some assistance, although they have not utilized their monies for this type of project in the past; we could try, but GoldenLEAF is at best a long shot for getting funded in the near term, although looking several years out may be doable.
4. North Carolina Rural Economic Development Center (The Rural Center) I talked with Julie Cubeta – These are State monies that the State has so far not unappropriated to balance the budget. Grants of \$500,000 or more are available when and as needed; this is to say that they are NOT competitive formula grants as are CDBGs, although there are certain cut-off dates for applying. It must be remembered that these funds are termed “supplemental” grants, normally used to make funds from other sources go further. They require a match, but the beauty is that this “match” can be the very grant or loan that is being supplemented; in addition, the funds from the Rural Center can be used to match other funding sources.
5. United States Department of Agriculture (USDA Rural Development) I talked with Steve Smith – The USDA is Fairmont’s bestest buddy; but, it can also be a frustrating organization! Rural Development (RD) has both simple loan (or bond issue) projects and combination grant-and-loan projects; these will be discussed below:
 - a. Grant/loan projects, the type the Town would prefer, have certain “self-help” requirements, the most important of which is that, in order to be considered for any grants for sewer line projects, the minimum rate charged our sewer customers must be at least \$32.00 per month. This would entail a 51.6% increase in our current rates which is, of course, completely ludicrous.
 - b. The loan program lends monies for maximum 40-year terms, although shorter terms are available. Rates are currently either 3.25% or, if we qualify, 2.375%; in order to qualify for this lower rate, we would have to have average incomes below 80% of the area Median Household Income; I do know we are close, but USDA would have to do some computations to ascertain if we actually qualify

RECOMMENDATION FOR CONSIDERATION

In order to repair and update the entire sewer collection system in Fairmont will cost upwards of \$5,500,000, a figure that we cannot now afford; however, the very worst of the lines and manholes can be repaired/replaced for anywhere from \$1,000,000 to \$1,500,000.

It goes without saying that the Town will be knocking on the Rural Center’s door to get as much of their “supplemental funding” as we can; let’s say we get the usual maximum of \$500,000, we will need to borrow from \$500,000 to \$1,000,000. Since we are assured of the 3.25% but not the 2.375% as our interest rate, I shall use the higher rate to calculate our payments; the term I’ll use is the 40 year period.

- A. Borrowing \$1,000,000 using the above terms will require \$45,030 annual payments; we can raise that with a monthly sewer base rate increase of \$3.50 to \$24.61..
- B. Alternatively, we can borrow \$550,000 at the above terms, with an annual payment of \$24,767, for a sewer base rate increase of \$2.00 monthly to \$23.11.

Right now, USDA has two “pots” of money – the regular fund and the stimulus fund – that can be tapped. The interest rates are the same either way; unfortunately, the stimulus money expires September 30, 2010, so if we hope to tap into those funds, we need to decide soon. Ladies and gentlemen, the decision is yours.”

Mr. Proctor recommended the \$550,000 loan from USDA and the \$500,000 grant from the Rural Center. Commissioner Lennon asked if the \$5.5 million needed to fix all the sewer lines in town included the cost to repair the roads after the work was done. Mr. Proctor said no, just patching. Commissioner Lennon asked if the repairs would eliminate the storm water runoff. Mr. Proctor replied that it would. Storm water increases the operating costs for the sewer plant because it makes the plant work harder. When the town has a lot of rainfall, the electric bill at the sewer plant goes as high as \$7,200. Commissioner Lennon suggested a referendum to let the people decide. Mr. Proctor worried that voters rarely vote for more fees and taxes and that if the referendum fails it would only put the sewer line repairs further behind schedule. Commissioner McCree pointed out that it would take 40 years to pay back \$1 million and only repair 20% of the town’s bad sewer lines. Commissioner Townsend asked how much money the town would save if the storm water problem was eliminated. Mr. Proctor replied roughly \$25,000 a year. Mr. Proctor emphasized that something needs to be done before more sewer line failures occur like the recent one on Murphy Street that caused sewer to back up into a citizen’s home. Commissioner Townsend asked if there was an emergency fund. Mr. Proctor said yes but the town does not qualify because bad sewer lines are a maintenance problem. Commissioner Sealey made a motion for Mr. Proctor to conduct further research on funding sources for the sewer line repairs and to report back to the board at the March meeting. Commissioner Leak-McKenzie seconded the motion and it passed unanimously.

Mayor Input

Mayor Kemp announced that the Town of Maxton will host the RCMA meeting on Tuesday, February 23 at 7:00 p.m. at the Maxton Freight Building.

Mayor Kemp asked for a Public Hearing at the March meeting to gather citizen input on a possible PARTF grant for recreation.

Commissioners Input

Commissioner Sealey asked Chief Parker to inform him when the Fire Department is going to conduct training in front of his business, so he would not be alarmed that his property is on fire.

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Commissioner Sealey stressed the importance of the 2010 Census since most federal and state funding is based on census results.

Commissioner Lennon was disappointed that more people are not signing up for the Census jobs. Mr. Proctor stated that the basic wages are \$10 an hour and that supervisors can receive \$12 to \$13 an hour.

Commissioner Lennon also does not understand how citizens willingly pay \$1.50 to \$2.00 for one bottle of water in the grocery store but complain that they cannot pay their water bill. He added that a referendum can fail or pass based on how it is sold to the public.

Manager Input

Mr. Proctor announced he has not received a report from the Army Corp of Engineers on the Old Field Swamp.

Mr. Proctor informed the board that the NCDOT plans to do some paving work on Highway 130/Cottage Street.

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

Commissioner Lennon made a motion to go into closed session at 7:20 p.m. to prevent the disclosure of information that is deemed privileged or confidential as determined under General Statute 143-318.10(e) and to discuss personnel and attorney client privilege as permitted under General Statute 143-318.11(a)(3,6). Commissioner Sealey seconded the motion and it passed unanimously.

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

Commissioner Sealey made a motion to come out of closed session at 7:30 p.m. Commissioner Leak-McKenzie 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.

Announcements

Friday, February 26 - Schools closed for teacher workday.

Saturday, February 27 - Baseball sign-up, 10:00 a.m. to 12:00 p.m., Town Hall Courtroom.

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Tuesday, March 2 - NC Small Town Main Street meeting, 6:00 p.m., Courtroom.

Wednesday, March 3 - Fairmont Youth Council, 5:15 p.m., Courtroom.

Saturday, March 6 - ABSOLUTELY LAST DAY FOR Baseball sign-up, 10:00 a.m. to 12:00 p.m., Town Hall Courtroom. All fees must be paid and birth certificate copies turned in by this date.

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

Monday, March 8 - Second Annual Chamber Boil, 6:00 p.m., Fairmont Civitan Hut. Tickets are \$15 for Chamber members and \$20 for non-Chamber members.

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

Wednesday, March 17 - Fairmont Youth Council, 5:15 p.m., Courtroom.

Saturday, March 27 - Fairmont Presbyterian Springfest, 9:00 a.m. to 1:30 p.m. in the church fellowship hall.

Saturday, March 27 - Fairmont Easter Egg Hunt, 10:00 a.m., Fairmont Community Park. Sponsored by the Fairmont Recreation Department.

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 7:32 p.m.

Jennifer H. Larson, CMC
Town Clerk

Regular Meeting – March 16, 2010

The Fairmont Board of Commissioners held their regular meeting on Tuesday, March 16, 2010 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 Perry Ashley. Commissioner Wayland Lennon, III was absent but participated by telephone. Staff present included Town Manager Blake Proctor, Town Clerk Jenny Larson, Town Attorney Robert Price, Interim Public Safety Director Danny Parker, Public Works Director Ronnie Seals, Finance Director Linda Vause, Deputy Fire Chief James Thompson, Leon Jacobs, Lt. Steve Williams and Recreation Director Mickey Williamson. Others in attendance included Patricia Crissman and about 18 citizens.

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 but was participating by telephone.

Mayor Input

Presentation to Lt. Steve Williams

Chief Danny Parker presented Lt. Steve Williams with his Level 2 Firefighter Certification.

Public Input on Parks and Recreation needs – reuse of old Head Start Building

Ms. Patricia Crissman, of The Wooten Company, was present to gather public input on Parks and Recreation needs, specifically the reuse of the old Head Start Building. Mr. Maurice Townsend would like to have a facility for after school tutoring, career days and college fairs. Ms. Gloria Currie would like a place for youth to get training on how to dress and interview for jobs. Ms. Marilyn Moore Williams would like a location that is both recreational and educational. Ms. Kim Ivey would like a place with separate rooms for recreation and tutoring. Commissioner Leak-McKenzie agreed with the citizens that a facility for the youth is needed to guide them in the right direction and give them leadership tools for the future.

Ms. Crissman explained that a PARTF grant is a statewide competitive grant with a 50/50 match. It is a reimbursement program which means that the grantee must spend the money on the project first. The grant can be used to purchase, develop or renovate an existing space. The grant's focus is parks and recreation and any building must be dedicated for recreational use only. The next round of grant applications is due January 2011.

Approval of Agenda

Commissioner Townsend asked that closed session be added to the agenda to discuss personnel. Commissioner Sealey 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

Commissioner Ashley asked that “Capps” be changed to “Ashley” on page 6 of the minutes. Commissioner Lennon requested the word “complaint” be changed to “complain” on page 6 of the minutes. Upon motion by Commissioner Townsend, and seconded by Commissioner Leak-McKenzie, it was unanimously voted to adopt the following consent agenda item as amended:

- c. Approval of Minutes – Regular Meeting, February 16, 2010

Old Business

Sewer Line project update

Town Manager Blake Proctor informed the board that no alternative funding sources are available. He read the following memo for the record:

“I met last week with Bill Lester from Hobbs, Upchurch, and one of the items we discussed was the condition of the Town’s sewer lines. I reiterated the \$5,500,000 figure that Kevin Lindsey gave me, and Bill said that was to do a COMPLETE rebuild of the entire system, good as well as bad. He opined that to replace those sections of sewer that are the major cause of the Inflow and Infiltration (I & I) should cost no more than \$2,750,000.

As an aside, please recall that the estimate for the Old Field drainage project was 50% higher than the actual cost; the estimate for the Trinity Street drainage was more than twice the actual cost; and the Pine-and-Holly drainage project cost merely 10% of the estimate. The same engineer who made these estimates made the sewer rehab estimate.

The Law of Diminishing Returns

It was agreed that the Law of Diminishing Returns would probably prevail in this instance: This Law basically states that almost two-thirds of the problem can be fixed with the first third of the funds; about half that amount can be fixed with the second third of the funds; and the remainder can be fixed with the last third of the funds. In the context of our sewer problem, this means that the first \$1,000,000 would fix the first 60% of the Inflow & Infiltration; the next \$1,000,000 would fix the next 30% of the I & I; and the last \$275,000 will fix the last 10% or so.

Therefore, by targeting the very worst lines, the Town can repair and rehab almost two-thirds of the I & I problem with merely a third of the Total that would be required.

Some Savings from Fixing the I & I

UTILITIES - In May, 2009, we had 12.8 inches of rain; the corresponding electric bills for the two largest system energy users (the sewer plant and the Brown Street lift station) had bills of \$5,810 and \$2,263, respectively, for a total of \$8,073. For the month of April, we had 1.6 inches of rain and bills of \$4,919 and \$1,242 respectively, for a total of \$6,161. Furthermore, later in the summer after several successive dry months of from 2.2 inches to 3.7 inches, we had a \$5,285 plant bill (which included Fair Bluff for the first time) and a \$673 lift station bill for a total of \$5,958. Ladies and gentlemen, as you can see, when there is no I & I flowing to the plant, the Town saves as much as \$2,000 from when it is wet; annually, this could be savings of from \$15,000 to \$25,000! And this does not even include the several smaller lift stations we have around town that also have to work less efficiently in wet weather.

MAINTENANCE – With lines growing older and more fragile, collapses and other line breaks will become more frequent. Historically, these breaks occur after working hours, thereby necessitating callouts and overtime, consuming many thousands of scarce fiscal resources; again, historically, these breaks also require up to ten hours each to repair. The overtime costs alone are in the many hundreds of dollars per occurrence.

INSURANCE – In certain instances – for example, Mrs. Conner on Murphy Street – the breaks cause damage within homes. The repairs for these damages are covered under our insurance; however, we have \$5,000 deductible for this type of coverage. Just five such occurrences would cost \$25,000 in deductibles!

Reducing these real costs means, of course, that once the savings begin to be realized, the \$2.00 add-on to base sewer could be gradually removed, until the system savings are actually paying for themselves. In fact, the savings should be even greater since even in dry periods, groundwater seeps into the system; this would mostly be fixed with the system rehabs and upgrades.”

Public Works Director Ronnie Seals warned the board that the longer we wait, the more expensive it will be to repair the sewer lines. He told them the sewer line on Murphy Street has been patched 9 times at a cost of \$1,000 per patch and the street is only 600 feet long. Commissioner Lennon asked if the I & I problem was the reason for fixing the lines or just one of the issues. Mr. Proctor replied I & I problems are a major cost factor in addition to the failing lines. Storm water runoff makes the sewer plant work harder and causes up to a 50% decrease in efficiency. After discussion, the board directed Mr. Proctor to contact Mr. Bill Lester with Hobbs, Upchurch & Associates to get an amount on how much an engineering study would cost before proceeding with the sewer line project.

New Business

Ordinance 10-131 – Computer Gaming Establishments in Fairmont’s ETJ.

Mr. Proctor read Ordinance 10-131, Computer Gaming Establishments in Fairmont’s ETJ:

“AN ORDINANCE OF THE TOWN OF FAIRMONT, ROBESON COUNTY, NORTH CAROLINA, AMENDING CHAPTER 115, COMPUTER GAMING ESTABLISHMENTS, OF TITLE XI, BUSINESS REGULATIONS, OF THE FAIRMONT CODE OF ORDINANCES TO BE IN EFFECT WITHIN THE TOWN’S EXTRATERRITORIAL JURISDICTION; AND ESTABLISHING AN EFFECTIVE DATE.

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

Section 1. That Section 115.06, Allowable Locations, of Chapter 115, Computer Gaming Establishments, of Title XI, Business Regulations, of the Fairmont Code of Ordinances, is hereby amended to read in its entirety as follows: :

“§ 115.06 ALLOWABLE LOCATIONS.

- A. Computer Gaming Establishments shall be limited to the following zoning districts and no others:
 - 1. CB – Central Business
 - 2. GB – General Business
 - 3. NB – Neighborhood Business
 - 4. R5 – Residential, by Conditional Use permit only
- B. Exception for National Register location:
 - 1. Notwithstanding the above, Computer Gaming Establishments shall not be allowed in the area designated as “Historic Downtown Fairmont.”
 - 2. Any such establishments in existence in this overlay district on the effective date of its designation on the National Register of Historic Places by the US Department of the Interior shall be required to relocate out of said district within twelve (12) months following such National Register designation.
- C. The regulations encompassed within this Chapter shall be in full force and effect within all areas of the Extraterritorial Jurisdiction of the Town.
- D. In all zoning districts where Computer Gaming Establishments are authorized, they may not be placed within 250 feet of any church, or of any public or private school, or of any licensed day care facility.”

Section 2. This ordinance shall become effective immediately upon its adoption.”

Mr. Proctor explained the purpose of this ordinance is to extend the zoning regulations for Computer Gaming Establishments to Fairmont’s ETJ. Any gaming business located in the ETJ would not have to pay the privilege license fee. The zoning regulations prevent a gaming establishment from opening next to a school, church or day care facility. Mr. Proctor asked the board to amend the ordinance to add the word “zoning” in front of “regulations” in section C.

After discussion by the board, Commissioner Lennon made a motion to adopt Ordinance 10-131, Computer Gaming Establishments in Fairmont's ETJ with an amendment to add the word "zoning" in front of "regulations" in section C. Commissioner Sealey seconded the motion and it passed unanimously. A signed copy of this ordinance is hereby incorporated by reference and made a part of these minutes.

Time limited parking on Main Street

Mr. Proctor read the following memo that was given to downtown businesses on parking for the record:

"As I am sure you are aware, over the last three years the Town has been promoting and sprucing up our downtown area: We've had the street resurfaced; we've got new "antique-look" street lights; we've made parks out of the two openings where buildings had been torn down; and perhaps most significantly from a traffic and pedestrian standpoint, we have placed our community center in downtown. We also installed security lighting in the alleys and parking lots behind each side of Main Street.

We are in the process of getting designated on the National Register of Historic Places as a historic district (this should be by April), by which time, we will have street banners as well as special street name signs erected.

The idea behind all this activity is of course, to generate greater business traffic – both vehicular and pedestrian – for the benefit of our business community, and it certainly seems to be working!! Did you know that just four short years ago, there were 19 vacant storefronts in downtown; but, this has now been reduced to nine. We have seen an increase in auto traffic of at least 25% since 2006, with a substantial increase in foot traffic to go along with that.

This means more cars are parking on Main Street. Four years ago, we NEEDED business people to park on Main to make it look like there was a lot of business going on. Now, we DO have that business going on, so we need every available space for our customers to use so they can visit YOUR STORES!!

I'm sending this Memorandum to each of you, hand delivered by your friendly neighborhood police officer during his foot patrol, to ask that you and your employees PLEASE park in the rear of your stores instead of in front. We put those lights up in the alleys for your safety and convenience and that of your employees. So, let's keep the on-street parking spaces free for your customers."

Mr. Proctor informed the board that there are 2 hour parking signs in front of Fairmont Department Store and on Thompson Street. He is working on an ordinance for the April board meeting to designate two hour parking limits on Main Street. Commissioner Townsend was concerned that the town does not have enough police officers to go around marking tires and enforcing parking.

Discussion on Ethics training webinar

Mayor Kemp encouraged the board to sign up for the free ethics training being provided by the LRCOG on Tuesday, March 30 in the LRCOG Conference Room in Pembroke from 2:00 to 4:00 p.m. or 6:30 to 8:30 p.m. All elected officials must complete this training by January 1, 2011 as required by state law. Mr. Proctor canceled the budget “druthers” meeting scheduled for the same day because the ethics training takes precedence.

Commissioners Input

There was no Commissioner Input this month.

Manager Input

Mr. Proctor announced that a new Budget Calendar for FY 2010-2011 will be sent out as soon as the “druthers” meeting is rescheduled.

Mr. Proctor announced that he will meet with Town Attorney Rob Price next week to make needed corrections to Ordinances 10-129 and 10-130 and that both ordinances will be on the April agenda.

Mr. Proctor named Danny Parker as the new Public Safety Director effective April 1, 2010. Chief Parker thanked the board for the opportunity to serve Fairmont. He has worked for the town for 17 years and has always loved Fairmont.

Closed Session - Personnel GS 143-318.11(a)(6)

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

Mayor Kemp, Commissioners Sealey, Leak-McKenzie, McCree, Townsend and Ashley along with Rob Price, Blake Proctor and Jenny Larson were in attendance during closed session. Commissioner Lennon participated by telephone.

Commissioner Townsend made a motion to come out of closed session at 7:42 p.m. Commissioner Sealey seconded the motion and it passed unanimously. Mayor Kemp announced that personnel had been discussed as permitted under General Statute 143-318.11(a)(6) and that no action was taken.

Announcements

Wednesday, March 17 - Fairmont Youth Council, 5:15 p.m., Courtroom.

Friday, March 19 - FREE MOVIE – The Fantastic Four, 7:00 p.m., Heritage Center. Free popcorn.

Friday, March 26 - Rosenwald Elementary School Kindergarten registration, 8:30 a.m. until 1:30 p.m.

Friday, March 26 - "Spring Fling" Teen Dance, 8:00 to 11:00 p.m., Heritage Center.

Saturday, March 27 - Fairmont Presbyterian Springfest, 9:00 a.m. to 1:30 p.m. in the church fellowship hall.

Saturday, March 27 - Fairmont Easter Egg Hunt, 10:00 a.m., Fairmont Community Park. Sponsored by the Fairmont Recreation Department.

Sunday, March 28 - Fairmont Woman's Club Turkey Dinner, 11:00 a.m. to 1:30 p.m., Fairmont High School Cafeteria. Plates \$7

Friday, April 2 - Town offices closed for Good Friday/Easter.

Friday, April 2 - Friday, April 9 - Schools closed for Spring Break.

Saturday, April 3 - Senior Bingo & Easter Fashion Show, 12:00 to 2:00 p.m., Heritage Center.

Tuesday, April 6 - NC Small Town Main Street meeting, 6:00 p.m., Courtroom.

Monday, April 12 - Fairmont Chamber of Commerce, 6:00 p.m., Border Belt Museum.

Tuesday, April 13 - NCDMV Mobile Driver's License Unit, 10:30 a.m. to 4:30 p.m.

Saturday, April 17 – Fairmont Womanless Pageant sponsored by the Fairmont Farmers Festival Queens. Spaghetti dinner, 6:00 p.m. Pageant, 7:00 p.m. Tickets \$5.00 for the meal and \$5.00 for the pageant. Proceeds benefit Relay for Life.

Saturday, April 17 - Robeson County Hall of Fame Induction of past Fairmont Coach Leroy Vaughn, 6:00 p.m., UNC-Pembroke Annex.

April 17 to May 1 - Spring Litter Sweep and clean up weeks.

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

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Wednesday, April 21 - Fairmont Youth Council, 5:15 p.m., Courtroom.

Friday, April 23 and Saturday, April 24 - Robeson County Relay for Life, Lumberton Senior High School. Starts at 12:00 noon on Friday.

Saturday, April 24 - Kids Day, Floyd Strawberry Farm, 10:00 a.m. to 2:00 p.m.

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 7:45 p.m.

Jennifer H. Larson, CMC
Town Clerk

Special Meeting – March 30, 2010
Ethics Training Webinar

A quorum of the Fairmont Board of Commissioners attended a special meeting on Tuesday, March 30, 2010 at 2:00 p.m. in the Lumber River Council of Governments Conference Room in Pembroke, North Carolina. Mayor Charles Kemp and Commissioners J.J. McCree, Charles Townsend, Wade Sealey and Carol Leak-McKenzie attended the meeting. The purpose of the special meeting was to attend an Ethics Training webinar provided by the UNC School of Government. The ethics training for local government officials is required by state law. The meeting ended at 4:00 p.m.

Commissioners Perry Ashley and Wayland Lennon, III also took the required ethics training but at different locations and times.

Jennifer H. Larson, CMC
Town Clerk

Regular Meeting – April 20, 2010

The Fairmont Board of Commissioners held their regular meeting on Tuesday, April 20, 2010 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 Perry Ashley. Commissioner Wayland Lennon, III was out of town on business and participated by telephone. Staff present included Town Manager Blake Proctor, Town Clerk Jenny Larson, Town Attorney Robert Price, Public Works Director Ronnie Seals, Finance Director Linda Vause, Major David Windom and Recreation Director Mickey Williamson. Others in attendance included Bill Lester, Ashton Slate and John Charles Robbins.

Public Hearing – CDBG-R Amendment

The public hearing opened at 6:00 p.m. Ashton Slate, with The Wooten Company, explained the purpose of the public hearing was to make an amendment to the Old Field CDBG-R project site. Mr. Slate explained that one tenant-occupied unit has become beyond repair since the original grant application. The amended project calls for two units to be cleared instead of one, relocating 2 households and rehabilitating 8 units. Commissioner McCree asked Mr. Slate to explain what the “R” stands for in CDBG-R. Mr. Slate stated the “R” stands for “recovery” from the federal stimulus funds. This grant requires no match and is for \$500,000. The hearing was closed at 6:05 p.m.

Call to Order and Invocation

Mayor Charles Kemp called the meeting to order at 6:05 p.m. and gave the invocation. He announced that Commissioner Lennon was out of town on business and attending by telephone. He thanked the board and town staff for their expressions of sympathy following the passing of his wife, Laura. He announced that Fairmont’s downtown is now officially listed on the National Register of Historic Places.

Approval of Agenda

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

Public Comment Period/Citizens Appearance

There was no public comment this month.

Consent Agenda

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

- a. Approval of Minutes – Regular Meeting, March 16, 2010 and Special Meeting, March 30, 2010.
- b. Advertise 2009 delinquent taxes in the Robesonian the week of May 17, 2010.

Old Business

Sewer Line project update.

Mr. Bill Lester with Hobbs, Upchurch & Associates informed the board that the completion of a Preliminary Engineering Report is a mandatory requirement to proceed with most all funding sources. The Preliminary Engineering Report will address the collection system and designate necessary improvements. It will also include the required environmental assessment for the project. The cost for the report will not exceed \$20,000 and is reimbursable through grant and loan funds. Mr. Lester said obtaining a combination grant/loan from USDA Rural Development is the best funding source for the sewer line project. Based on the median household income, Fairmont would automatically qualify for a 45% grant and depending on the sewer rate, the town could get up to a 75% grant. The NC Rural Center could supplement the USDA grant/loan. Another source of funding is the Clean Water Management Trust Fund. Commissioner McCree wanted to know if federal funds could be used to repair/replace the sewer lines if a hurricane hits and the town is declared a disaster area. Mr. Lester said that lines directly damaged by a hurricane could be repaired but reminded the board that most sewer lines are underground and unlikely to be damaged. Commissioner Lennon asked where the money to fund the study would come from. Mr. Proctor replied that it would come from the water and sewer fund. Commissioner Lennon made a motion for Hobbs, Upchurch and Associates to conduct an Inflow and Infiltration Improvements Preliminary Engineering Report with a fee not exceeding \$20,000. Commissioner Townsend seconded the motion and it passed unanimously.

CDBG-R – approval of amendment to project site.

The amended CDBG-R project calls for two units to be cleared instead of one, relocating 2 households and rehabilitating 8 units. Commissioner McCree made a motion to approve the amendment to the Old Field CDBG-R project site. Commissioner Leak-McKenzie seconded the motion and it passed unanimously.

Ordinance 10-130 – Revised Sewer Use Ordinance

Mr. Proctor explained the revised sewer ordinance is required by DENR. Town Attorney Rob Price and Mr. Proctor reviewed the ordinance and made all needed corrections. Mr. Price added the penalty provisions are the only substantial change. Commissioner Lennon made a motion to adopt Ordinance 10-130 – Revised Sewer Use Ordinance. Commissioner Townsend seconded the motion and it passed unanimously. A signed copy of this ordinance is hereby incorporated by reference and made a part of these minutes.

New Business

Resolution 10-2 – Authorizing the Sale of Certain Personal Property at Public Auction, 1984 Ford Rollback.

Mr. Proctor asked the board for authorization to sell the Police Department's rollback because it is rarely used and no one on the Police Department can operate it. He would like to sell it at auction because several people have shown interest in it. The bidding would start at \$4,000. Commissioner Townsend made a motion to adopt Resolution 10-2 – Authorizing the Sale of Certain Personal Property at Public Auction, 1984 Ford Rollback. Commissioner Sealey seconded the motion and it passed unanimously. A signed copy of this resolution is hereby incorporated by reference and made a part of these minutes.

Acceptance of \$25,000 donation from the Fairmont Development Corporation for construction of the "Pavilion in the Pines"

Mayor Kemp and Public Works Director Ronnie Seals discussed the need for a performance area in the Fairmont Community Park back in June 2009. Mayor Kemp began a fundraising effort to build a 40 x 40 concrete floor, brick foundation, metal building dubbed "Pavilion in the Pines." Mr. Mickey Williamson, President of the Fairmont Development Corporation, stated their board of directors voted to donate \$25,000 toward the construction costs with the stipulation that the structure be named "Fairmont Development Corporation Pavilion in the Pines." Commissioner Townsend made a motion to accept the \$25,000 donation from the Fairmont Development Corporation for construction of the "Fairmont Development Corporation Pavilion in the Pines". Commissioner Ashley seconded the motion and it passed unanimously. Commissioner Sealey refraining from voting due to his connections with the Fairmont Development Corporation.

Request to donate two undeveloped properties to the Town.

Mr. Proctor informed the board that he received requests from two real estate companies to donate two undeveloped wooded properties to the town. The first property is 2.0 acres and is located on the southwest corner of South Main Street and Halsey Street. The assessed value prior to revaluation is \$10,000 and annual taxes are \$69.00. The second property is 0.27 acres and is located on North McMillan Drive. The assessed value prior to revaluation is \$3,000 and annual taxes are \$20.70. Mr. Price suggested doing a title search or doing a tax foreclosure if the town wants the property. Commissioner Lennon made a motion to not accept the property but the motion died for lack of a second. Commissioner Sealey made a motion to table the donation of two undeveloped properties to the Town until the May board meeting. Commissioner McCree seconded the motion and it passed unanimously.

Ordinance 10-132 – FY 2009-2010 Budget Amendments

Mr. Proctor explained the Local Government Commission wants to see an amended budget for 2009-2010 before the end of the fiscal year. The General Fund was increased from \$1,789,500 to \$1,848,454. The Powell Bill Fund was reduced from \$127,700 to \$125,997. The Water/Sewer Fund was increased from \$1,078,250 to \$1,129,320. Commissioner Sealey made a motion to adopt Ordinance 10-132 – FY 2009-2010 Budget Amendments. Commissioner Townsend seconded the motion and it passed unanimously. A copy of this ordinance is hereby incorporated by reference and made a part of these minutes.

Mayor Input

Mayor Kemp announced the next RCMA meeting will be hosted by the City of Lumberton on Tuesday, April 27 at 7:00 p.m. at Adelio's Restaurant.

Mayor Kemp has run into problems discovering who the true owner of the old Head Start Building is.

Commissioners Input

Commissioner Townsend announced that a grant was awarded by Robeson Health Care for summer youth activities.

Manager Input

Mr. Proctor invited the board to ride with him to the RCMA meeting next Tuesday.

Announcements

April 17 to May 1 - Spring Litter Sweep and clean up weeks.

Wednesday, April 21 - Fairmont Youth Council, 5:15 p.m., Courtroom.

Friday, April 23 and Saturday, April 24 - Robeson County Relay for Life, Lumberton Senior High School. Starts at 12:00 noon on Friday.

Saturday, April 24 - Kids Day, Floyd Strawberry Farm, 10:00 a.m. to 2:00 p.m.

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

Tuesday, May 4 - N.C. Small Town Main Street meeting, 6:00 p.m., Courtroom.

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Wednesday, May 5 - Fairmont Youth Council, 5:15 p.m., Courtroom.

Thursday, May 6 - National Day of Prayer.

Saturday, May 15 - MAYFEST, Fairmont Community Park, 12:00 noon.

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

Thursday, May 20 - Fairmont Chamber of Commerce 2nd Annual Beach Bash, 5:30 to 9:00 p.m. at the Fairmont Golf Club featuring the beach music of The Holiday Band. This event is FREE and open to the public.

Saturday, May 22 - Rogers' Screen Printing & Sporting Goods Golf Tournament to support St. Jude Children's Research Hospital, 12:00 noon, Fairmont Golf Club. (Rain Date: May 29)

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 7:00 p.m.

Jennifer H. Larson, CMC
Town Clerk

Regular Meeting – May 18, 2010

The Fairmont Board of Commissioners held their regular meeting on Tuesday, May 18, 2010 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 Perry Ashley. Commissioner Carol Leak-McKenzie was absent due to personal family matters. Staff present included Town Manager Blake Proctor, Town Clerk Jenny Larson, Town Attorney Robert Price, Public Works Director Ronnie Seals, Finance Director Linda Vause, Public Safety Director Danny Parker and Recreation Director Mickey Williamson. Others in attendance included John Charles Robbins, Pastor David Pool, Pastor Monique Ray and about three citizens.

Public Hearing – USDA Rural Development grant/loan for police cars

The public hearing opened at 6:00 p.m. The purpose of the public hearing is to discuss a proposed \$148,500 grant and a \$46,500 loan from USDA Rural Development for the purchase of seven new police cars. Town Manager Blake Proctor said the 75% grant and 25% loan would require an annual payment of \$9,500 for 5 years. The town currently budgets \$23,000 for vehicle maintenance. Commissioner Sealey asked if the cars were being purchased with extended warranties and Mr. Proctor said no. There was no public comment and the hearing was closed at 6:05 p.m.

Call to Order and Invocation

Mayor Charles Kemp called the meeting to order at 6:05 p.m. Mayor Kemp announced that Commissioner Leak-McKenzie was absent tonight attending to family matters. Mayor Kemp recognized Pastor David Pool who introduced Pastor Monique Ray. Pastor Ray's church is called In His Hands Ministry and is located on 712 N. Main Street. Pastor Ray invited everyone to a free community cookout on Saturday, June 5. Mayor Kemp gave the invocation.

Approval of Agenda

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

Public Comment Period/Citizens Appearance

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:

- d. Approval of Minutes – Regular Meeting, April 20, 2010.
- e. Set Public Hearing for Fiscal Year 2010-2011 Budget for June 15, 2010 at 6:00 p.m. in the Council Chambers.
- f. Urgent Repair Program 2010 – Approval of Assistance, Procurement and Disbursement Policies.

Old Business

Request to donate two undeveloped properties to the Town.

Commissioner Sealey researched the benefit of cutting the timber on the lots but said the trees were at least 10 years away from being ready. Commissioner Lennon made a motion to not accept the two undeveloped properties being offered to the town. Commissioner Sealey seconded the motion and it passed unanimously.

Ordinance 10-129 – Chapter 96, Signs.

Mr. Proctor gave an overview of Ordinance 10-29, adding Chapter 96, Signs:

“Be it ordained by the Board of Commissioners of the Town of Fairmont, North Carolina, as follows

Section 1. That Title IX, General Regulations, of the Fairmont Code of Ordinances, is hereby amended by adding thereto a new Chapter 96, Signs and Signage, to read in its entirety as follows:

“CHAPTER 96 - SIGNS

§§ 96.01 - 96.50. RESERVED

§ 96.51. STATEMENT OF INTENT AND DEFINITION

- A. The intent of these regulations in regulating signs as specified in this Chapter and elsewhere through the Code of Ordinances is:
1. to encourage the effective use of signs as a means of communication in the town through size and location appropriate to each district;
 2. to maintain and enhance the aesthetic environment by limiting the number and size of signs;
 3. to maintain and enhance the town's ability to attract sources of economic growth and development;
 4. to promote vehicular and pedestrian traffic safety;
 5. to minimize the possible adverse effect of signs on nearby property;
 6. to regulate the use of sign elements that detract from or are not in keeping with the history of the Town, such as luminescent or iridescent paints;
 7. to ensure that non-locally-owned businesses are not placed at an unfair advantage and to prevent homogenization of the Town's landscape by regulating distinctive shapes and colors such as roofs when used as branding for franchises or chains;
 8. to assist visitors in locating natural, historic and cultural attractions of the Town through clear and consistent signage and other way-finding tools.
- B. “Sign” in this chapter means any outdoor notice containing words, letters, figures, numerals, emblems, devices, trademarks or trade names or combinations thereof, by which anything is made known such as the designation of a firm, corporation, profession, business, commodity or product, and includes, but is not limited to, business signs, billboards, and outdoor advertising structures. This definition may be refined by the context in which the word is used.

§ 96.52. SIGN REQUIRED FOR BUSINESS

Prior to commencing business, every enterprise doing business within the town shall have a valid and current business sign in compliance with this Chapter.

§ 96.53. PERMIT REQUIRED FOR SIGN; FEE

- A. No sign shall hereafter be erected or attached to, suspended from, or supported on a building or structure nor shall any existing sign be structurally altered, remodeled or relocated until a zoning permit for same has been issued by the zoning administrator, except as otherwise provided herein.
- B. Unless otherwise stated herein, the zoning permit fee shall be \$25.00.
- C. Signs existing at the time of enactment of this Chapter are exempted from this requirement.

§ 96.54. TIME FRAME FOR COMPLIANCE; EXTENSIONS.

- A. Except as provided in C. below, businesses not in compliance with the requirements of this Chapter shall have ninety (90) days from the date of the adoption of this Chapter to come into compliance.
- B. Businesses legitimately requiring additional time may make application to the Town Manager for extensions of thirty (30) days, to a maximum of ninety (90) days. Should the Town Manager deny any request for extension, the business owner shall have ten (10) business days from the date of denial to come into compliance.
- C. Signs which violate Section 96.56.A.2. or Section 96.57.1. or 4., must meet the zoning requirements found in Section 154.006(B)(3).

§ 96.55. RESPONSIBILITY FOR COMPLIANCE; EXCEPTION

- A. It is the responsibility of each business owner to comply with this Chapter and Section 154.008.
- B. In the absence of compliance by the owner of the business, it shall become the responsibility of the owner of that business's building to ensure compliance.
- C. In the instance of determined legitimate hardship, the Code Enforcement Officer may provide an extension in writing of no more than ninety (90) days for compliance.

§ 96.56. MAINTENANCE OF SIGNS; EXEMPTION FROM FEES

- A. All signs shall be maintained so as to be in good condition, and,
 - 1. if mechanical, they shall be in proper working order;
 - 2. conform with the character of the business district or neighborhood in which situated; otherwise, they must meet the zoning requirements found in Section 154.006(B)(3).
- B. The following sign deficiencies shall be cause for notice to repair:
 - 1. Broken signs, and signs missing letters or numbers;
 - 2. Rusted metal signs
 - 3. Faded signs, if at least 50% of a sign is illegible
- C. Existing businesses that require zoning or building permits to make alterations or repairs in order to come into compliance with this Section shall be exempt from paying the zoning fee as required by Section 96.53 herein.

§ 96.57. PROHIBITED SIGNS

The following signs shall be prohibited within the town:

- 1. Off-premise signs, with the exception of historic signs.
- 2. A sign which is a copy or imitation of an official highway sign and carries the words "STOP" or "DANGER."
- 3. Third-party advertising signs.
- 4. A sign that obstructs corner visibility or visibility at a driveway between a height of three and eight feet within the triangular area formed by the intersecting street right-of-way lines (and/or driveway entrance) and a straight line connecting points on said street lines (and/or driveway entrance) each of which is 25 feet distant from the point of intersection. Vertical elements will be allowed so long as no more than five percent of the area between three and eight feet is obstructed on all rights of way (and/or driveway entrances). (See Sections 153.53 and 154.028 for additional requirements of this nature.)

5. A sign posted on any telephone or electric light poles or on any tree along any street.
6. A sign that obstructs ingress and egress to any window, door, fire escape, stairway, ladder, or opening intended to provide light, air, ingress, or egress for any room or building as required by law.
7. A sign that violates any provision of any law of the State of North Carolina relative to outdoor advertising.
8. A sign or window display which contains, employs, or utilizes lights or lighting which rotates, flashes, lights intermittently, moves, or alternates, or gives the appearance of the same.
9. A sign located within a public right of way or within 30 feet of the centerline of any public thoroughfare, except as provided herein.
10. Any sign using luminescent, reflective, Day-Glo, iridescent, electro-luminescent, laser, and similar paints and materials on buildings, structures and signs visible from any public right of way. This restriction shall not apply to street identification signs, government installed signs, official traffic control signs and signs used for evacuation and emergency purposes.
11. Banners used in lieu of permitted signs for longer than two weeks (state law prohibits banners across state rights of way).
12. A sign, including a political sign, erected to serve a temporary purpose which is not removed within 60 days.

§ 96.58. SAME; EXCEPTION

The following shall ~~not~~ be excluded from the regulations set out in this chapter:

1. Signs not exceeding one square foot in area and bearing only property numbers, post office box numbers, names of occupants of premises or other identification of premises not having commercial connotations.
2. Flags and insignias of any government, except when displayed in connection with commercial promotion.
3. Legal notices, identification, information or directional signs erected or required by governmental bodies.
4. Directional signs not exceeding twenty square foot in area and bearing no advertising matter other than the name and logo of a business.
5. Integral decorative or architectural features of buildings, except letters, trademarks, moving parts or moving lights.
6. Signs directing and guiding traffic and parking on private property, but bearing no advertising matter.
7. Signs determined by the Planning Board to be of an historic nature.

§96.59. REMOVAL OF PROHIBITED SIGNS; ENFORCEMENT

- A. All signs prohibited by Section 96.57 of this Article shall be removed within thirty (30) days from the enactment of this Chapter, unless otherwise herein specified.
- B. In the event that the business's owner fails to remove his/her sign as proscribed herein above, it shall be the responsibility of the building's owner to ensure the signs' removal.
- C. The building's owner shall be given a notice in writing by the Code Enforcement Officer that the sign has not been removed, and will be given fifteen (15) business days from the date of receipt of the letter to comply with the order.
- D. If the building owner fails to comply with the order of the Code Enforcement Officer within the time proscribed, the Town shall cause the sign to be removed or renovated, and shall bill the building owner for the cost of remediating the violation.
- E. If the building owner fails to pay the bill for remediation within thirty (30) days, the Town may initiate a civil action in the nature of a debt to collect for the costs of remediation.

§96.60. REMOVAL OF SIGNS FROM CLOSED BUSINESSES; ENFORCEMENT

- A. The owner(s) of any establishment that goes out of business shall remove that business's signs from the building within fifteen (15) business days of the business's closure.
- B. In the event that the business's owner fails to remove his/her sign as proscribed herein above, it shall be the responsibility of the building's owner to ensure the signs' removal.
- C. The building's owner shall be given a notice in writing by the Code Enforcement Officer that the sign has not been removed, and will be given fifteen (15) business days from the date of receipt of the letter to comply with the order.
- D. If the building owner fails to comply with the order of the Code Enforcement Officer within the time proscribed, the Town shall cause the sign to be removed or renovated, and shall bill the building owner for the cost of remediating the violation.
- E. If the building owner fails to pay the bill for remediation within thirty (30) days, the Town may initiate a civil action in the nature of a debt to collect for the costs of remediation."

Section 2. That Section 154.008 ANNOUNCEMENT SIGNS AND STRUCTURES of the Fairmont Code of Ordinances is hereby revoked."

Mr. Proctor informed the board that he has been working on various versions of this ordinance for a couple of years. Commissioner Lennon asked if the ordinance covers everything from a legal perspective and Town Attorney Rob Price said that it does. Mr. Proctor asked the board to strike the word "not" in Section 96.58. Mayor Kemp wanted to know if the ordinance would require property owners to remove old signs and Mr. Proctor said yes. Commissioner McCree asked if the property owners would receive a notice if their sign was in violation. Mr. Price said yes. Commissioner McCree asked if there was an appeals process. Mr. Price said no but the property owner could go to court where they would likely lose if they are in violation of the ordinance. Commissioner Perry was concerned because there is no exemption for historic signs. Mr. Proctor suggested adding a #7 under Section 96.58 that reads: "Signs determined by the Planning Board to be of an historic nature." Commissioner Lennon made a motion to adopt Ordinance 10-129 – Chapter 96, Signs with the following amendments: striking the word "not" in the first sentence of Section 96.58 and adding a #7 under Section 96.58 that reads: "Signs determined by the Planning Board to be of an historic nature." Commissioner Sealey seconded the motion and passed with a vote of 3 to 2 as follows:

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

A second reading of the ordinance will be held during the June 15 board meeting.

New Business

Resolution 10-3 Accepting \$148,500 Grant and \$46,500 Loan from USDA Rural Development for the purchase of new police cars.

Commissioner Lennon made a motion to adopt Resolution 10-3 Accepting \$148,500 Grant and \$46,500 Loan from USDA Rural Development for the purchase of new police cars. Commissioner Townsend seconded the motion and it passed unanimously. A signed copy of this resolution is hereby incorporated by reference and made a part of these minutes.

Ordinance 10-134 – Amending Section 154.006 Nonconforming Uses of Chapter 154, Zoning.

Mr. Proctor explained the purpose behind Ordinance 10-134 is to clarify grandfathered structures or uses when amendments are made to the zoning ordinance. Mr. Price said this ordinance is needed to cover any technical, legal issues. The ordinance is as follows:

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

Section 1. That Title XV, Land Usage, of the Fairmont Code of Ordinances, is hereby amended by amending Section 154.006, Nonconforming Uses, to read in its entirety as follows:

“§ 154.006 NONCONFORMING USES.

(A) After the effective date of this chapter, existing structures, or the uses of land or structures which would be prohibited under the regulations for the district in which they are located (if they existed on the adoption date of this chapter), shall be nonconforming structures or uses.

(B) After the effective date of any amendment to this chapter, existing structures, or the uses of land or structures which would be prohibited under the new regulations for the district in which they are located (if they existed on the adoption of the amendment), shall be nonconforming structures or uses.

(C) Nonconforming structures or uses (as defined in § 154.002) may be continued provided they conform to the following provisions:

(1) Extensions of use. Nonconforming uses of land shall not hereafter be enlarged or extended in any way.

(2) Change of use. Any nonconforming use of land may be changed to a conforming use, or with the approval of the Board of Adjustment to any use more in character with the uses permitted in the district.

(3) Cessation of use. All nonconforming uses of land or uses involving only minor structures, such as automobile wrecking yards, automobile sales yards, billboards and other outdoor advertising signs, salvage operations, mobile homes or any use similar to those enumerated shall be subject to a 3-year conditional use permit, which shall be reviewed 1 year before the expiration of the conditional use permit by the Town’s Planning Board at a public hearing on the use. At that time the nonconforming use shall be granted an additional 3 year permit or directed to cease by the end of the third year or expiration of the permit. One year before the cessation of any nonconforming use permit, it shall be subject to review by the Planning Board at a duly constituted public hearing.”

Commissioner Lennon made a motion to adopt Ordinance 10-134 – Amending Section 154.006 Nonconforming Uses of Chapter 154, Zoning. Commissioner Sealey seconded the motion and it passed unanimously. A signed copy of this ordinance is hereby incorporated by reference and made a part of these minutes.

Ordinance 10-133 – Amending Chapter 154, Zoning by adding Sections 154.141 to 154.144, Historic Downtown District.

Mr. Proctor discussed Ordinance 10-133, adding the historic downtown district:

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

Section 1. That Title XV, Land Usage, of the Fairmont Code of Ordinances, is hereby amended by adding thereto a new Historic Downtown District, to read in its entirety as follows:

“§ 154.141 HISTORIC DOWNTOWN DISTRICT DESIGNATED

There is hereby designated a new Historic Downtown District, said district to encompass an area of approximately 11.5 acres, as defined in Section 154.142, below.

§ 154.142. SAME; APPROXIMATE BOUNDARIES

Starting at a point on the centerline of Cottage Street approximately 135 feet east of the intersection of Cottage Street with S. Main Street, proceed north a distance of approximately 460 feet along the alley to the centerline of Red Cross Street; thence west approximately 115 feet to the alley behind the stores on Main Street; thence north approximately 850 feet to the centerline of E. Thompson Street; thence easterly along the centerline of E. Thompson Street a distance of approximately 60 feet; thence north approximately 325 feet; thence west approximately 70 feet; thence northwesterly a distance of approximately 90 feet to the centerline of Byrd Street (aka New Street); thence southwesterly approximately 220 feet to the centerline of S. Main Street; thence northwesterly approximately 160 feet to the alley; thence south approximately 300 feet along the alley to the centerline of W. Thompson Street; thence west approximately 140 feet on W. Thompson Street; thence south approximately 150 feet; thence west 20 feet; thence south 40 feet; thence east 20 feet; thence south approximately 180 feet to the northwest corner of lot 52; thence easterly approximately 90 feet; thence southwesterly approximately 140 feet to the centerline of Iona Street; thence southeasterly approximately 130 feet to the mouth of the alley; thence south southeasterly approximately 50 feet to the northwest corner of Lot 19; thence southwesterly approximately 590 feet to the southwest corner of the old cemetery; thence east approximately 630 feet to the point of origin.

Any uncertainties inherent in the boundary description herein above shall be adjudicated as per § 154.118. BOUNDARIES, of this Zoning Ordinance.

A map of the Historic Downtown District, shall be appended to this ordinance and made a part hereof.

§ 154.143. SAME; ZONING

- A. The District shall be designated as the HD District for the purposes of zoning.
- B. It shall be the responsibility of the Fairmont Planning Board, within three (3) months of adoption of this ordinance, to provide to the Town Board of Commissioners, definitive zoning regulations for enclosure in Chapter 154 herein.

§154.144. SIGNAGE

- A. The HD Zoning District shall be known as the Fairmont Historic Downtown district.
- B. The Town shall, as soon as fiscally feasible, provide adequate signage for the District, including “Gateway” or “Welcome” signs, and specially- designed street signs.

Mr. Proctor informed the board that the state approved map shows the historic district correctly but the description in the ordinance leaves out the Big Brick Warehouse. Mr. Price said the description needs to be corrected to match the map. Commissioner Lennon made a motion to adopt Ordinance 10-133 – Amending Chapter 154, Zoning by adding Sections 154.141 to Sections 154.144, Historic Downtown District with the amendment that the description in Section 154.142 be changed to accurately reflect approved map. Commissioner Ashley seconded the motion and it passed unanimously. A signed copy of this ordinance and map is hereby incorporated by reference and made a part of these minutes.

Mayor Kemp announced the appointment of a Historic District Advisory Committee that will advise the Planning Board on matters involving the historic district. The committee members are Mary Lou Herring, Odell Hunt, Jack Mitchell, Alice Reed Lewis and Novella Worley.

Water Shortage Response Plan – draft for discussion.

Mr. Proctor asked the board to review the draft Water Shortage Response Plan and give him any suggestions for changes. He plans to put the plan into ordinance form for the June board meeting.

Mayor Input

Mayor Kemp announced the next RCMA meeting will be hosted by the Town of Pembroke on Tuesday, May 25 at 7:00 p.m. at Sheff's Seafood.

Mayor Kemp passed out the new Historic Downtown brochures. 7,200 brochures were purchased with a grant from the Lumberton Visitors Bureau. They will be distributed at welcome centers throughout the state as well as local hotels. Mayor Kemp is working with the NCDOT about placing brown historic marker signs on I-95.

Mayor Kemp invited everyone to the Recognition Ceremony for Downtown Fairmont being listed on the National Register of Historic Places on Friday, May 28 at 4:00 p.m. in Memory Lane. There will be speakers, refreshments and tours.

Commissioners Input

Commissioner Lennon asked if we need to get permission from the City of Lumberton to put up the brown historic signs since they annexed the I-95 corridor to Exit 10. Mayor Kemp said no. Commissioner Lennon asked if we needed to appoint a special historic planning board to advise property owners on paint colors, type of signs, alterations, etc. Mayor Kemp responded that the Historic Preservation Committee would handle those issues.

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Commissioner Sealey reminded everyone of the Fairmont Chamber of Commerce second annual Sizzling Summer Beach Bash on Thursday, May 20 from 5:30 to 9:30 p.m. at the golf course.

Commissioner McCree asked if the state had responded to the amended budget adopted in May at their request. Finance Director Linda Vause said they called and said thank you.

Commissioner McCree also asked about the legal status of the Mercer properties. Mr. Price said he filed a motion for judgment.

Manager Input

Mr. Proctor emphasized that Fairmont would not have a “Hysteric Preservation Committee” that would nitpick over every little thing in downtown. He mentioned the City of York, South Carolina where their preservation committee has the right to tell you what color to paint the inside of a room if it can be seen from the street.

Executive/Closed Session

Commissioner Sealey made a motion to go into closed session at 7:20 p.m. to prevent the disclosure of information that is deemed privileged or confidential as determined under General Statue 143-318.10(e) and to approve closed session minutes as permitted under General Statute 143-318.11(a)(1). Commissioner Townsend seconded the motion and it passed unanimously.

Mayor Kemp, Commissioners Sealey, Lennon, McCree, Townsend and Ashley along with Blake Proctor and Jenny Larson were in attendance during closed session.

Commissioner Sealey made a motion to come out of closed session at 7:25 p.m. Commissioner Lennon seconded the motion and it passed unanimously. Mayor Kemp announced that the March 16, 2010 closed session minutes were approved as permitted under General Statute 143-318.11(a)(1) and that no other action was taken.

Announcements

Thursday, May 20 - Fairmont Chamber of Commerce 2nd Annual Beach Bash, 5:30 to 9:00 p.m. at the Fairmont Golf Club featuring the beach music of The Holiday Band. This event is FREE and open to the public.

Saturday, May 22 - Rogers' Screen Printing & Sporting Goods Golf Tournament to support St. Jude Children's Research Hospital, 12:00 noon, Fairmont Golf Club. (Rain Date: May 29)

Sunday, May 23 - 8th annual Big Dawg Bill Taylor chicken dinner benefiting the Civitan Dixie Youth Baseball program, 11:00 a.m. to 2:00 p.m., Fairmont Fire Hall, \$6.00 per plate, eat in or take out.

Page 10 – Regular Meeting, May 18, 2010

Friday, May 28 - Recognition Ceremony for Downtown Fairmont being listed on the National Register of Historic Places, 4:00 p.m., Memory Lane. There will be speakers, refreshments and tours. Come see our new street banners, street signs and brochures.

Saturday, May 29 - Memorial Day Sidewalk Sale, 7:00 a.m. to 2:00 p.m.

Saturday, May 29 - Memorial Day Ceremony, 12:00 noon, Heritage Center.

Monday, May 31 - Town offices and schools closed in observance of Memorial Day. All U.S. flags are to be flown at 1/2 staff from dawn to noon.

Tuesday, June 1 - N.C. Small Town Main Street committee, 6:00 p.m., Courtroom

Wednesday, June 2 - Fairmont Youth Council, 5:15 p.m., Courtroom.

Saturday, June 5 - Senior Bingo, 1:00 to 3:00 p.m., Heritage Center.

Tuesday, June 8 - Budget workshop, 6:00 p.m., Council Chambers.

Thursday, June 10 - Budget workshop (if needed), 6:00 p.m., Council Chambers.

Tuesday, June 15 - Regular Town Board meeting and Public Hearing on FY 2010-2011 Budget, 6:00 p.m., Council Chambers

Thursday, June 24 - Budget workshop (if needed), 6:00 p.m., Council Chambers.

Sunday, June 27 - Fairmont's Fantastic Fourth, Fairmont Community Park. Gold Rush will perform with Fireworks at 9:30 p.m. Don't miss this fun, free family event!

Tuesday, June 29 - Special Town Board meeting to adopt Budget for Fiscal Year 2010-2011, 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.

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

Budget Workshop Meeting – June 8, 2010

The Fairmont Board of Commissioners held a budget workshop meeting on Tuesday, June 8, 2010 at 6:00 p.m. in the Council Chambers with Mayor Charles Kemp presiding. Commissioners present were J.J. McCree, Charles Townsend, Carol Leak-McKenzie, Wade Sealey, and Perry Ashley. Commissioner Wayland Lennon, III was out of town on business and participated by telephone. Staff present included Town Manager Blake Proctor, Town Clerk Jenny Larson, Finance Director Linda Vause and Tax Collector Rebecca Andrews.

Mayor Charles Kemp called the meeting to order and stated the purpose of the meeting was a budget workshop on the Fiscal Year 2010-2011 budget.

Town Manager Blake Proctor gave an overview of the proposed budget. The budget message for Fiscal Year 2010-2011 is as follows:

“BUDGET MESSAGE

The budget document you have in your hands consists of Revenues and Expenditures for the two major governmental funds – the General Fund and the Powell Bill Fund – and for our single Enterprise Fund – the Utility Fund; the minor fiduciary Funds, which comprise relatively few dollars in total, will be dealt with at adoption of the Budget Ordinance on June 29th.

PERSONNEL

Change in Personnel: The Town’s Table of Organization is currently at a reduced but fully-staffed level; no additional personnel are anticipated at this time. All personnel costs of one Police Officer will be paid through a COPS Stimulus grant for a period of three years. At this time, there are no plans for layoffs or position freezes during Fiscal Year 2011; however, as I observed in the FY 2010 Budget Message, the economy has not yet recovered sufficiently to rule such actions out.

Salary Increases: In Fiscal Years 2007 and 2008, the Town provided Cost of Living Allowances (COLAs) to all our employees equivalent to the March-to-March change in the Consumer Price Index (CPI); however, the March, 2008 to March, 2009 time frame saw an initial unadjusted increase in the CPI of only 0.2% (the adjusted CPI was later revised to 0.5%); consequently no COLA was given for FY 2010. The CPI increased by 2.1% this 12-month period, and accordingly I am requesting a 2.5% COLA for all employees in this budget request to compensate for the increases in the CPI for the two-year period

Associated Personnel Costs: In the upcoming year, the Town’s Personnel System will be hit with a double whammy by the State:

- A.** First, our employees’ health insurance will take a big hit, with a mandated increase from the Municipal Insurance Trust that was originally to be 17.0%, but thanks to the reduction created by the inclusion of the COPS grant mentioned above, is much lower. An increase of \$22,169 for employee health insurance (\$738 more per employee) has been included in the budget. We searched for equivalent coverage, but found nothing comparable at a reasonable rate.
- B.** Additionally, the Local Government Employees’ Retirement System (LGERS) Board of Trustees is increasing the employer – but not the employee – contributions toward employee retirement. General employee rates are increasing from 4.8% of payroll to 6.35% (a 32.3% increase!); for law enforcement, this rate will be increasing from 5.27% of salaries to 6.82% (a 29.4% increase). This translates to an added \$18,475 expenditure for retirement. The cost is included in this proposed budget.
- C.** The total additional expenditures across the General Fund and the Utility Fund for the upcoming year are \$40,644.

Non-cash Bonus: It must be mentioned that Fairmont’s very loyal employees are – and have been for many years – the overall-lowest-paid public employees in Robeson County. Providing a Cost of Living Adjustment that barely matches the increase in the current cost of living will not make up for the combined two-year CPI increase. Therefore, I am proposing that a non-cash bonus of forty hours vacation for all full-time employees be added to each employee’s vacation account. I propose three stipulations:

1. bonus vacation hours (BVHs) MUST be taken between July 1, 2010 and June 30, 2011 or will be lost;
2. employees may not use these BVHs to “buy back” vacation time (otherwise it becomes a cash bonus, thus defeating its purpose);
3. employees leaving the employ of the Town prior to July 1, 2011 will not be eligible for reimbursement of any unused BVHs, as this is not earned vacation.

GENERAL FUND

In General

Ever-Increasing Expenditure Burdens: Every year, the Commission asks that your Administration not raise taxes and fees to balance the budget; every year since I have been manager, neither taxes nor fees have been increased. Each year, the Town sucks in its collective gut and tightens that belt, now to the point where we cannot breathe; however, in order to accomplish this – and, to the chagrin of some – the Town has had to dip into its ever-decreasing Fund Balance to make ends meet each of those years.

Since Fiscal Year 2007, Waste Management fees have increased 13.0%; our property liability insurance has increased 10.2%; and, Progress Energy expenditures have increased a whopping 37.6%! The total increase for these three items since 2007 comes to \$63,294 – that’s equivalent to 7.9 cents in property taxes if we would have passed those costs along to our citizens!

For the upcoming year, as I mentioned in the Personnel Section above, the employers’ contribution to retirement will be increasing from \$61,583 to \$80,058, a 30% increase of \$18,475; there have been no increases in contribution rates for several years. In addition, following several years of very small annual increases, employees’ health insurance will be increasing \$22,169 or 11.0%, from \$201,898 to \$224,067. These two increases, totaling \$40,644, are equivalent to 5.1 cents of taxes.

Table I, Selected Expenditure Increases, aptly illustrate the magnitude of these budgetary expenditure increases on the above-noted and other select line items:

**TABLE I
SELECTED EXPENDITURE INCREASES**

1-YEAR INCREASE IN EXPENDITURES – 6 ITEMS	2009	2010	DIFFERENCE	
			Amount	Percentage
Police & Public Officials Liability	\$24,005	\$25,043	\$1,038	4.3%
Property Liability Insurance	\$41,385	\$47,029	\$5,644	13.6%
Waste Management - residential	\$158,572	\$163,428	\$4,856	3.1%
Electric – Progress Energy	\$135,171	\$147,460	\$12,289	9.1%
Retirement Contribution	\$61,583	\$80,058	\$18,475	30.0%
Employees Health Insurance	\$201,898	\$224,067	\$22,169	11.0%
1-YEAR TOTAL	\$622,614	\$687,085	\$64,471	10.4%

<u>3-YEAR INCREASES IN EXPENDITURES – 4 ITEMS</u>	<u>2007</u>	<u>2010</u>	<u>DIFFERENCE</u>	
			<u>Amount</u>	<u>Percentage</u>
Police & Public Officials Liability	\$24,028	\$25,043	\$1,015	4.2%
Property Liability Insurance	\$42,684	\$47,029	\$4,345	10.2%
Waste Management - residential	\$144,636	\$163,428	\$18,792	13.0%
Electric – Progress Energy	\$107,193	\$147,460	\$40,267	37.6%
3-YEAR TOTAL	\$318,541	\$382,960	\$64,309	20.2%

For several years, the Town has been dealing with these ever-increasing costs from basically the same static pot of revenues, plus of course, applied Fund Balance. In fact, for example, while Waste Management billings have steadily risen in accordance with their contract, the Commission in 2005 actually reduced the monthly garbage fee by \$2.00 – a 12.0% reduction! This single action has resulted in a loss of \$144,000 in revenue over the last five years, meaning that much-needed funds and/or Fund Balance to make up the difference had to be taken from other vital programs to pay for this service.

The stone has now been squeezed dry. As an example, Public Works bought three new trucks this year because the old vehicles were “wore slam out.” These new vehicles were bought from the State – they consist of trucks built in 2002, 1996, and 1995...1995!!! Imagine – we are picking over the State’s castoffs! Also, since we have not been able to buy new police cars for several years, we have been forced to purchase old Highway Patrol cruisers with a minimum of 75,000-85,000 miles on them! Our maintenance expenditures for patrol cars are almost enough each year to buy a brand new vehicle.

Revenues

No Increase in Tax Rate: We are very fortunate that the County chose this year to re-evaluate properties. This re-val will add desperately-need dollars to our coffers. The increase in tax revenues is estimated to be \$125,000 at our current tax rate of 69¢ per \$100. The value of one cent (1¢) of taxes will increase from \$8,043 to \$9,780. Ladies and gentlemen of the Commission, your Administration proposes that the tax rate be held steady at 69¢, thereby raising \$675,000 in property tax revenue for the Town to operate. Taxes levied on properties at various levels of value are illustrated in Table II, below:

**TABLE II
COMPARATIVE PROPERTY TAXES**

Assessed Value before revaluation **	\$25,000	\$65,000	\$115,000	\$160,000	\$225,000
Taxes Assessed, @ 69¢	\$172.50	\$448.50	\$793.50	\$1,104.00	\$1,552.50
Assessed Value after revaluation**	\$30,400	\$79,040	\$139,840	\$194,560	\$273,600
Taxes Assessed, @ 69¢	\$209.76	\$545.38	\$964.90	\$1,342.46	\$1,887.84

** = This is gross assessed value, and does not take into consideration any exemptions that may apply, such as the homestead exemption, which further reduces taxes due.

Increased Collections Enforcement: During Fiscal Year 2010, our collection of delinquent taxes has increased substantially over previous years; however, a quarter million dollars in past due taxes are still owed the Town. With a renewed sense of urgency, our Tax Collector has already begun the process for garnishment of wages, salaries, and other eligible income. In addition, the Town plans to vigorously pursue tax scofflaws through foreclosure proceedings. In fact, there is a new Revenue line item established in order to account for fees collected from these foreclosures; on the Expenditure side, you will note that a line item has been added to the Legal Department to pay the costs of foreclosure. These two line items should be essentially off-setting, with slightly more income than outgo due to such recouped expenses as advertising.

Increase in Sanitation Fee: As mentioned earlier, Sanitation fees were reduced by 12% several years ago, reducing the revenue stream by an average of \$24,000 yearly. In the meantime, in accordance with the Waste Management contract, billings have increased annually by the amount of the Urban Consumer Price Index (CPI), which has averaged 3.1% to 3.4% yearly over that same time frame, a total increase of 13.0% in just the last four years, increases that the Town has absorbed rather than passing along to customers. On top of that, during this time frame, the Commission elected to double Community Pickup weeks to two weeks twice a year; and yet, there has been no additional revenue to pay for the additional expenses to provide this added service.

Sanitation services should be self-supporting. At this time, sanitation is losing from \$6,500 to \$7,000 a year. A slight increase of 50¢ per month is being requested to allow self-sufficiency to return to this service. Fifty cents per month is \$6.00 per year – nearly the price of one pack of cigarettes per year, or three bottles of Dasani bottled water annually. Yet, it will provide the needed \$7,200 to the Town coffers to ensure provision of this service.

Other Major Changes in Revenues: Collection of past due taxes is budgeted at \$125,000, up \$60,000 from FY 2010 due to enhanced collection techniques. The foreclosure income noted above has been budgeted as a new item at \$15,000.

While we will be reducing police-type equipment grants by \$64,420, we will be increasing the budget by \$42,500 under the Federal COPS personnel grant alluded to earlier. Neither of these amounts will affect the budget as they are direct in-and-out sums, with income and outgo being the same.

The Gaming Privilege Licensing Fees which we received in FY 2010 at \$14,250 for the last six months of the Fiscal Year will be doubling to \$28,500 for the entire year of FY 2011. Depending on several factors, however, including the State taking this revenue source for itself or civil actions by gaming companies against the very concept of regulating such establishments, here or elsewhere, this line item may need to be deleted during the year; or, conversely, it could even be increased, depending again on State legislative actions.

Other revenue sources are going to be fairly stable, changing little or none at all during the course of FY 2011. Again, depending on the course of the economic recovery, such items as Sales Tax may need to be revisited during the year for adjustment up or down.

Use of Fund Balance: The Commission should be very pleased to know that your Administration has balanced the Fiscal Year 2011 budget without requiring the use of Fund Balance. In fact, it is highly anticipated that, absent any large unexpected expenditures brought about by some emergency – a damaging hurricane, for instance – the General Fund should see an increase in Fund Balance at the end of the year.

Expenditures

Personnel: Personnel Expenditures make up the vast majority of the General Fund; the increases in Salary accounts are due to the 2.5% Cost of Living increase I have proposed; those increases in Group Insurance and Retirement line items are due entirely to the increases that have already been covered above.

Operating Expenditures: As you peruse this proposal, you will quickly see that most general operating line items are at, near, or below the Fiscal Year 2010 budget. Your Department Heads have carefully crafted a very tight budget and have determined to remain expenditure neutral as much as possible.

Three major changes are anticipated for the General Fund this year: The only addition to General operations is the COPS police officer position, which is paid for over three fiscal years; this is the first year and is fully funded by the COPS grant, discussed earlier. There are also two major reversions in the budget this year – the first is the return of the Garage from the Utility Fund at a cost of \$48,432. This action will be discussed in the Utility Fund segment of the Budget Message In addition, due primarily to the anticipated decrease in our Powell Bill monies from the State, to be discussed below, I have returned the personnel costs of the Streets Department to the General Fund.

Legal Department line items have been expanded to differentiate between our attorney's monthly retainer and additional legal fees. I have also added funds for the payment of legal costs of foreclosures; these will be offset by the same Foreclosure Revenue item I discussed earlier.

Finally, I have increased the funding for Nuisance Abatement in the Planning and Codes Enforcement Department so that perhaps additional structures may be removed.

Purchase of Rolling Stock: As you are aware, the Town has received a very favorable grant-loan combination through USDA-Rural Development for the purchase of seven patrol cruisers, completely equipped. This program is \$198,000, of which \$148,500 is a grant. The remaining \$49,500 will be lent to the Town at $\pm 4\%$ over a period of five years. The \$9,450 to make payments is included in the Police budget.

Purchases of Other Operating Items: Funds of \$2,000 are in the Clerk's budget for a new computer that is badly needed. The Police Department has \$9,450 for electronic gear that is needed for the cars that will remain in our fleet but are not included in the purchase program, and therefore is outside the authority of the USDA grant and loan.

UTILITY FUND

In General:

At the end of last year, FY 2009, the Fund had \$33,000 in Fund Balance – the first time in over half a decade. Unfortunately, due to the continued lack of available funds for adequate maintenance, we had a catastrophic failure in one of our two clarifiers; this breakdown cost us \$44,500 – all of our Fund Balance plus some. As soon as we had it back on line, we performed a preventative maintenance check on the other clarifier at a cost of \$9,000. We found that we were a matter of days, or weeks at the longest, before this clarifier would have had the same failure.

Despite increased revenues from our contract with the Columbus County municipalities, as well as with Proctorville and Orrum, the Utility Fund is still in a tight situation again in Fiscal Year 2011 – delayed maintenance and capital projects are eating up a goodly proportion of additional revenues; and it must be remembered that the general Fund has for years had to assist in our annual bond payment each May. The good-news-bad-news at this time is that, with the improving financial situation of the Fund this year (FY 2010), we would have had the money within the Department to make the payment had it not been for the breakdown at the sewer plant.

Five other municipalities depend on our sewer plant for treatment; the State has put substantial dollars into the ground to insure these communities have adequate waste treatment capabilities; furthermore, from our perspective, we need that plant up and running not just for our own citizens, but also for the quarter million dollars in contract revenues that it generates for the Town. That facility is our most important physical asset after our employees.

Revenues:

Revenues from System Operations: Revenues from continuing water and sewer operations within the Town are expected to be stable as a system; however, although we can expect an additional \$7,500 annually in water revenue operations, our sewer income keeps falling – budgeted in the new year to be down \$5,000 from the current year’s budget. The total change for Town water and sewer services is static, increasing a mere \$2,500. I am recommending that rates for both water and sewer remain the same as in FY 2010.

Sewer Contract revenues will be increasing substantially – some \$40,000 - due to Fair Bluff’s first full-year participation; contract operations and maintenance (O&M) will be increasing in step with higher contracted sewer use, growing from \$40,250 to \$45,000.

All the smaller miscellaneous revenue line items are budgeted to be at or near current levels. Total fund Revenues will be increasing \$16,930, or 1.5%, from \$1,129,320 to \$1,146,250.

Divisional Expenses:

Non-Departmental: The largest share of this Division is the expense for Bond principal and interest, which for Series A and Series B combined is \$166,930. Professional Services, which generally consists of engineering services, is increasing to help bring the system to a better operating condition.

Garage: The Garage was moved here during this fiscal year in order that taxes wouldn’t have to be increased, nor personnel to be laid off. However, the roughly \$46,000 that the Utility Fund has had to pay has caused severe strains on the Utility Fund:

1. First, of course, this money has not been available to help make the Bond payment, and with the plant failure taking what excess cash was available, the Department had to once again borrow from the General Fund to make the payment on time; this reduces any potential increases to the General Fund Balance!
2. Had there been no breakdown at the plant, this money could otherwise have been available to bolster the fledgling Utility Fund Balance.
3. There may have been sufficient funds in the System to help provide any loan payments that may be required to rehabilitate the sewer lines.

It must also be remembered that most of the vehicles and equipment maintained at the Garage comes from the General Fund – police cruisers; streets equipment; the street sweeper, to name a few.

Water & Sewer Administration: The increase from \$201,100 to \$213,091 consists for the most part of personnel costs and a new computer for Administration to replace the ancient one now being used.

Water Plant: The major contributor to the increase from \$100,150 to \$117,995, other than personnel costs, is the capital outlay of \$18,500 to replace pumps and equipment at the wells and storage tanks.

Water Lines Maintenance: The \$8,217 increase to \$115,717 from \$107,500 is due to normal operating increases.

Sewer Plant: The costs for Professional Services – engineering, dewatering, etc – is increasing and Wetland Mitigation is up substantially, as is Capital Outlay (a new mower); however, maintenance at the plant has dropped significantly inasmuch as so much maintenance has been carried out this current year. The budget for this Division is generally static at \$332,324, up from \$331,070.

Sewer Lines Maintenance: This Division operates the Flusher Truck. The vast majority of the \$4,162 increase is for fuel, now that we are maintaining the sewer main between Fair Bluff and Boardman, as well as the service lines in Boardman and Cerro Gordo.

Capital Projects:

I am exceedingly pleased to note that the Commission is seriously looking at ways and means to rehabilitate our ailing wastewater collection system. At the Commission's request, Hobbs, Upchurch and Associates (HUA) is preparing a Preliminary Engineering Report to be used for possible financing with the USDA – hopefully, on a 75% grant – or perhaps with the Clean Water Management Trust Fund (CWMTF) if monies come available there during the period. The funding that we are looking at is in the \$2,500,000 range.

This program will do three things:

1. It will replace or rehab a major part of our oldest sewer lines, thereby reducing inflow and infiltration (I&I) problems that have a negative effect on sewer plant efficiency and operational cost; this part of the program should cost about \$2,250,000.
2. It will replace or rehab old and leaking manholes that cause the same problems as noted above; this project will cost about \$150,000.
3. It will replace the decrepit above-ground force main along Dogwood Drive that the Department of Environmental & Natural Resources (DENR) has been citing as being in violation, and mandating that we prepare a repair plan; this project will cost about \$65,000.

Fund Balance:

The System's first Fund Balance in years saved the Utility from having to borrow money because of the breakdown noted above. Although there is no Fund Balance to fall back on this year, barring another catastrophic failure in either the water or sewer system, I foresee another year in which the Town can see a Fund Balance of from \$25,000 to \$40,000 return by the end of FY 2011.

POWELL BILL

In Fiscal Year 2008, the Town received \$111,800 in Powell Bill monies; in FY 2009, these State dollars came in at \$99,900; in the just-ending year, FY 2010, we received but \$88,500. For the upcoming year, we are projecting a mere \$79,750 from the Powell Bill. As computed, the total Powell Bill budget in FY 2011 is \$92,000, a decrease of \$33,997 or 27.0% below the FY 2010 budget.

You are of course aware of the continuing deterioration of the Town's streets due to a lack of repaving activities. Due to continuing rounds of belt-tightening in successive years, Powell Bill funds have not been available for streets maintenance inasmuch as personnel costs that rightly belong in the General Fund were placed here to keep from raising property taxes. These expenditures have now been transferred back to the Streets Department, allowing for \$47,875 to be spent on streets resurfacing this year...assuming of course that the Governor does not cut even more of the funds from this source – whatever decrease we have in revenues will of necessity have to come from that line item. The other main Powell Bill expenditure is \$22,150 for the payment on the Old Field Drainage Improvement Project loan; the remaining funds are dedicated to drainage and other streets maintenance work.

SUMMARY

Ladies and Gentlemen of the Board, I hereby present you with a budget that pays all the bills that are due; provides the Town with the means to perform all the necessary functions and provide all the vital services for the citizens that they expect from their Town in a timely, effective, and efficient manner; and holds the line on “nice-to-have” items while purchasing those “need-to-haves.”

For a long time – perhaps too long a time – the Town has been making do or doing without. This budget request allows the Town to move forward into the 21st Century more assured and more certain than would otherwise be the case. I urge each of you to look very closely through this document and see the truth of these words.”

Commissioner Sealey asked how long the sewer plant had been in operation. Mr. Proctor replied 8 years. He explained that the recent problems at the plant occurred due to a lack of preventive maintenance. Mr. Proctor added that sewer plant maintenance costs are included in the new budget. Commissioner Lennon asked why maintenance has not been included in the budget in the past. Mr. Proctor stated that he informed the board back in 2007 that the plant needed maintenance but the board did not want to raise rates to cover the cost. Commissioner Lennon said the problem should have been addressed rather than just mentioning it in a memo.

Commissioner Ashley asked if we could plan ahead and set aside funds for new trucks for Public Works. Mr. Proctor replied that the town adopted a Capital Improvement Plan in 2007 but never had the money to do anything in it.

Commissioner McCree was concerned about having to use the utility fund balance if another breakdown or other problem occurs. Mr. Proctor stated that town survived for years with no utility fund balance. Commissioner Sealey asked about the rates for the other towns connected to our sewer plant. Mr. Proctor replied that their rates are tied to ours, so that if the town were to raise sewer rates, theirs would increase as well.

Commissioner McCree asked about the possible grant/loan for repairing the old sewer lines and what the match would be. Mr. Proctor hopes to apply for \$2 million dollars from USDA Rural Development with a 75% grant and 25% loan. A grant from the NC Rural Center would cover the match for the loan portion.

Commissioner Lennon brought up the proposed salary increase for the employees. He had concerns about the current economic situation and the county property reevaluation. If the town maintains the current tax rate, it will still be a tax increase for the citizens based on the reevaluation. Many employers, both private and public have not given salary increases since 2008. Commissioner Lennon felt the town would not be the proper steward of the taxpayers’ money if the board adopts a budget that includes a cost of living increase and the non-cash bonus vacation hours.

Commissioner Lennon asked why the budget did not include a \$2.00 increase in sewer fees that could be used toward capital improvement projects. Mr. Proctor felt the board would not approve an increase so he did not include it in the budget. Commissioner Lennon suggested that he include increases in the future and let the board make the final decision. Mr. Proctor suggested a mid-year rate increase of \$1.00 or \$1.50.

Page 9 – Budget Workshop, June 8, 2010

Commissioner McCree was excused from the meeting at 7:00 p.m.

Mr. Proctor suggested the board consider small incremental increases in the tax rate starting with the 2011-2012 budget so the tax revaluations every 8 years would not cause such a massive increase for the taxpayers. This would be an alternative to the unsatisfactory practice of using the revaluation as a tax increase. He pointed out that costs go up every year but the tax revenue stays neutral except for revaluation years.

Commissioner Ashley asked if the town could count on the amount budgeted for past due taxes. Mr. Proctor pointed out that Tax Collector Rebecca Andrews has been more proactive in collecting past due taxes.

A second budget workshop will be held Thursday, June 10, 2010 at 6:00 p.m. 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

Budget Workshop Meeting – June 10, 2010

The Fairmont Board of Commissioners held a budget workshop meeting on Thursday, June 10, 2010 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, Carol Leak-McKenzie and Perry Ashley. Staff present included Town Manager Blake Proctor, Town Clerk Jenny Larson, Finance Director Linda Vause, Tax Collector Rebecca Andrews and Public Works Director Ronnie Seals.

Mayor Charles Kemp called the meeting to order. He stated the purpose of the meeting was a second budget workshop on the Fiscal Year 2010-2011 budget. He stated that if a third budget workshop is needed it would be on Tuesday, June 22 instead of the originally scheduled Thursday, June 24 because of the RCMA meeting.

Mr. Proctor contacted the County Tax office to find out the tax revaluation figures for Fairmont. He said the tax revenue would be \$50,000 less than originally anticipated, reducing the General Fund revenue to \$1,981,800. General Fund expenses were reduced by \$50,000 as follows:

Payroll – no cost of living raise	\$27,000
Planning – nuisance abatement	\$7,000
Legal	\$2,100
Manager – training	\$50
Clerk – training	\$100
Finance – training	\$100
Tax – training	\$100
Police – training	\$500
Fire – training	\$300
Streets – training	\$500
Recreation supplies	\$750
Recreation – Maintenance & Repair Equipment (Parks)	\$1,500
Farmers Festival	\$2,000
Move part time person to Powell Bill	\$8,000

Commissioner McCree was concerned about balancing a budget on revenue that might not be guaranteed like tax foreclosures and computer gaming privilege licenses. He wanted to know how much cushion is in the budget in case we do not receive this revenue. Mr. Proctor is confident the budget has enough cushioning and unless something dire like a hurricane occurs, the town should end up on the plus side.

Commissioner McCree asked about the recreation grant and if it had been approved for this year's budget. Mr. Proctor said he should know the amount by the regular board meeting. Mayor Kemp asked what would happen if the town does not get the recreation grant. Mr. Proctor replied the program would be gone.

Page 2 – Budget Workshop, June 10, 2010

Commissioners McCree and Sealey were concerned about no pay increases for the employees. Mr. Proctor pointed out the 40 Bonus Vacation Hours (BVH) is still in the budget. Employees have until June 30, 2011 to use the time and cannot be paid cash for it. Town Clerk Jenny Larson stated the BVH time would be used first before regular vacation or compensation time when an employee takes time off.

Mayor Kemp asked how much paving could be done for \$36,000. Mr. Proctor said 3-4 short streets or 2 longer ones.

Mayor Kemp felt that \$3,000 for nuisance abatement is unacceptable when we are trying to improve the appearance of the town.

Commissioner Lennon asked if the budget could be broken down by expense types such as payroll, travel, maintenance and repair, etc.

Commissioner Lennon asked if the sewer rate was increased by \$1.00 if the other towns connected to the plant would see the same rate of increase. Mr. Proctor said yes. Mr. Proctor suggested a \$1.00 increase now and \$2.00 down the road. Commissioner Lennon asked if the revenue from the increase could be set aside for contingency needs. Commissioner Leak-McKenzie mentioned a \$2.00 increase in the sewer base rate. Commissioner Lennon recommended a minimum \$1.00 increase in sewer but had no problem with \$2.00. Commissioner Sealey suggested a \$1.00 increase now and maybe another \$0.50 or \$1.00 increase at Christmas.

Commissioner Lennon was excused from the meeting at 7:20 p.m.

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

Jennifer H. Larson, CMC
Town Clerk

Regular Meeting – June 15, 2010

The Fairmont Board of Commissioners held their regular meeting on Tuesday, June 15, 2010 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 Perry Ashley. Staff present included Town Manager Blake Proctor, Town Clerk Jenny Larson, Finance Director Linda Vause, Major David Windom and Recreation Director Mickey Williamson. Town Attorney Robert Price was absent. Others in attendance included John Charles Robbins, Cindy Edwards, Ashton Slate and Huel Faulk.

Public Hearing – CDBG-R Program Amendment

Mr. Ashton Slate with The Wooten Company presented a second amendment to the CDBG-R Program. There will one unit cleared, one unit acquired, one household relocated and 5 units rehabilitated. There is no change in the grant amount. Some units were taken out of the project area due to title issues that could not be resolved. There was no public comment and the hearing was closed at 6:03 p.m.

Public Hearing – Budget FY 2010-2011

The public hearing opened at 6:03 p.m. The purpose of the public hearing is to discuss the budget for Fiscal Year 2010-2011. Town Manager Blake Proctor informed the board of amendments made to the budget based on the budget workshops held last week:

“Ladies & gentlemen of the Commission, I am providing you this memorandum as an amendment to Manager’s Memorandum 10-17, the Budget Message. This Memo incorporates the changes sought by the Commission at the June 8th and June 10th Budget Workshops, and includes the revised proposed budget.

PERSONNEL

Salary Increases: Due to a 40% (\$50,000) reduction in the anticipated increased Tax Revenues, my proposal to provide a 2.5% salary increase is rescinded. The enclosed budget reflects this change, reducing salaries and related costs back to the salary level for FY 2010.

Non-cash Bonus: Since the Town is giving no Cost of Living Increases for the second year in a row, I believe it is vital to the morale of our employees that we show them our support by affording them these non-cash Bonus Vacation Hours (BVHs), still with the following stipulations:

4. BVHs MUST be taken between July 1, 2010 and June 30, 2011 or will be lost;
5. employees may not use these BVHs to “buy back” vacation time (otherwise it becomes a cash bonus, thus defeating its purpose);
6. employees leaving the employ of the Town prior to July 1, 2011 will not be eligible for reimbursement of any unused BVHs, as this is not earned vacation.

GENERAL FUND

Revenues

No Increase in Tax Rate: The ad valorem Tax Rate will remain at 69¢ per \$100 valuation, allowing a \$75,000 increase in revenues.

Increase in Sanitation Fee: Garbage collection fees will increase by 50¢ per month (\$6.00 per year), providing \$7,200 annually for this service.

Use of Fund Balance: The General fund has been balanced without the need to dip into our Fund Balance. It is highly anticipated that, absent any large unexpected expenditures brought about by some emergency – a damaging hurricane, for instance – the General Fund should see an increase in Fund Balance at the end of the year of approximately \$30,000.

Expenditures

General Fund Expenditures will remain generally static, with the exception of those State-mandated personnel-related items, previously discussed, that will increase the budget by \$40,644, divided approximately 80%-20% (\$32,515-\$8,129) between the General Fund and the Utility Fund.

In order to balance the budget in light of the new lower property tax estimates, the following General Fund Line Items have been reduced: Salaries across the board: \$27,000; Code Enforcement: \$7,000; Legal: \$2100; reductions in Training Line Items in most Departments: total of \$1,650; Recreation Maintenance and Supplies Line Items: \$2,250; Farmers Festival: \$2,000; and, the part-time person to the Powell Bill: \$8,000.

General Fund Revenues are anticipated to be \$1,981,800, up \$133,346 or 7.2% from the FY 2010 budget, will equal or exceed Expenditures by approximately \$30,000.

UTILITY FUND

Revenues:

Revenues from System Operations: We can expect an additional \$7,500 annually in water revenues with the same rates as we have had. The Commission has recommended that the Town raise sewer rates by \$1.00 effective July 1st, and by another \$1.00 on January 1, 2011; sewer revenues will thereby increase \$7,500 in the first half of the Fiscal Year, and by \$15,000 in the second half, providing an additional \$22,500 in much-needed revenues in the Utility Fund.

Sewer Contract revenues will be increasing substantially – by some \$42,000 - due to Fair Bluff's first full-year participation; contract operations and maintenance (O&M) will be increasing in step with higher contracted sewer use, growing from \$40,250 to \$45,500.

All the smaller miscellaneous revenue line items are budgeted to be at or near current levels. Total Fund Revenues will be increasing \$41,930, or 3.7%, from \$1,129,320 to \$1,171,250.

Divisional Expenses:

Overall, Fund operating expenses are budgeted to increase a mere \$8,511 or $\frac{3}{4}$ of 1 percent. This also reflects the reduction in Salaries Line Items by omitting COLA. Contingency however – not an operating line item – will be increasing from \$2,625 this Fiscal Year to \$33,419 in the upcoming year; this will provide a cushion for any future system requirements as well as a basis for a return to a positive Fund Balance.

Fund Balance:

The System's first Fund Balance in years saved the Utility from having to borrow money because of the breakdown noted in Memo 10-17. Although there is no Fund Balance to fall back on this year, barring another catastrophic failure in either the water or sewer system, I foresee another year in which the Town can see a Fund Balance of from \$25,000 to \$40,000 return by the end of FY 2011.

POWELL BILL

In Fiscal Year 2008, the Town received \$111,800 in Powell Bill monies; in FY 2009, these State dollars came in at \$99,900; in the just-ending year, FY 2010, we received but \$88,500. For the upcoming year, we are projecting a mere \$76,750 from the Powell Bill. As computed, the total Powell Bill budget in FY 2011 is \$89,000, a decrease of \$36,997 or 29.40% below the FY 2010 budget.

While my original proposed budget envisioned the complete transfer of Streets personnel expenditures back to the General funds, the drastic reduction in new tax revenues is requiring that we keep the part-time Streets position here at a cost of \$8,088.

SUMMARY

Ladies and Gentlemen of the Board, following a series very arduous yet satisfactory budget workshops, I hereby present you with your Administration's revised budget based on your recommendations."

Mr. Proctor informed the board the town will only be receiving \$10,000 for recreation instead of the \$25,000 it has received in the past. This changes the General Fund Revenue to \$1,966,800 and reduces the Recreation budget to \$23,738.

There was no public comment on the budget. Commissioner Lennon asked if the budget includes a "masked" 2% Christmas Bonus for the employees in the salary line items. Mr. Proctor said yes as well as the 40 hour Bonus Vacation Hours (BVH). Commissioner McCree wanted to know if the employees would be able to use the BVH time. Town Clerk Jenny Larson replied that if the board approves the BVH time, it would be used first before regular vacation or compensation time.

Mr. Proctor stated the budget was good and solid with the increase in sewer rates. Commissioner McCree reminded the board that citizens were promised a rate reduction when the other towns tied on to the plant. Mr. Proctor replied that the sewer fund hasn't been balanced in eight years until last year because it took so long for the other towns to connect. Finance Director Linda Vause said that when the board discussed reducing rates they did not realize it would take eight years for the other communities to hook on and during that time expenses have increased. She added that if the other towns had tied on from the start, there probably could have been a reduction in rates.

The board agreed to have a third budget workshop on Tuesday, June 22 at 6:00 p.m. The hearing was closed at 6:40 p.m.

Call to Order and Invocation

Mayor Charles Kemp called the meeting to order at 6:40 p.m. and gave the invocation.

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 was no public comment this month.

Consent Agenda

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

- g. Approval of Minutes – Regular Meeting, May 18, 2010.

Old Business

Ordinance 10-129 – Chapter 96, Signs.

Mr. Proctor read the title of Ordinance 10-129, adding Chapter 96, Signs. The ordinance requires a second reading since it was not adopted unanimously at the May meeting.

Commissioner Lennon made a motion to adopt Ordinance 10-129 – Chapter 96, Signs. Commissioner Sealey seconded the motion and passed with a vote of 4 to 3 as follows:

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

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

CDBG-R amendments to program activities.

Commissioner Lennon made a motion to adopt the second amendment to the CDBG-R program activities. Commissioner Townsend seconded the motion and it passed unanimously.

New Business

Southeastern Family Violence Center – program services

Ms. Cindy Edwards gave an overview of the Southeastern Family Violence Center and their program services. It is the only domestic violence shelter in the county and they house the homeless as well. The shelter can house 24 people and it is usually full.

Resolution 10-4 – Giving Tax Collector order to collect taxes

Mr. Proctor read Resolution 10-4, giving the Tax Collector the order to collect taxes in its entirety:

“RESOLUTION 10-4

A RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE TOWN OF FAIRMONT, NORTH CAROLINA, DIRECTING THE TAX COLLECTOR TO COLLECT TAXES CHARGED IN THE TAX RECORDS AND RECEIPTS IN ACCORDANCE WITH GENERAL STATUTES §105-321; AND, ESTABLISHING AN EFFECT DATE.

WHEREAS, N.C.G.S. 105-321 provides that upon order of a governing body, the tax receipts of a town shall be delivered to the town’s Tax Collector on or before the first day of September;

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Town of Fairmont that it does hereby adopt this resolution directing the Town’s Tax Collector to collect the taxes charged in the tax records and receipts in accordance with G.S. §105-321 as follows:

Section 1. Town tax records shall be filed in the office of the Town Tax Collector. Those records shall be delivered to the Tax Collector at the time she is charged with the collection of taxes.

Before delivering the tax receipts to the Tax Collector in any year, the Board of Commissioners shall adopt and enter in its minutes an order directing the Tax Collector to collect the taxes charged in the tax records and receipts. A copy of this order shall be delivered to the Tax Collector at the time the tax receipts are delivered to her. The order of collection shall be written as shown on the attached order, which is hereby approved by the Board of Commissioners as a part of this resolution as if incorporated herein.

The tax receipts shall be delivered to the Tax Collector by the Board of Commissioners on or before the first day of September of each year if the Tax Collector has made settlement and provided bond as required by N.C.G.S. 105-352. The Tax Collector shall give her receipt for the tax receipts delivered to her for collection.

The Tax Collector shall apply the taxes collected to the taxes due from the earliest year to the most current year.”

Commissioner Lennon made a motion to adopt Resolution 10-4, giving the Tax Collector order to collect taxes for 2009 and 2010. Commissioner Sealey seconded the motion and it passed unanimously. A signed copy of this resolution and order is hereby incorporated by reference and made a part of these minutes.

Resolution 10-5 – Adopting an agreement to continue participation in the North Carolina Small Town Main Street Program for 2010-2011.

Mayor Kemp stated the town has participated in the Small Town Main Street Program for the past four years and it has been very helpful. Commissioner Lennon made a motion to adopt Resolution 10-5, adopting an agreement to continue participation in the North Carolina Small Town Main Street Program for 2010-2011. Commissioner Townsend seconded the motion and it passed unanimously. A signed copy of this resolution is hereby incorporated by reference and made a part of these minutes.

Mayor Input

Mayor Kemp announced the next RCMA meeting will be hosted by the Town of Proctorville on Thursday, June 24 at 7:00 p.m. at the Proctorville Community Center. State Senator Michael Walters will be the guest speaker.

Mayor Kemp invited everyone to attend the fourth annual Fairmont Fantastic Fourth to be held Sunday, June 27 at 5:00 p.m. at the Fairmont Community Park. Gold Rush and Michael Jackson impersonator Val Humphrey will perform and Congressman Mike McIntyre will also be in attendance. The fireworks show will begin at 9:30 p.m.

Mayor Kemp passed around the National Register of Historic Places certificate for the downtown district.

Commissioners Input

Commissioner Sealey invited everyone to attend Fairmont First Baptist Church's "Land of the Free" concert on Sunday, July 4 at 3:00 p.m. The Chancel Choir will perform with an orchestra and there will be special recognition of public officials and the armed forces.

Manager Input

Mr. Proctor had no manager's input this month.

Announcements

Thursday, June 17 - Community Watch, 7:00 p.m., Cedar Grove Baptist Church on Morro St.

Tuesday, June 22 - Budget workshop, 6:00 p.m., Council Chambers.

Saturday, June 26 - Carolina Big Dawgs, First Annual Golf Tournament, Tee Time 9:00 a.m., Cliffwood Golf Course, Lumberton. Proceeds benefit the Big Dawgs 12U Baseball Team's attempt to compete in the USSSA World Series. \$50 player or \$200 for a 4-man team. For more information contact Angie Lovin at 740-1152 or Mike Lovin at 740-1153.

Sunday, June 27 - Fairmont's Fantastic Fourth, Fairmont Community Park. Gold Rush will perform from 5:00 to 9:00 p.m. with Fireworks at 9:30 p.m. Don't miss this fun, free family event! Michael Jackson impersonator Val Humphrey and Congressman Mike McIntyre will be there. There will also be food vendors, a train and bounce houses for the kids.

Monday, June 28 - Friday, July 2 - Kemp's Klinix Summer Tennis Camps at Fairmont High School Tennis Courts. Kids Tennis Camp (Grades K-2) 8:30 a.m. - 9:30 a.m., \$25.

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Junior Tennis Camp (Grades 3-6) 9:30 a.m. to 11:00 a.m., \$30. Prep Tennis Camp (Grades 7-12) 11:00 a.m. to 1:00 p.m., \$35. All camps include T-shirt. For more information contact Travis Kemp at 910-827-2229 or 910-535-3002.

Tuesday, June 29 - Special Town Board meeting to adopt Budget for Fiscal Year 2010-2011, 6:00 p.m., Council Chambers.

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

Sunday, July 11 - B.B. Thompson Youth Choir summer benefit concert, 3:00 p.m., A.D. Lewis Auditorium at Robeson Community College in Lumberton. All proceeds go towards "Pavilion in the Pines" expenses.

Tuesday, July 13 - NCDMV Mobile Driver's License Unit, 10:30 a.m. to 4:30 p.m., Town Hall parking lot.

Thursday, July 15 - Community Watch, 7:00 p.m., Site TBA.

Tuesday, July 20 - 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.

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

Budget Workshop Meeting – June 22, 2010

The Fairmont Board of Commissioners held a budget workshop meeting on Tuesday, June 22, 2010 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, Carol Leak-McKenzie and Perry Ashley. Staff present included Town Manager Blake Proctor, Town Clerk Jenny Larson, Finance Director Linda Vause and Public Works Director Ronnie Seals.

Mayor Charles Kemp called the meeting to order. He stated the purpose of the meeting was a third budget workshop on the Fiscal Year 2010-2011 budget.

Mr. Proctor presented changes to the budget, which includes a table of revenues based on various sewer rates:

“Ladies and gentlemen of the Board – Here is the rate information you requested during last Tuesday evening’s meeting

I. Assuming there was no change in the Sewer rate, Utility Revenues would be down a total of \$28,800 from Town customers and about \$2,500 from the Columbus customers, a total of \$31,300. This would require a corresponding decrease in Fund Expenditures. Right now, we have \$33,419 in Utility Contingency, so this decrease will leave \$2,119 in that Line Item.

II. Maintaining each of the Schedule Rates for either 6 or 12 months will provide the following revenue streams for that period at 1,200 sewer connections:

Schedule →	A	B	C	D	
Revenue at... for	50¢	\$1.00	\$1.50	\$2.00	Combination Revenues
6 months	\$3,600	\$7,200	\$10,800	\$14,400	-----
12 months	\$7,200	\$14,400	\$21,600	\$28,800	-----

The following Revenue estimates assume a combination of rates, one set for six months and then another for the other six: The number 6 equates to six months; the Letter represents the above Schedule letter. For instance, 6A + 6B = \$10,800, and the matrix explains how that number is derived

6A + 6B	\$3,600	\$7,200		\$10,800
6A + 6C	\$3,600		\$10,800	\$14,400
6A + 6D	\$3,600			\$18,000
6B + 6C		\$7,200	\$10,800	\$18,000
6B + 6D		\$7,200		\$21,600
6C + 6D			\$10,800	\$25,200

The Combined Revenue column is the total Sewer Revenue generated for the entire year. Revenues for the second year and subsequent years will be whatever the ending rate is at the 12-month level in the first matrix

III. I am negotiating with the County on a potentially lucrative contract to provide treatment of their landfill leachate. In the spirit of not counting your chickens before they're hatched, I believe that we should not consider any funds from this source until a contract is signed. If a successful conclusion is reached by the 22nd's workshop, I shall of course provide you the details.

IV. On another budgetary matter, you may have read in Friday's Fayetteville Observer that the State Senate is trying to halt all "sweepstakes" gaming in the State. This has become a good secondary source of income for many cities, although State law makes it not a moneymaker at all for counties. State statutes allow cities to use privilege licensing for revenue generation, but counties can only charge what it costs to administer, say \$5.00 per business; this is probably why many counties are against this kind of entertainment. It is not settled that gaming will be banned, as the House is not on board like the Senate. I just wanted you to know that here is a potential decrease in the upcoming budget.

V. Lastly, following those extensive discussions we have held, I believe that there is absolutely no interest in pursuing the Bonus Vacation Hours (BVH) program; accordingly, I am dropping my request for your consideration of this provision of my budget proposal."

Mr. Proctor informed the board the revised Parks and Recreation Budget is \$14,238.

Mr. Proctor is negotiating with Robeson County about treating the landfill leachate. The City of Lumberton has been treating the leachate for free and is now planning to charge the county \$40 per 1,000 gallons. Fairmont's sewer plant can treat the leachate for \$20 per 1,000 gallons. The county's Public Works Committee has met and is discussing our proposal. Some of the committee members want to see if the Town of Pembroke could handle the leachate treatment. County Manager Ken Windley is still positive the county will choose Fairmont. The Public Works Committee will meet again in July. Public Works Director Ronnie Seals added he has been treating leachate samples from the county for six months and the plant was easily able to handle it.

Mr. Proctor asked the board for advice on how much the sewer rate increase should be. If the board chooses a flat \$2.00 sewer rate increase, it would generate \$28,800 in revenue. Mr. Proctor feels a \$2.00 increase would be the most beneficial to the town because it will increase the contingency fund and help with the sewer line replacement project.

There being no further business, a motion was made and seconded to adjourn the meeting at 7:23 p.m.

Jennifer H. Larson, CMC
Town Clerk

**Special Meeting – June 29, 2010
Budget Adoption**

The Fairmont Board of Commissioners held a special meeting on Tuesday, June 29, 2010 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 Perry Ashley. Staff present included Town Manager Blake Proctor, Town Clerk Jenny Larson, and Finance Director Linda Vause. John Charles Robbins was also in attendance.

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

Administrative Matters

Write Off Uncollected Water Accounts for 2009-2010 in the amount of \$1,700.87

Commissioner Townsend made a motion to write off uncollected water accounts for 2009 - 2010 in the amount of \$1,700.87. Commissioner Sealey seconded the motion and it passed with a vote of 5 to 1 as follows:

For: Commissioners McCree, Townsend, Leak-McKenzie, Ashley & Sealey
Against: Commissioner Lennon

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

Release 1999 Property Taxes in the amount of \$1,998.20

Commissioner Townsend made a motion to release 1999 property taxes in the amount of \$1,998.20. Commissioner McCree seconded the motion and it passed unanimously. A copy of the 1999 property tax accounts are hereby incorporated by reference and made a part of these minutes.

Ordinance 10-135 - Amended Fiscal Year Budget 2009-2010

Commissioner Lennon made a motion to adopt Ordinance 10-135 - Amended Fiscal Year Budget 2009-2010 in the amount of \$3,235,528.49. Commissioner Sealey seconded the motion and it passed unanimously. A copy of the 2009-2010 amended budget ordinance is hereby incorporated by reference and made a part of these minutes.

Ordinance 10-136 - Fiscal Year Budget 2010-2011

The Fiscal Year 2010-2011 Budget keeps the tax rate at .69 cents per hundred dollar valuation. It includes a \$0.50 monthly fee increase in sanitation and a \$2.00 flat monthly fee increase in sewer. Mayor Kemp went on record as being in favor of a \$1.00 increase in sewer rather than \$2.00. Commissioner Lennon made a motion to adopt Ordinance 10-136 - Fiscal Year Budget 2010-2011 in the amount of \$3,822,092.29. Commissioner Townsend seconded the motion and it passed with a vote of 5 to 1 as follows:

For: Commissioners McCree, Townsend, Leak-McKenzie, Ashley & Lennon
Against: Commissioner Sealey

A copy of the 2010-2011 budget ordinance is hereby incorporated by reference and made a part of these minutes.

There being no further business, a motion was made and seconded to adjourn the meeting at 6:29 p.m.

Jennifer H. Larson, CMC
Town Clerk