

Regular Meeting – July 17, 2012

The Fairmont Board of Commissioners held their regular meeting on Tuesday, July 19, 2012 at 6:00 p.m. in the Council Chambers with Mayor Charles Kemp presiding. Commissioners present were J.J. McCree, Wade Sealey, and Carol Leak-McKenzie. Commissioner Wayland Lennon, III was out of town and participated by telephone. Commissioners Charles Townsend and Kim Ammons were absent. Staff present included Town Manager Linda Vause, Town Attorney Rob Price, Town Clerk Jenny Larson and Major David Windom. Others in attendance included Abbi Overfelt and several citizens.

Call to Order and Invocation

Mayor Charles Kemp called the meeting to order and gave the invocation. He asked for a moment of silence in light of the recent tragedies that took the lives of John Ross Kissam, Fairmont High graduates Tyreke Addison and Nokolma Hunt and Lumberton Master Patrol Officer Jeremiah Goodson.

Mayor Presentation – Certificate of Appreciation for Town Manager Linda Vause

Mayor Kemp presented Town Manager and Finance Director Linda Vause with a framed certification of appreciation in recognition of her hard work and devotion to her job and the town.

Approval of Agenda

Town Manager Linda Vause asked the board to table item A under new business “Resolution 12-11, Mercer offer for property at 501 Iona Street” and to add item C under new business “Resolution 12-12, stating intent to enforce subdivision ordinance in ETJ”. Commissioner Sealey made a motion to approve the amended 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 Sealey and seconded by Commissioner McCree, it was unanimously voted to adopt the following consent agenda items:

- a. Approval of Minutes – Budget Workshop, June 12, 2012, Regular Meeting, June 19, 2012 and Special Meeting, June 28, 2012.

Unfinished Business

Declare old Callahan TV Building on Main Street as surplus property

Town Manager Linda Vause spoke with Mr. Phillip Wall on June 28th about the board's terms for an extension on rehabbing the property he and his wife purchased from the Town in December 2010 (The Old Callahan TV Building). Mr. Wall was not agreeable to the terms offered. Mrs. Vause told him the town attorney would proceed with the Reverter Clause in the deed. This property, located at 311 South Main Street, is now available for future offers. Commissioner Lennon made a motion to declare surplus and dispose of the property located at 311 South Main Street using the upset bid method according to G.S. 160A-269. Commissioner Sealey seconded the motion and it passed unanimously.

New Business

Resolution 12-11 – Mercer offer

This item was tabled at the request of Town Manager Linda Vause because Mrs. Mercer did not send in all of the required paperwork.

Discussion of possible golf cart ordinance.

Mrs. Vause stated that Town Clerk Jenny Larson has been researching golf cart ordinances by getting sample ordinances from other towns and by obtaining the State of North Carolina's requirements. Mrs. Vause asked for the board's input on what they like and dislike before Mrs. Larson begins work on the town's ordinance. Town Attorney Rob Price said the state code allows towns to specify certain restraints but that they don't have to be too extensive. Commissioner Sealey suggested that golf carts not be driven after a certain time at night for safety reasons. Commissioner McCree proposed editing out what the board doesn't like after seeing a draft ordinance. Mayor Kemp asked for a draft golf cart ordinance to be presented at the August meeting.

Resolution 12-12 – Stating intent to enforce subdivision ordinance in ETJ.

Mrs. Vause asked the board to consider adopting Resolution 12-12 – Stating intent to enforce subdivision ordinance in ETJ, which reads as follows:

RESOLUTION 12-12

**RESOLUTION STATING INTENT TO ENFORCE THE SUBDIVISION ORDINANCE
WITHIN THE EXTRA TERRITORIAL JURISDICTION**

WHEREAS, the Robeson County Planning Department has made inquiry regarding enforcement of the subdivision ordinance within the one mile extra territorial jurisdiction of the Town of Fairmont; and,

WHEREAS, North Carolina General Statute 160A-360 provides that the Town of Fairmont may exercise such powers within the one mile extra territorial jurisdiction; and,

WHEREAS, the Town of Fairmont states it will enforce the subdivision ordinance in its Code of Ordinances as follows:

§ 153.03 JURISDICTION. These regulations shall govern all subdivision of land, excepting those platted and recorded prior to the effective date of this chapter, within the corporate limits and extraterritorial jurisdiction of the Town of Fairmont, North Carolina, as now or hereafter established. (Ord. passed 5-31-1977)

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners that the Town of Fairmont will enforce its duly adopted local subdivision ordinance within the one mile extra territorial jurisdiction.

Town Attorney Rob Price doesn't like that the county is requiring the towns to adopt this resolution. He pointed out that Town Clerk Jenny Larson sent the county planning department a letter stating the town enforces the subdivision ordinance in the ETJ and was told a letter wasn't sufficient. Commissioner Lennon made a motion not to adopt Resolution 12-12 – Stating intent to enforce subdivision ordinance in ETJ. Commissioner Sealey seconded the motion and it passed unanimously.

Mayor Input

Mayor Kemp had no input this month.

Commissioners Input

Commissioner McCree asked about the work being done next to the washerette on Walnut St. Mrs. Vause said an antiquated water line had broken. She added that lightning also struck the Brown Street lift station.

Commissioners Sealey and Lennon thanked the town for the Fantastic Fourth celebration.

Manager Input

Mrs. Vause announced that she would be on vacation next week.

Department Head Input

There was no department head input this month.

Closed Session – Attorney-Client Privilege G. S. 143-318.11(a)(3)

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

Mayor Kemp, Commissioners Sealey, McCree, and Leak-McKenzie along with Linda Vause, Rob Price and Jenny Larson were in attendance during closed session. Commissioner Lennon attended by telephone.

Commissioner McCree made a motion to come out of closed session at 6:45 p.m. Commissioner Sealey seconded the motion and it passed unanimously. Mayor Kemp announced that attorney-client privilege had been discussed as permitted under General Statute 143-318.11(a)(3) and no action was taken.

Announcements

Thursday, July 19 - Fairmont Community Watch Quarterly Meeting, 7:00 p.m., Courtroom.

Saturday, July 21 - Celebrate Lumber River Day, 9:00 a.m. - 2:00 p.m., Lumber River State Park at Princess Anne.

Saturday, July 21- Student recycling contest “CASH 4 TRASH” 9:00 a.m. - 12:00 p.m. at the old Southern States weighing scales just off Leesville Road and Morro St (behind Bo’s). Top 3 students with the most recyclables win 1st place \$100, 2nd place \$60 and 3rd place \$40.

Sunday, July 22 – Wednesday July 25 - Trinity United Methodist Church Vacation Bible School, 6:00 p.m. to 8:30 p.m.

Wednesday, July 25 - Job Fair hosted by Alliance for Advanced Manufacturing (RCC) 10:00 a.m. - 12:00p.m., Courtroom

Thursday, August 2 - Back to School Celebration, 7:00 a.m. to 7:00 p.m., Southeastern NC Agricultural Center in Lumberton.

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

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Tuesday, August 7 - National Night Out, 7:00 p.m., Heritage Center.

Tuesday, August 14 - NCDMV Mobile Driver's License Unit, 10:30 a.m. to 4:30 p.m., Town Hall parking lot.

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

Monday, August 27 - First Day of School.

Monday, September 3 - Town offices and schools closed in observance of Labor Day.

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

Adjournment

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

Jennifer H. Larson, CMC
Town Clerk

Regular Meeting – August 21, 2012

The Fairmont Board of Commissioners held their regular meeting on Tuesday, August 21, 2012 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, Kim Ammons, Wade Sealey, and Carol Leak-McKenzie. Staff present included Town Attorney Rob Price, Town Clerk Jenny Larson, Public Works Director Ronnie Seals and Public Safety Director Danny Parker. Town Manager Linda Vause was absent due to illness. Others in attendance included David Sumner, Joann Anderson, Montressa Smith, Mike Jimenez, Timmy Thomas, Abbi Overfelt and several citizens.

Call to Order and Invocation

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

Mayor Presentation – SRMC Presentation

Mayor Kemp introduced Joann Anderson and Montressa Smith from SRMC. They announced a new program for senior citizens, age 50 and older, entitled “Fairmont’s Gettin’ Fit.” Chair aerobics class will be taught on Monday mornings from 9:00 a.m. to 10:00 a.m. and line dancing class will be taught on Thursday afternoons from 2:00 p.m. to 3:00 p.m. in the Heritage Center. The program begins September 10 and each class costs \$3.00. It is being sponsored by the Southeastern Lifestyles Fitness Center.

Mrs. Anderson announced that Southeastern Regional Medical Center will be changing its name to Southeastern Health in January 2013.

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

- b. Approval of Minutes – Regular Meeting, July 17, 2012.

Unfinished Business

Discussion of golf cart ordinance

Town Clerk Jenny Larson presented a draft golf cart ordinance to the board. She asked for their input on which streets to ban golf carts, how much the inspection fee and violation fine should be and the effective date of the ordinance. Commissioner Leak-McKenzie suggested the carts have turn signals and Commissioner McCree added they should be mandatory for cart use after sunset. Commissioner Lennon suggested allowing carts on roads with a 45 mph speed limit or less and eliminating the section banning carts on major roads. Commissioner McCree suggested adding an appeals process for cart owners whose permits are refused or revoked. Commissioner Lennon recommended an inspection fee of \$25 and a re-inspection fee of \$10. Commissioner Ammons recommended adding a triangle slow moving vehicle sign to the back of the golf carts. Commissioner McCree asked about golf cart owners who live outside the city limits but drive them in town. Town Attorney Rob Price said the section requiring cart owners to be town residents could be eliminated to allow anyone to register their golf carts. Commissioner Townsend liked the proposed \$50 fine for violation of the ordinance. Mrs. Larson proposed making the effective date of the ordinance January 1, 2013 so golf cart owners can be notified of the new regulations. A revised draft of the ordinance will be placed on the September agenda.

New Business

Resolution 12-13 – Adopting a policy of Mutual Assistance with other law enforcement agencies.

Mrs. Larson asked the board to consider adopting Resolution 12-13 – Adopting a policy of Mutual Assistance with other law enforcement agencies, which reads as follows:

RESOLUTION 12-13 ADOPTING A POLICY FOR MUTUAL ASSISTANCE WITH OTHER LAW ENFORCEMENT AGENCIES

WHEREAS, pursuant to North Carolina General Statutes §160A-288, the governing body of a city may adopt appropriate guidelines for the purpose of mutual assistance with other municipal and county law enforcement agencies; and

WHEREAS, pursuant to said laws, the law enforcement assistance to be rendered authorizes lending officers to work temporarily with officers of the requesting agencies, including in an undercover capacity, and lending equipment and supplies; and

WHEREAS, it is deemed to be in the best interests of the citizens of Fairmont to adopt a reasonable policy and guidelines whereby reciprocal law enforcement assistance can be both rendered to and obtained from other governmental jurisdictions; and

WHEREAS, such reciprocal assistance is necessary for effective law enforcement for the protection of the citizens of Fairmont;

NOW, THEREFORE, BE IT RESOLVED BY THE FAIRMONT BOARD OF COMMISSIONERS THAT:

1. The Chief of Police is hereby authorized to enter into mutual assistance arrangements with other municipal and county law enforcement agencies, provided that the head of the requesting law enforcement agency makes such a request in writing.

2. The Chief of Police is hereby authorized to permit officers of the Fairmont Police Department to work temporarily with officers of the requesting agency, including in an undercover capacity, and the Chief of Police may lend such equipment and supplies to requesting agencies as he deems advisable.

3. All such request and authorizations shall be in accordance with North Carolina General Statutes §160A-288, as applicable.

4. While working with a requesting agency, an officer shall have the same jurisdiction, powers, rights, privileges and immunities (including those relating to the defense of civil actions and payment of judgments) as the officers of the requesting agency in addition to those the officer normally possesses.

5. While on duty with the requesting agency, an officer shall be subject to the lawful operational commands of the officer's superior officers in the requesting agency, but the officer shall for personnel and administrative purposes, remain under the control of the officer's own agency, including for purposes of pay. An officer shall furthermore be entitled to worker's compensation and the same benefits to the extent as though he were functioning within the normal scope of the officer's duties.

6. The Chief of Police is hereby authorized to enter into mutual assistance agreements with other law enforcement agencies in accordance with such reasonable arrangements, terms and conditions as may be agreed upon between the respective heads of the law enforcement agencies.

Commissioner Lennon made a motion to adopt Resolution 12-13 – Adopting a policy of Mutual Assistance with other law enforcement agencies. Commissioner Sealey seconded the motion and it passed unanimously. A signed copy of the resolution is hereby incorporated by reference and made a part of these minutes.

Resolution 12-14 – Approval of three year update to Robeson County Solid Waste Management Plan.

Mrs. Larson asked the board to consider adopting Resolution 12-14 – Approval of three year update to Robeson County Solid Waste Management Plan, which reads as follows:

RESOLUTION 12-14

A RESOLUTION OF THE TOWN OF FAIRMONT APPROVING THE THREE YEAR UPDATE OF THE ROBESON COUNTY SOLID WASTE MANAGEMENT PLAN; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, the Board of Commissioners of the Town of Fairmont, Robeson County, North Carolina, has received the draft three year update of the Robeson County Solid Waste Management Plan; and,

WHEREAS, said Board of Commissioners has reviewed the proposed update and has no changes to make;

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

1. The Fairmont Board of Commissioners does hereby endorse and adopt the three year update to the Robeson County Solid Waste Management Plan;
2. The Board further resolves that this Resolution shall be effective immediately upon its adoption.

Commissioner Lennon made a motion to adopt Resolution 12-14 – Approval of three year update to Robeson County Solid Waste Management Plan. Commissioner Sealey seconded the motion and it passed unanimously. A signed copy of the resolution is hereby incorporated by reference and made a part of these minutes.

Resolution 12-15 – Honoring Robeson County’s 225th anniversary.

Mrs. Larson asked the board to consider adopting Resolution 12-15 – Honoring Robeson County’s 225th anniversary, which reads as follows:

RESOLUTION 12-15 HONORING ROBESON COUNTY'S TWO HUNDRED AND TWENTY-FIFTH ANNIVERSARY

WHEREAS, Robeson County was formed in 1787 from part of Bladen County; and

WHEREAS, Robeson County was named in honor of Colonel Thomas Robeson of Tar Heel, North Carolina, a hero of the Revolutionary War; and

WHEREAS, the citizens of Robeson County have made significant contributions to the social, cultural, political, and economic prosperity of the State of North Carolina; and

WHEREAS, plans have been made to celebrate Robeson County's 225th anniversary on Thursday, September 13, 2012; and

WHEREAS, this occasion is worthy of celebration and should be enjoyed and supported by all citizens of Fairmont;

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

1. The Town of Fairmont congratulates Robeson County on its 225th anniversary and encourages the citizens of Fairmont to celebrate this historic occasion.
2. The Town Clerk shall transmit a certified copy of this resolution to the Chair of the Robeson County Board of Commissioners.

Commissioner Townsend made a motion to adopt Resolution 12-15 – Honoring Robeson County’s 225th anniversary. Commissioner McCree seconded the motion and it passed unanimously. A signed copy of the resolution is hereby incorporated by reference and made a part of these minutes.

Approval of Resolution 12-16 - Governor’s Highway Safety Program grant.

Public Safety Director Danny Parker informed the board about the Governor’s Highway Safety Program grant. The three year grant will cover the cost of one officer position, training, benefits, vehicle and equipment. The first year the total grant will be \$101,346 with a 15% match from the town of approximately \$15,202. The second and third years of the grant will be for salary only, \$28,544 with the town providing a 30% match of approximately \$8,566 in year two and a 50% match of approximately \$14,277 in year three. The Highway Safety Officer position will work nights and weekends, 2nd & 3rd shift. The grant was awarded to the town to help combat speed and alcohol related traffic deaths. Chief Parker was informed by Town Manager Linda Vause that the current budget can handle the match for the grant. Commissioner Townsend made a motion to adopt Resolution 12-16 - Governor’s Highway Safety Program grant. Commissioner Sealey seconded the motion and it passed unanimously. A signed copy of the resolution is hereby incorporated by reference and made a part of these minutes.

Public Safety Department Wrecker policy.

Public Safety Director Danny Parker asked for the board’s input on the department’s proposed wrecker policy. The police department previously had no written policy regarding the rotation of wrecker trucks. Chief Parker modeled his policy after the Highway Patrol. The purpose behind the policy is to address complaints on unfair pricing, vehicle storage locations and wrecker truck drivers with criminal histories. Chief Parker proposed a business license fee of \$100 per wrecker service and each truck must be inspected by the police department. Chief Parker met with the owners of the five wrecker services in town to inform them of the proposed policy. Mr. Timmy Thomas and his sons own two of the wrecker services and they told the board they agree with everything in the policy. Commissioner McCree felt that wrecker service employees convicted of misdemeanors or felonies shouldn’t be allowed to tow or store vehicles to be used as evidence in a crime. Chief Parker assured the board that once the policy is adopted all wrecker services would have to meet the guidelines or be taken off rotation. Commissioner McCree suggested adding the Board of Adjustment as part of the appeals process. Town Attorney Rob Price will work with Chief Parker to make needed adjustments and a revised wrecker policy will be on the September agenda.

Mayor Input

Mayor Kemp expressed deep appreciation to Mrs. Joann Anderson and Ms. Montressa Smith for their help in creating the senior exercise program and the positive impact it will make.

Commissioners Input

Commissioners Lennon and Sealey commended the Public Safety Department for the awesome work at Saturday's traffic checkpoint.

Commissioner Lennon has had citizens complain to him about big transfer trucks driving on non-truck lanes.

Commissioner Lennon announced that Masonic Lodge 528 will be hosting a Thanksgiving food drive.

Commissioner Sealey stated the Chamber of Commerce will make a request at the September board meeting to sell alcohol in the park on Friday, October 19. The Chamber is sponsoring a free concert following their golf tournament and would like to sell beer as a fundraiser.

Commissioner Townsend invited the board to attend the retirement dinner of LRCOG director Jim Perry on Thursday from 4:00 p.m. to 6:00 p.m.

Commissioner Leak-McKenzie announced that she has been laid off from her job and is willing to volunteer if the town needs help.

Manager Input

Mrs. Larson presented Town Manager Linda Vause's financial report for the record:

July 2012 has once again been a "cash strapped" month. The town's property and liability insurance, along with the workers' comp insurance, is paid in July. The staff has been told to hold spending to a minimum during this time. Once taxes are billed and payments begin to be made, things will lighten up a little. Gaming privilege license helped us get by this month.

The contract sewer revenue is not where it should be. There was a problem with the readings for June & July. This has been corrected and should be on target for August.

There was a lightning strike at the Brown Street Lift Station July 16th. All repairs have been made and insurance claims filed. The town's deductible is \$1,000.00 for the claim.

Mrs. Larson added that taxes were mailed out Friday and payments are already coming in.

Department Head Input

Public Safety

Chief Parker stated the biggest complaint his department receives about transfer trucks is the damage caused by them turning at the intersection of Main and Iona Streets.

Public Works

Public Works Director Ronnie Seals informed the board that the Gertrude Street well, built in 1962, is not pumping water like it should. The town is paying \$4,000 to run a video camera down the well to determine the extent of the problem and later estimate the cost of repairs.

Announcements

Thursday, August 23 - Community Watch meeting to organize for the coming year, 7:00 p.m., courtroom. All interested citizens are invited to come.

Friday, August 24 - Fairmont High Football vs. Hobbton, Away, 7:30 p.m.

Saturday, August 25 - “Showin’ Off For Autism” Bike Show. Starting at 10:00 a.m., Fairmont Community Park

Monday, August 27 - First Day of School.

Friday, August 31 - Fairmont High Football vs. West Bladen, Home, 7:30 p.m.

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

Monday, September 3 - Labor Day Sidewalk Sale & Concert. 7:00 a.m. – 2:00 p.m., Downtown Fairmont. Vendors & store bargains plus concert by the Undecided Band of Fairmont in front of the library from 11:00 a.m. - 2:00 p.m.

Monday, September 3 - Town offices and schools closed in observance of Labor Day.

Friday, September 7 - Fairmont High Football vs. Lake View, Home, 7:30 p.m.

Friday, September 14 - Fairmont High Football vs. Ashley, Home, 7:30 p.m.

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

September 15 - 29 - Fall Litter Sweep.

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

Regular Meeting – September 18, 2012

The Fairmont Board of Commissioners held their regular meeting on Tuesday, September 18, 2012 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, Kim Ammons, Wade Sealey, and Carol Leak-McKenzie. Commissioner Leak-McKenzie was late and arrived at 6:45 p.m. Staff present included Town Manager Linda Vause, Town Attorney Rob Price, Town Clerk Jenny Larson, Public Works Director Ronnie Seals, Recreation Director Mickey Williamson and Public Safety Director Danny Parker. Others in attendance included Carey Pittman, Dr. Eddie Locklear, Abbi Overfelt and several citizens.

Call to Order and Invocation

Mayor Charles Kemp called the meeting to order and gave the invocation. He announced that Commissioner Leak-McKenzie would be late.

Mayor Presentations

Recognition of Town Clerk Jenny Larson on her North Carolina Certified Municipal Clerk designation.

Mayor Kemp recognized Town Clerk Jenny Larson on her recent designation as a North Carolina Certified Municipal Clerk (NCCMC).

Introduction of Festival Grand Marshal, Dr. Eddie Locklear by Chairman Carey Pittman.

Fairmont Farmers Festival Chairman Carey Pittman introduced Dr. Eddie Locklear as the festival's grand marshal. Dr. Locklear spent his career working with 4-H.

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

- c. Approval of Minutes – Regular Meeting, August 21, 2012.
- d. Reappoint Steve Floyd to the ABC board for a 3 year term expiring September 2015.

Unfinished Business

Ordinance 12-148 – Golf Carts

The board discussed the changes made to the golf cart ordinance at the last meeting. Commissioner Lennon asked why the speed limit was not changed from 35 mph to 45 mph. Town Attorney Rob Price replied the state only allows municipalities to regulate roads that are 35 mph or less. Commissioner Lennon suggested changing #10 to read three people on a bench seat instead of two. Commissioner Lennon also suggested removing #19 which requires golf cart owners to have liability insurance coverage. Mr. Price recommended that if the board keeps #19 to add the words “a golf cart rider” before liability insurance coverage. Commissioner Ammons suggested removing “proof of Town residency” from #17. Commissioner Lennon asked if officers would give warnings for first time offenses and Chief Parker replied that it is the officer’s discretion to give a verbal or written warning before issuing a citation. Commissioner Lennon made a motion to adopt Ordinance 12-148, Golf Carts with the following changes: strike #19 requiring insurance coverage, change #10 to read “three” instead of “two” and remove the words “proof of Town residency” from #17. Commissioner Sealey seconded the motion. Commissioners Townsend, McCree and Ammons had concerns about striking the requirement to have liability insurance coverage. Commissioner Lennon amended his motion to keep #19 and add the words “a golf cart rider” before liability insurance coverage. Commissioner Sealey seconded the amended motion and it passed unanimously. Commissioner McCree suggested erecting signs at the town entrance signs to let motorists know they share the road with golf carts. The ordinance goes into effect January 1, 2013.

Public Safety Department Wrecker Policy

Public Safety Director Danny Parker and Town Attorney Rob Price went over the changes made to the wrecker policy since the last meeting, which strengthened the wording dealing with felonies and misdemeanors. Commissioner McCree suggested replacing “wrecker driver” in #13 with “wrecker owner, operator and employee”. Commissioner Ammons didn’t like the verbiage “shall” in #12. Mr. Price proposed changing “shall” to “should”. Commissioner McCree made a motion to adopt the Public Safety Wrecker Policy with the following changes: replace the words “wrecker driver” in #13 with “wrecker owner, operator and employee” and change “shall” to “should” in #12. Commissioner Lennon seconded the motion and it passed unanimously.

New Business

UNCP Transfer Transition Office – April Locklear

Ms. April Locklear was not present so this item was not discussed.

Chamber of Commerce request for permission to sell alcohol in the park on Friday, October 19

Mrs. Vause informed the board that the Chamber of Commerce is requesting permission to sell alcohol on the pavilion side of the Fairmont Community Park on Friday, October 19. The Chamber is hosting a concert by the CoCo Loco band following the festival golf tournament. They would like to sell alcohol as a fundraiser similar to Lumberton's "Alive After Five" concerts. Commissioner Lennon made a motion to give permission for the Fairmont Chamber of Commerce to sell alcohol in the Fairmont Community Park on October 19, 2012 starting at 5:30 p.m. Commissioner Sealey seconded the motion. Commissioner McCree asked if this was the first time the board had given permission to sell alcohol in the park and Mrs. Vause replied that it was. She added that any future request to sell alcohol in the park would have to come before the board. Commissioners Lennon and Sealey withdrew their original motion. Commissioner Lennon made a new motion to allow the Fairmont Chamber of Commerce to sell alcohol in the Fairmont Community Park on October 19, 2012 with proof of liability insurance and ABC permit. Commissioner Sealey seconded the motion and it passed unanimously. (Clerk's note: After further research, the Chamber was informed by the Town Manager and Town Attorney that it is against the town's park ordinance to allow alcohol in the park and the board's action was null).

Consider Resolution 12-11 – Mercer offer for property at 501 Iona Street.

Mrs. Vause asked the board to consider adopting Resolution 12-11 – Mercer offer for property at 501 Iona Street, which reads as follows:

RESOLUTION AUTHORIZING THE ADVERTISEMENT OF AN OFFER TO PURCHASE CERTAIN PROPERTY

WHEREAS, the Board of Commissioners of the Town of Fairmont desires to dispose of certain surplus property of the Town, described below;

WHEREAS, the Board of Commissioners has received an offer to purchase the property described below from Norma Mercer for the sum of \$18,000; and,

WHEREAS, North Carolina General Statute § 160A-269 permits the Town to sell property by upset bid, after receipt of an offer for the property;

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners that:

1. The following described property is hereby declared to be surplus to the needs of the Town: 501 Iona Street (the Mercer house), Parcel 300503006, Tax Value \$93,100.
2. The Board of Commissioners intends to accept the offer unless a qualifying upset bid shall be made.

3. The Town Clerk shall cause a notice of the proposed sale to be published in accordance with G.S. 160A-269.

4. Persons wishing to upset the offer must submit a written offer to the Town Clerk within ten (10) days after publication of the notice. A person making an upset bid must deposit with the Town Clerk a sum equal to five percent (5%) of his or her offer by cash or money order. Once a qualifying upset bid has been received, that offer will become the new offer.

5. If a qualifying upset bid is received, the Town Clerk is directed to re-advertise the offer at the increased offer amount and to continue with this process until a ten (10) day period has passed without receipt of a qualifying upset bid.

6. The terms of a final sale are that
- a. the Town Board must approve the final high offer before a sale is closed, which it will consider within 30 days after the final upset bid period has passed,
 - b. the Town will pay the cost of deed preparation, the property tax for years prior to the year in which the sale closes, and any tax stamps due. The Buyer must pay current year taxes and all other costs of closing,
 - c. the Town will use a quitclaim deed to transfer the property, and
 - d. the buyer must pay with cash at the time of closing.

7. The Town reserves the right to withdraw the property from sale at any time before the final high bid is accepted and the right to reject all bids at any time.

Mrs. Vause has tried calling Mrs. Mercer several times to make sure she understands that she will lose her earnest money if she doesn't follow through with the bidding process but has been unable to reach her. Commissioner Townsend made a motion to adopt Resolution 12-11 – Mercer offer for property at 501 Iona Street. Commissioner McCree seconded the motion. Commissioner Lennon questioned the forthrightness of Mrs. Mercer's bid since she calls the property her "primary residence" and she has not lived there in years. Town Attorney Rob Price told the board they could refuse her offer, direct her to appoint a legal power of attorney and then consider her offer again at a later date. Commissioner Townsend and McCree withdrew their motion and second. Commissioner Sealey made a motion directing Town Attorney Rob Price to inform Mrs. Mercer that her bid has been rejected until she appoints a legal power of attorney. Commissioner McCree seconded the motion. After discussion, the board voted down the motion. Commissioner Sealey made a new motion directing Town Attorney Rob Price to communicate with Mrs. Mercer that her bid is pending and the board will not take further action until a valid power of attorney is appointed. Commissioner McCree seconded the motion and it passed unanimously.

Mayor Input

Mayor Kemp announced that Perdue will host a job fair on Thursday, September 20, from 10:00 a.m. to 12:00 noon in the courtroom.

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

Mayor Kemp stated that the JOBS team he appointed one year ago is still working diligently to bring jobs and industry to town.

Commissioners Input

Commissioner Lennon asked Mrs. Vause about the Harger CDBG payback. Mrs. Vause is trying to get a payment extension from the state. The first payment will be due July 2013. The town will have to shift expenses from the water fund to the general fund or raise utility rates to cover the payments. She informed the board a public hearing on the Harger CDBG closeout will be held at the October meeting.

Manager Input

Mrs. Vause presented the following monthly financial summary to the board:

I would first like to apologize for not attending the August board meeting. My absence was due to acute bronchitis. I was out of work that entire week. I worked “short” days the following week. I am now working regular hours.

August was an extremely busy month for our administration staff. Not only was I out sick, but Rebecca Andrews had to be out several days with her husband. He recently had surgery for colon cancer. Thankfully, his prognosis is good. Joyce Thompson was on a badly needed vacation the last week of August. She had made and paid for reservations at the beach. Everyone pitched in and helped to get the jobs done. Clifton Rich is now trained to take water payments. Ronnie Seals let us use the inmates for folding tax bills!

Administration staff has been reduced by three since I came to work for the Town in 1998. Public works staff has been reduced by at least ten since that time. It is very rewarding to work with people that are so willing to help out where needed. I might add that the police department took care of making bank deposits and picking up and delivery of Town mail. There is an old saying that is so very true about your Town staff, “it takes all of us to get the job done!”

Tax collection this month for 2012 taxes was \$252,808.98. This is 40% of the budgeted amount. We have collected all of the gaming privilege license fees we are aware of. This amount is 340% of the budgeted amount, or \$43,250.00 over budget. The theoretical amount of budget as of August 31st was 16.66%. Most of the department budgets are at 19%. This should straighten out in September. There were three payrolls in August and only one in September. This was due to the Labor Day Holiday.

We collected \$1,540.66 in Sewer Revenue – Miscellaneous. This was from the Robeson County Landfill. They needed to dump their excess leachate into our system because of the heavy rainfall.

We are continuing to work on our Sewer Rehabilitation Project – Phase 1A. Mr. Bill Lester is no longer with Hobbs, Upchurch and Associates. Our primary contact is now Mr. Mark Lacey. The project should be bid out no later than November.

I will be out of the office September 21st through September 24th to attend a tennis tournament in Sumter, South Carolina. This will be my last year for “chasing tennis balls.” My daughter, Beverly, should graduate in May.

Department Head Input

Public Safety

Chief Parker reported that a narcotics search warrant conducted on August 3, 2012 at 102 Liberia Street resulted in 25 people detained, stolen gun recovered, felony amount of marijuana found, gambling, several alcohol violations and three wanted persons arrested. Chief Parker also reported that the Task Force Checkpoint held on August 18, 2012 resulted in 70 citations and 14 arrests.

Public Works

Public Works Director Ronnie Seals had no input this month.

Closed Session – Attorney-Client Privilege G. S. 143-318.11(a)(3)

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 Statute 143-318.10(e) and to discuss attorney-client privilege as permitted under General Statute 143-318.11(a)(3). Commissioner McCree seconded the motion and it passed unanimously.

Mayor Kemp, Commissioners Ammons, Leak-McKenzie, Lennon, McCree, Sealey, and Townsend along with Linda Vause, Rob Price and Jenny Larson were in attendance during closed session.

Commissioner Sealey made a motion to come out of closed session at 8:05 p.m. Commissioner Leak-McKenzie seconded the motion and it passed unanimously. Mayor Kemp announced that attorney-client privilege had been discussed as permitted under General Statute 143-318.11(a)(3) and that the board directed the town attorney to proceed with a matter of potential litigation.

Announcements

Mondays - Chair Aerobics for Seniors, 9:00 a.m. to 10:00 a.m., Heritage Center, \$3.00 a class.

Thursdays - Line Dancing for Seniors, 2:00 p.m. to 3:00 p.m., Heritage Center, \$3.00 a class.

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September 15 - 29 - Fall Litter Sweep and Clean-up weeks.

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

Thursday, September 20 - Perdue Job Fair, 10:00 a.m. to 12:00 noon, Courtroom.

Friday, September 21 - Fairmont High Football vs. Jones Senior, AWAY, 7:30 p.m.

Friday, September 28 - Fairmont High Football vs. South Robeson, AWAY, 7:30 p.m.

Saturday, September 29 - Baltimore Baptist Church Women on Mission Fall Festival, 8:00 a.m. to 1:00 p.m. Inside yard sale and BBQ plate sale. Plates are \$6.00 and will be sold from 11:00 a.m. to 1:00 p.m.

Friday, October 5 - Fairmont High Football vs. West Columbus, HOME, 7:30 p.m.

Saturday, October 6 - Senior Citizens Cookout, 12:00 noon to 3:00 p.m., Luther Britt Park.

Friday, October 12 - Fairmont High Football vs. Red Springs, AWAY, 7:30 p.m.

Saturday, October 13 - Guinness World Record Truck Pull featuring John Brookfield & Kirk Nobles, beginning at 10:00 a.m. from the south city limits to the South Robeson Rescue Headquarters. There will be a strength demonstration afterwards.

Saturday, October 13 - Fairmont Farmers Festival Pageant, E.R. Gause Auditorium, Rosenwald Elementary School, 3:00 p.m. and 6:30 p.m.

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

Friday, October 19 - Fairmont High Football vs. East Columbus, HOME, 7:30 p.m.

Friday, October 19 - Fairmont Chamber of Commerce 5th annual Farmers Festival Golf Tournament at Fairmont Golf Club with a shotgun start at 1:00 p.m. The entry fee is \$50 per player and includes cart and green fees, mulligan, red tee, range balls, prizes, lunch, and dinner. For more information, contact James Honeycutt at Fairmont Golf Club, 910-628-9931 or Chamber President Kelly Johnson, 910-770-1967. A Red Solo Cup Hoe Down will be held at the Fairmont Community Park from 5:30 p.m. to 10:00 p.m., featuring a free concert by the CoCo Loco party band.

Friday, October 19 - South Robeson Rescue Unit's Haunted Forest begins, 8:00 p.m. to 11:00 p.m. Cost is \$6.

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Saturday, October 20 - Fairmont Farmers Festival. Parade at 10:00 a.m., followed by food, arts & crafts, car show, wrestling and entertainment in the park. The Carolina Breakers will perform from 9:00 p.m. to 12:00 midnight at the Robeson County Fairgrounds.

Friday, October 26 - Teacher's workday, no school.

Friday, October 26 - Fairmont High Football vs. St. Pauls, AWAY, 7:30 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 8:05 p.m.

Jennifer H. Larson, CMC/NCCMC
Town Clerk

Special Meeting – September 27, 2012

The Fairmont Board of Commissioners held a special meeting on Thursday, September 27, 2012 at 6:00 p.m. in the Council Chambers with Mayor Charles Kemp presiding. Commissioners present were Wayland Lennon, III, Kim Ammons, and Wade Sealey. Commissioners absent were J.J. McCree, Charles Townsend, and Carol Leak-McKenzie. Staff present included Town Manager Linda Vause, Town Attorney Rob Price, Town Clerk Jenny Larson, and Public Safety Director Danny Parker.

Call to Order and Invocation

Mayor Charles Kemp called the meeting to order and gave the invocation. He announced that Commissioners Wayland Lennon and Wade Sealey had asked for this special meeting to reconsider the towing and wrecker policy adopted at the last meeting.

Mayor Kemp made the following request for all board members making future motions:

When any board member makes a motion but prior to receiving a second the chair will request guidance from the attorney and the member as to the member's wording on that motion and once it is clear that the motion has been satisfactorily worded in keeping with the intent of the member, the chair will then allow a second to the motion followed by discussion.

Public Safety Department Wrecker Policy

Commissioner Lennon made a motion to rescind the Public Safety Department Wrecker/Towing Policy adopted on September 18, 2012, with revisions to be brought back to the board at the next regular meeting on October 16, 2012. Commissioner Sealey seconded the motion. Commissioner Lennon commended Chief Parker on the wrecker policy but after further review, felt amending #13 to include wrecker owners, operators and employees, was too far reaching and didn't need to be more rigorous than the state's wrecker policy. Commissioner Lennon thought it would be more appropriate to follow the state's policy regarding felonies. The motion passed as follows:

For: Commissioners Lennon, Sealey and Ammons
Against: None
Absent: Commissioners McCree, Townsend and Leak-McKenzie

There being no further business, a motion was made and seconded to adjourn the meeting at 6:20 p.m.

Jennifer H. Larson, CMC/NCCMC
Town Clerk

Regular Meeting – October 16, 2012

The Fairmont Board of Commissioners held their regular meeting on Tuesday, October 16, 2012 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, Kim Ammons, Wade Sealey, and Carol Leak-McKenzie. Staff present included Town Manager Linda Vause, Town Attorney Rob Price, Town Clerk Jenny Larson, Public Works Director Ronnie Seals, Recreation Director Mickey Williamson and Public Safety Director Danny Parker. Others in attendance included the Fairmont Farmers Festival Queens, Landa Gaddy, Abbi Overfelt and several citizens.

Call to Order and Invocation

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

Mayor Presentations

Introduction of the 2012-2013 Fairmont Farmers Festival Queens

Mayor Kemp introduced the 2012-2013 Fairmont Farmers Festival Queens. They are Wee Miss Marley Johnson, Little Miss Aniyah Taylor, Tiny Miss Dajsha Fields, Junior Miss Tristen Rich, Teen Miss Taylor Locklear and Miss Ivy Page.

Approval of Agenda

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

Public Hearing – Harger CDBG, grant closeout

Commissioner Sealey made a motion to go into Public Hearing at 6:12 p.m. Commissioner Leak-McKenzie seconded the motion and it passed unanimously. The purpose of the public hearing is to gather public and board comment on the closeout of Harger CDBG grant 07-E-1647. Town Manager Linda Vause stated the \$400,000 grant was used to provide infrastructure and build a lift station for Harger Lightning and Grounding, located on N.C. Highway 130. The company was supposed to hire 27 full-time employees but has only hired 10 people. There was no board or public comment, so Commissioner Sealey made a motion to come out of the public hearing at 6:15 p.m. Commissioner McCree seconded the motion and it passed unanimously.

Public Comment Period/Citizens Appearance

Landa Gaddy – Youth and Community Unity

Ms. Landa Gaddy invited the board to attend a youth and community unity meeting on October 18 at Rosenwald Elementary School.

Consent Agenda

Commissioner McCree asked to be excused from voting on approving the special meeting minutes from September 27, 2012 because he was not present at that meeting. No commissioner objected to his request. Upon motion by Commissioner Lennon and seconded by Commissioner Sealey, it was unanimously voted to adopt the following consent agenda items:

- a. Approval of Minutes – Regular Meeting, September 18, 2012 and Special Meeting, September 27, 2012.

Unfinished Business

Public Safety Department Wrecker Policy

Mayor Kemp reminded the board that the Public Safety Department Wrecker Policy adopted at the September 18 regular board meeting was rescinded at the special meeting held on September 27. The board’s agenda packet included the original draft of the wrecker policy, the policy adopted on September 18 and the N.C. Highway Patrol’s policy. Commissioner Lennon made a motion to adopt the original draft of the Public Safety Department Wrecker Policy. Commissioner Sealey seconded the motion. Town Attorney Rob Price stated the town’s policy is more developed and helpful than the State’s. He added the simpler you make the requirements, the easier it is to enforce. Mr. Price asked the board to amend Section 13(B) by changing “North Carolina” to “any state”. Mayor Kemp allowed the amendment and the amended motion was passed with a vote of 4 to 3 as follows:

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

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

New Business

There was no new business this month.

Mayor Input

Mayor Kemp announced that the 26th annual Fairmont Farmers Festival is Saturday, October 20. He invited the board to a reception at the museum at 9:00 a.m. and to watch the parade from the reviewing stand at 10:00 a.m. Mayor Kemp thanked Festival Chairman Carey Pittman, his committee and the town staff for their hard work in preparing for the festival.

Mayor Kemp also invited the board to attend O2 Energy’s opening ceremony for the Fairmont Solar Farm on Wednesday, October 17 at 10:00 a.m.

Commissioners Input

Commissioner Sealey invited everyone to the Fairmont Chamber of Commerce Red Solo Cup Hoe Down on Friday, October 19 at 5:30 p.m. at the Fairmont Golf Course. There will be all you can eat barbecue for \$5.00 and a free concert by the CoCo Loco band.

Commissioner Lennon asked if the closeout of the Harger CDBG grant will be discussed at the November meeting. Mrs. Vause stated the closeout documents will need to be approved at that time.

Manager Input

Mrs. Vause presented the following monthly financial summary to the board:

Maintenance and repair has once again reared its ugly head in the Street Department. This department is at 35% of budget verses the theoretical 25%. I hope this will level off when the summer grass cutting season is over. The street sweeper is down now and repair parts for it are usually very expensive.

The Water Treatment Department is at 38%. We have a maintenance contract on the Morro Street water tank that was paid in September. There also has been added expense with the Gertrude Street well. The well currently can't be used. A rough estimate to "patch" the well is \$25,000.00 to \$30,000.00. This patch should work for seven to eight years. If the North Carolina Department of Environment and Natural Resources approves a new well at the current site the cost would be \$85,000.00 to \$100,000.00. Charles R. Underwood, Inc., the company that handles most of our water related problems, is working on getting approval for this. It would cost between \$500,000.00 and \$650,000.00 if we have to put a new well on a new site. I hope to have cost estimates for the November board meeting. This well was completed in 1961. The well at public works was completed in 1962 or 1963 and could be facing a similar failure in the near future.

The North Carolina Commerce Department has agreed to a 4 year payback of the Harger CDBG Grant verses a 3 year payback. The total owed is \$251,093.06. Please see the attached email from the Commerce Department concerning this matter. This money will need to come from the Water/Sewer Fund as the lift station is an asset in that fund.

I was informed by Pat Crissman with the Wooten Company that we did not get the NC Catalyst Grant we had applied for. We haven't received official notice from the state concerning this. I have a telephone conference scheduled for October 18th with Mrs. Crissman and Ms. Iris Payne with the Commerce Department. I want to find out why we were not approved and if she can give any advice for future grants.

Department Head Input

Public Safety

Chief Parker informed the board that a narcotics search warrant was conducted at 409 Meadow Woods Apartments on September 14 after complaints from citizens about drug activity and sales. The homeowner was arrested and charged with trafficking opium/heroin. Marijuana and over 400 Darvocet pills were found at the property.

Chief Parker announced that the town has been awarded a grant to purchase bullet proof vests for seven officers.

Public Works

Public Works Director Ronnie Seals had no input this month.

Announcements

Mondays - Chair Aerobics for Seniors, 9:00 a.m. to 10:00 a.m., Heritage Center, \$3.00 a class.

Thursdays - Line Dancing for Seniors, 2:00 p.m. to 3:00 p.m., Heritage Center, \$3.00 a class.

Wednesday, October 17 - Fairmont Solar Farm grand opening, 10:00 a.m., Old Stage road, south of the high school. The public is cordially invited to attend.

Thursday, October 18 - One Stop/Early Voting, 11:00 a.m. to 7:00 p.m., Fire Hall.

Friday, October 19 - One Stop/Early Voting, 11:00 a.m. to 5:00 p.m., Fire Hall.

Friday, October 19 - Fairmont High Football vs. East Columbus, HOME, 7:30 p.m.

Friday, October 19 - Fairmont Chamber of Commerce 5th annual Farmers Festival Golf Tournament at Fairmont Golf Club with a shotgun start at 1:00 p.m. A Red Solo Cup Hoe Down will be held at the Fairmont Golf Club from 6:00 p.m. to 10:00 p.m., featuring a free concert by the CoCo Loco party band. There will also be a Pork Cook-Off starting at 6:00 p.m. and \$5 buys you all you can eat.

Friday, October 19 - Sunday, October 21 - South Robeson Rescue Unit's Haunted Forest, 8:00 p.m. to 11:00 p.m. Cost is \$6.

Saturday, October 20 - Fairmont Farmers Festival. Parade at 10:00 a.m., followed by food, arts & crafts, car show, wrestling and entertainment in the park. The Carolina Breakers will perform from 9:00 p.m. to 12:00 midnight at the Robeson County Fairgrounds.

Saturday, October 20 - One Stop/Early Voting, 8:00 a.m. to 1:00 p.m., Fire Hall. Due to the Farmers Festival, the entrance to and from the Fire Hall will be on Cottage Street, between Town Hall and the Fire Station.

Sunday, October 21 - One Stop/Early Voting, 1:00 p.m. to 5:00 p.m., Fire Hall.

Wednesday, October 24 - Thursday, October 25 - One Stop/Early Voting, 11:00 a.m. to 7:00 p.m., Fire Hall.

Thursday, October 25 - Megaforce Staffing Job Fair, 10:00 a.m. to 12:00 noon, Courtroom.

Friday, October 26 - Teacher's workday, no school.

Friday, October 26 - One Stop/Early Voting, 11:00 a.m. to 5:00 p.m., Fire Hall.

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Friday, October 26 - Wednesday, October 31 - South Robeson Rescue Unit's Haunted Forest, 8:00 p.m. to 11:00 p.m. Cost is \$6.

Saturday, October 27 - One Stop/Early Voting, 8:00 a.m. to 1:00 p.m., Fire Hall.

Saturday, October 27 - Student recycling contest "Cash 4 Trash" at the old Southern States weighing scales on Morro Street, 9:00 a.m. to 12:00 noon.

Wednesday, October 31 - Thursday, November 1 - One Stop/Early Voting, 11:00 a.m. to 7:00 p.m., Fire Hall.

Wednesday, October 31 - "Trick or Treat" with Dr. Electrode, front porch of Town Hall, 6:00 p.m. to 7:30 p.m.

Friday, November 2 - One Stop/Early Voting, 11:00 a.m. to 5:00 p.m., Fire Hall.

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

Saturday, November 3 - Last day for One Stop/Early Voting, 8:00 a.m. to 1:00 p.m., Fire Hall.

Tuesday, November 6 - Election Day. Polls open at Fire Hall and Library.

Saturday, November 10 - Veteran's Day Program, 11:00 a.m., Heritage Center. There will be a guest speaker, flag ceremony and entertainment.

Monday, November 12 - Town offices and schools closed in observance of Veteran's Day.

Tuesday, November 13 - Southeastern Regional Medical Center Public Forum. Refreshments at 6:30 p.m. and Forum at 7:00 p.m., Heritage Center. The hospital administration will be on hand to receive public input.

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

Saturday, November 17 - Lumberton Christmas Parade.

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 6:38 p.m.

Jennifer H. Larson, CMC/NCCMC
Town Clerk

Regular Meeting – November 20, 2012

The Fairmont Board of Commissioners held their regular meeting on Tuesday, November 20, 2012 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, Kim Ammons, and Wade Sealey. Commissioner Carol Leak-McKenzie was absent due to a family illness. Staff present included Town Manager Linda Vause, Town Attorney Rob Price, Town Clerk Jenny Larson, Public Works Director Ronnie Seals, Recreation Director Mickey Williamson and Public Safety Director Danny Parker. Others in attendance included the Beth Hobbs, Landa Gaddy, Carey Pittman, Jane Powell, Abbi Overfelt and several citizens.

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 absent because her husband, Andrew, is in the hospital.

Mayor Presentations

Recognition of 2012 Farmers Festival Chairman Carey Pittman.

Mayor Kemp gave Fairmont Farmers Festival Chairman Carey Pittman a certificate of appreciation for his service during the 2012 festival. Mr. Pittman enjoyed the festival but informed the board he was stepping down as chairman.

Introduction of 2013 Farmers Festival Chairman Jane Powell.

Mayor Kemp introduced Jane Powell as the 2013 Fairmont Farmers Festival Chairman. Ms. Powell is excited about the festival and is working on plans to bring the dance back to town.

Beth Hobbs – LRCOG liasion

Ms. Beth Hobbs, LRCOG Finance Director, introduced herself as the town's liaison to the Lumber River Council of Governments.

Approval of Agenda

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

Public Comment Period/Citizens Appearance

Landa Gaddy – Youth and Community Unity

Ms. Landa Gaddy reported that several individuals and businesses are willing to help our youth become successful.

Consent Agenda

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

- a. Approval of Minutes – Regular Meeting, October 16, 2012

Unfinished Business

Approval of Harger CDBG grant closeout documents.

Town Manager Linda Vause gave the following report on the Harger CDBG grant closeout:

I have attached copies of the close-out documents that will need to be signed by Mayor Kemp and mailed to the NC Department of Commerce. The Town of Fairmont has to reimburse the NC Department of Commerce \$251,093.06 for the 17 jobs that Harger did not create. I managed to get this changed from a three year to a four year pay back. The first payment of \$62,773.49 will be due July 2013, with three annual payments to follow.

I have contacted current and future governing officials on both the State and Federal level to try and get the amount owed reduced or eliminated. Please let me know of any suggestions you may have.

I have also spoken with our liability insurance company about possible coverage through our Governing Body Professional Liability Insurance. I will keep you posted on any and all information I receive.

The bottom line is the Town is ineligible for any NC Department of Commerce grants until these close out documents are signed and returned. I am asking that you approve the execution of the documents so that we may continue to try and move forward.

Commissioner McCree suggested holding off on signing the closeout documents since the town is not looking for grants right now. Commissioner Lennon recommended tabling the issue until next month while the town is pursuing a resolution to the problem. It was the consensus of the board to take no action.

Resolution 12-17 – Approval of plans for the Sewer Rehabilitation project.

Mrs. Vause informed the board that Rural Development requires the following resolution approving the plans for the sewer rehabilitation project before the work can be bid out:

RESOLUTION 12-17

APPROVAL OF PLANS & SPECIFICATION FOR TOWN OF FAIRMONT SEWER SYSTEM REHABILITATION PHASE 1A

WHEREAS; the Town of Fairmont is developing the Sewer System Rehabilitation Phase 1A; and

WHEREAS, Engineers have developed the final plans and specification;

NOW, THEREFORE, BE IT RESOLVED, that the Town of Fairmont Board of Commissioners hereby approve the final engineering plans and specifications as prepared by Hobbs, Upchurch and Associates.

Commissioner Lennon made a motion to adopt Resolution 12-17, Approval of Plans & Specifications for Town of Fairmont Sewer System Rehabilitation Phase 1A. 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.

New Business

Getrude Street Well repair

Mrs. Vause gave the board the following report on the Gertrude Street Well:

The Town of Fairmont well on Gertrude Street needs to be repaired or replaced. Option #1, a new well, is dependent upon the NC Department of Environmental Resources allowing us to place another well at the current site. This cost estimate is \$124,261.00. Option #2, reline the current well and install a new pump, is estimated not to exceed \$37,420.00 and includes a two year warranty. The life expectancy of relining the well is 7 to 10 years. Both options would require a water bill rate increase.

I spoke with Mr. Russell Underwood recently. His company installed the original well in 1962. He is willing to work with us in splitting the cost of a new well into two fiscal years. Mr. Underwood is also taking care of the DENR paperwork.

Either way we go, this is a big expense for our Water/Sewer Fund. I need your direction in choosing the path.

Commissioner Sealey suggested tabling the issue until December and asked Mrs. Vause to contact County Manager Ricky Harris about the possibility of the county providing water to the town. Public Works Director Ronnie Seals advised that the town's water pressure and the county's water pressure are different. He added that Fairmont has some

of the best water in the county and it only has to be treated with chlorine and fluoride. Commissioner Sealey made a motion to table the Gertrude Street well repair until the town gets further information from the state and the county. Commissioner McCree seconded the motion and it passed unanimously.

Mayor Input

Mayor Kemp announced the RCMA meeting will be November 27 at 7:00 p.m. in the St. Pauls Community Building.

The employee Thanksgiving luncheon will be Wednesday, November 21 at 12:00 noon in the Fire Hall. Mayor Kemp wished everyone a Happy Thanksgiving.

Commissioners Input

Commissioner Lennon inquired about the timing of the stoplight at Center and Walnut Streets. Mrs. Vause replied the problem had been reported to the NCDOT and the sensors should be adjusted soon.

Manager Input

Mrs. Vause presented the following monthly financial summary to the board:

Most of the departments in the General Fund are within budget as of October 31st with the exception of the Street Department. Maintenance and repair continue to plague the Street Department equipment. With the exception of the street sweeper, most of the equipment should be alright now that grass cutting season is over.

The Water/Sewer Fund is currently facing serious repair issues. They are as follows:

Bearings in the clarifier at the waste water treatment plant have failed. Fortunately, we had included \$10,000.00 in this year's budget for clarifier maintenance. The cost estimate is \$12,500.00.

Pump #2 is down at the Brown Street Lift Station. This is the location of the "old sewer WWTP." The estimate for repairs is \$12,924.00.

A blower at the WWTP has to be replaced. The estimate for this repair is \$3,385.00.

Public Works Director Ronnie Seals will be at the meeting to answer any questions. As you can see, not including the well repair, we are looking at repairs that total \$28,809.00. Fortunately, we did include the \$10,000.00 in this year's budget and \$30,659.00 in a contingency line item.

With the payments to the NC Department of Commerce beginning in July, along with the \$10,000.00 USDA payment for the sewer line project, some hard decisions will need to be made. Our previous rate increase took care of the USDA payment. It does not, however, include the Commerce Department payment. Water/Sewer rates would need to increase about \$4.35 per month per customer. This is based on an average of 1,200 customers. I suggest a rate increase in December to be effective in January 2013.

Department Head Input

Public Safety

Public Safety Director Danny Parker had no input this month.

Public Works

Public Works Director Ronnie Seals had no input this month.

Closed Session – Attorney-Client Privilege G.S. 143-318.11(a)(3)

Commissioner Sealey made a motion to go into closed session at 7:01 p.m. to prevent the disclosure of information that is deemed privileged or confidential as determined under General Statute 143-318.10(e) and to discuss attorney-client privilege as permitted under General Statute 143-318.11(a)(3). Commissioner Townsend seconded the motion and it passed unanimously.

Mayor Kemp, Commissioners Ammons, Lennon, McCree, Sealey, and Townsend along with Linda Vause, Rob Price and Jenny Larson were in attendance during closed session.

Commissioner McCree made a motion to come out of closed session at 7:30 p.m. Commissioner Sealey seconded the motion and it passed unanimously. Mayor Kemp announced that attorney-client privilege had been discussed as permitted under General Statute 143-318.11(a)(3) and no action was taken.

Announcements

Mondays - Chair Aerobics for Seniors, 9:00 a.m. to 10:00 a.m., Heritage Center, \$3.00 a class.

Thursdays - Line Dancing for Seniors, 2:00 p.m. to 3:00 p.m., Heritage Center, \$3.00 a class.

Wednesday, November 21 - Teacher's workday, no school. Town Employee cookout in the Fire Hall at 12:00 noon.

Thursday, November 22 and Friday, November 23 - Town offices and schools closed in observance of Thanksgiving.

Tuesday, November 27 – Fairmont High School Basketball vs. South Brunswick, 4:00 p.m.

Thursday, November 29 – Fairmont High School Basketball vs. Hoke County, 6:00 p.m.

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Friday, November 30 - Holiday on Main - 6:00 p.m., Twilight Christmas parade, Downtown, 6:45 p.m., Tree Lighting ceremony in the Community Park and 7:30 p.m. entertainment in the Heritage Center.

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

Tuesday, December 4 – Fairmont High School Basketball vs. West Bladen, 4:00 p.m.

Friday, December 7 – Fairmont High School Basketball vs. South Columbus, 4:00 p.m.

Saturday, December 8 - Senior Citizens Christmas Party 12:00 noon to 2:00 p.m., Heritage Center.

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

Thursday, December 20 - Tuesday, January 1 - Schools closed for Christmas break.

Monday, December 24 - Tuesday, January 1 - Town Administrative and Public Works Departments will be closed for the Christmas and New Year Holidays. Citizens who want to make their property tax payments by December 31 can mail them in or drop them off at Town Hall using the mail slot in the Water 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 7:30 p.m.

Jennifer H. Larson, CMC/NCCMC
Town Clerk

Regular Meeting – December 18, 2012

The Fairmont Board of Commissioners held their regular meeting on Tuesday, December 18, 2012 at 6:00 p.m. in the Council Chambers with Mayor Charles Kemp presiding. Commissioners present were J.J. McCree, Carol Leak-McKenzie, Charles Townsend, Kim Ammons, and Wade Sealey. Commissioner Wayland Lennon, III was out of town on business and attended by telephone. Staff present included Town Manager Linda Vause, Town Attorney Rob Price, Town Clerk Jenny Larson, Public Works Director Ronnie Seals, Recreation Director Mickey Williamson and Public Safety Director Danny Parker. Others in attendance included Cory Riner, John Masters and Bishop Thomas Hill.

Call to Order and Invocation

Mayor Charles Kemp called the meeting to order 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 Townsend and seconded by Commissioner Sealey, it was unanimously voted to adopt the following consent agenda items:

- a. Approval of Minutes – Regular Meeting, November 20, 2012

Unfinished Business

Approval of Harger CDBG grant closeout documents.

Town Manager Linda Vause informed the board that the Harger CDBG grant close-out documents need to be signed by Mayor Kemp and mailed to the N.C. Department of Commerce by December 31, 2012 so the Town will no longer be in default. Mrs. Vause is still working aggressively with the town's insurance company in hope that the town's claim will be approved.

Commissioner Sealey made a motion to approve Harger CDBG grant closeout documents. Commissioner Townsend seconded the motion and it passed unanimously.

Gertrude Street Well update.

Mrs. Vause gave the following report on the Gertrude Street well:

I contacted Robeson County Manager Ricky Harris concerning The Town of Fairmont purchasing water from Robeson County. Mr. Harris indicated the county would be more than glad to sell us water at a bulk rate. He said we could begin discussing the rate at any time.

I also asked Mr. Harris about the county taking over our lines, pumping stations and water tanks. Mr. Harris stated he would advise the county commissioners not to enter into such an agreement until more details could be worked out, i.e. billing, line maintenance, etc.

I included that I would advise our Town not to “give” the county the water fund assets; that we would have to work out a sale or lease of these Town assets.

The North Carolina Department of Environment and Natural Resources has given preliminary well site approval for replacing the Gertrude Street well at the same location.

Ladies and gentlemen, some hard decisions need to be made. The finances of the Water/ Sewer Fund are not where they need to be. Charles Underwood and Associates gave us a quote of \$125,000.00 to replace the well at its current site. Based on 1,200 average customers, we would need to increase the water rate \$4.34 per month to pay for a new well in two fiscal years. Our sewer rates also need attention if the Town has to pay back the N.C. Commerce Department for the Harger CDBG grant.

Public Works Director Ronnie Seals said there would be no problem operating with two wells as long as they continue to work. Mrs. Vause said work on the Gertrude Street well would not take place until the town had a funding source – either by raising rates or waiting for a loan or grant. Commissioner Townsend made a motion to continue looking for funding sources to replace the Gertrude Street well pump at the present time rather than raising rates. Commissioner Sealey seconded the motion and it passed with a vote of 5 to 1 as follows:

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

Mrs. Vause still recommended a rate increase in order to increase the fund balance and build a reserve to handle emergencies. Commissioner Lennon asked if the town had a written agreement with the county in case we need to use their water. Mrs. Vause stated there is an understanding that the town can use county water in an emergency and vice versa. Commissioner Sealey made a motion for Town Manager Linda Vause to obtain a written interlocal agreement with the county for emergency water services. Commissioner Leak-McKenzie seconded the motion and it passed unanimously.

Ordinance 12-149 – Golf Cart amendment

Mrs. Vause presented the following ordinance to the board:

ORDINANCE 12-149

AN ORDINANCE OF THE TOWN OF FAIRMONT, ROBESON COUNTY, NORTH CAROLINA, AMENDING SECTION 77.02.5 OF CHAPTER 77, TOWN OF FAIRMONT GOLF CART ORDINANCE, OF TITLE VII, TRAFFIC CODE, OF THE FAIRMONT CODE OF ORDINANCES

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

Section 1. That Section 77.02.5 of Chapter 77, Town of Fairmont Golf Cart Ordinance, of Title VII, Traffic Code, of the Fairmont Code of Ordinances, is hereby amended to read in its entirety as follows:

“§ 77.02. Rules and Regulations

5. Carts shall be equipped with a rear view mirror.”

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

Mrs. Vause explained that Commissioner Lennon requested the amendment of Section 77.02.5, which strikes the language “and a rear reflective triangle sign with the optional wording ‘slow moving vehicle’.” Commissioner Lennon stated several citizens approached him about how difficult it would be to place the sign and that it wasn’t really necessary with lights and rear reflectors on a cart. Public Safety Director Danny Parker said the triangle reflective signs could help increase a golf cart’s visibility but that the signs are too big to fit carts that have back benches and could block access to storage space. Commissioner McCree was concerned that removing the triangle sign would increase the likelihood of accidents, especially on cloudy or rainy days. Commissioner Lennon replied that a golf cart is about the same size as a Smart car and would be very difficult not to see even in bad weather. Commissioner Lennon made a motion to adopt Ordinance 12-149, Golf Cart Amendment. Commissioner Sealey seconded the motion and it passed with a vote of 4 to 3 as follows:

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

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

New Business

2011-2012 Audit Report – John Masters

Mr. John Masters, of S. Preston Douglas & Associates, presented the 2011-2012 audit report. Mr. Master informed the board that the town had a marginal increase in cash, a marked increase in property tax collection due to the tax rate increase, a decrease in utility franchise tax revenue, a slight increase in sales tax revenue, steady Powell Bill, sanitation and sewer revenue, a slight decrease in water revenue, a slight increase in payroll expenses and a steady decrease in structured debt. Mr. Masters stated the town's general fund balance only had slight improvement this fiscal year but the unassigned portion of the fund balance went up noticeably. Mr. Masters said there was a mild improvement in the town's property tax collection rate of 88.21%. Mr. Masters added that Fairmont's tax collection rate is comparable to other towns our size in Robeson County.

LGC letter and response

Mrs. Vause explained the Local Government Commission is now requiring all municipalities to sign the response to their annual letter concerning the town's financial health. An excerpt from the town's response is included below:

The Mayor and the Board of Commissioners are fully aware that we continue to have serious financial problems. Action has been taken in the preceding fiscal years to address this issue in the General Fund. We increased the tax rate from \$.69 to \$.73. Sanitation rates have increased \$2.50 since 2009.

As you stated in your letter of November 26, 2012, our tax collection rate was increased from 87.58% to 88.21%. We were glad to see the increase of .63% for FYE 2012. Our tax levy increased from \$648,898.00 to \$677,898.00 due to the tax rate increase of \$.04 for fiscal year 2012. Tax collections increased \$30,900.00. Our tax collector is doing some garnishments. However, with a poverty rate in Robeson County of 30.2%, many times there are no wages to garnish. She is also doing bank attachments. Foreclosures have actually cost the Town money due to the legal bills involved with the foreclosure process. These foreclosed properties are not selling. That takes the properties off of the tax rolls for future revenue. Many of these properties are dilapidated and not worth the expense to renovate. Over \$28,000.00 has been sent to The NC Debt Set-Off Program for collection, with more to come.

A positive area is our Gaming Privilege License revenue. The Town developed a sliding fee scale to entice this type of business. We budgeted \$18,000.00 in gaming revenue. To date, we have billed and collected \$64,250.00. The Board knows this might not be a revenue source in the future, due to the State of North Carolina. We plan to increase the fund balance for FYE 2013 with part of these funds. When you compare the Town of Fairmont to other towns in our county, our fund balance does not appear as bad. I do not know any that have attained a fund balance in the amount of the statewide average of 69.5%.

The Water and Sewer Fund remains a concern for the Town Board. This was discussed at the November board meeting. We increased our base rate by \$2.00 in 2010. Our minimum water rate is \$19.34 and the minimum sewer rate is \$23.11. A decision on a rate increase has not been made as of the date of this letter. I will inform you if an increase is approved.

The Board understands that we must receive the Local Government Commission's approval in order to fund part of our sewer rehab project with revenue bonds. Please understand our urgency in obtaining approval. The proposed project is the only reason the NC Department of Environment and Natural Resources in not issuing fines to the Town. We understand that we are currently between a rock and a hard place. The Board is prepared to do what it must to complete this project. With that being said, there are many more sewer lines, and water lines, that need rehabilitation or replacing in our Town. This project is the first step in this process.

Mayor Kemp read a statement regarding the LGC's harsh criticism and little praise in their letter to the town. Commissioner Townsend made a motion to approve the town's LGC response letter as written by Town Manager Linda Vause. Commissioner Sealey seconded the motion and it passed unanimously.

Ordinance 12-150 – Sewer Use Ordinance

Mrs. Vause informed the board that the revised sewer use ordinance needs to be adopted before December 31, 2012. The Pretreatment Unit of the Division of Water Quality is requiring revisions to the Sewer Use Ordinance to include recent revisions to the State regulations. Most of the revisions are focused on better defining some of the definitions and what the Publicly Owned Treatment Works consists of (collection system and treatment plant) and includes requirements for towns that discharge into our POTW.

Commissioner McCree made a motion to adopt Ordinance 12-150, Sewer Use Ordinance. Commissioner Leak-McKenzie seconded the motion and it passed unanimously. A signed copy of the ordinance is hereby incorporated by reference and made a part of these minutes.

Consider Resolution 12-18 – Body of God by Faith Church offer for property at 603 Street Main Street (old Employee Fitness Center).

Mrs. Vause informed the board that Bishop Thomas Hill and the Body of God by Faith Church has submitted an offer of \$1,500 for the former employee fitness center located at 603 South Main Street. The property has a tax value of \$48,000 and an appraised value of \$45,000. Commissioner Lennon made a motion not to accept Resolution 12-18 – Body of God by Faith Church offer for property at 603 South Main Street (old Employee Fitness Center). Commissioner Leak-McKenzie seconded the motion and it passed unanimously. Bishop Hill asked the board why they rejected his offer when there was no prior offer or written minimum starting bid. Commissioner Lennon felt it was not a good faith offer based on the tax value and past use of the property.

Mayor Input

Mayor Kemp invited the board to the employee Christmas luncheon on Friday, December 21, at 12:00 noon in the Heritage Center.

Commissioners Input

Commissioner Sealey wished everyone a Merry Christmas and prosperous New Year.

Manager Input

Mrs. Vause presented the following monthly financial summary to the board:

We should begin the bid process on the sewer rehab project in February. Of course, this is contingent on approval from the Local Government Commission for the sale of Revenue Bonds.

At the August 21, 2012 board meeting, the Board gave permission to the Public Safety Department to accept a Governor’s Highway Safety Program Grant. I made the following adjustments to the 2012-2013 budget to accommodate this grant.

GRANT REVENUE	<u>\$ 60,819.00</u>
TOTAL REVENUE	\$ 60,819.00
EXPENDITURES	
POLICE DEPARTMENT (510)	(10,733.00)
GRANT DEPARTMENT (511)	<u>71,552.00</u>
TOTAL EXPENDITURES	\$ 60,819.00

All department budget adjustments were done in accordance with the 2012-2013 Budget Ordinance.

Mrs. Vause informed the board she would be attending a meeting with the Local Government Commission on January 10, 2013 in Raleigh to discuss the bond process guidelines for the sewer line rehab project.

Mrs. Vause indicated that all the town’s vehicles will have orange permanent license plates starting in January due to a new state law.

Department Head Input

Public Safety

Public Safety Director Danny Parker had no input this month.

Public Works

Public Works Director Ronnie Seals had no input this month.

Closed Session – Attorney-Client Privilege G.S. 143-318.11(a)(3)

Commissioner Lennon made a motion to go into closed session at 7:12 p.m. to prevent the disclosure of information that is deemed privileged or confidential as determined under General Statute 143-318.10(e) and to discuss attorney-client privilege as permitted under General Statute 143-318.11(a)(3). Commissioner Leak-McKenzie seconded the motion and it passed unanimously.

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

Commissioner Sealey made a motion to come out of closed session at 7:25 p.m. Commissioner Leak-McKenzie seconded the motion and it passed unanimously. Mayor Kemp announced that attorney-client privilege had been discussed as permitted under General Statute 143-318.11(a)(3) and no action was taken that needs to be announced to the public.

Announcements

Mondays - Chair Aerobics for Seniors, 9:00 a.m. to 10:00 a.m., Heritage Center, \$3.00 a class.

Thursdays - Line Dancing for Seniors, 2:00 p.m. to 3:00 p.m., Heritage Center, \$3.00 a class.

Thursday, December 20 - Tuesday, January 1 - Schools closed for Christmas break.

Monday, December 24 - Tuesday, January 1 - Town Administrative and Public Works Departments will be closed for the Christmas and New Year Holidays. Citizens who want to make their property tax payments by December 31 can mail them in or drop them off at Town Hall using the mail slot in the Water Department.

Saturday, January 5 – Senior Bingo, Heritage Center, 1:00 to 3:00 p.m.

Tuesday, January 8 - Fairmont High School Basketball vs. Lumberton, HOME, 6:00 p.m.

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

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

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Monday, January 21 – Dr. Martin Luther King Jr. Celebration, Heritage Center, Time TBA.

Tuesday, January 22 - Schools closed, Teacher workday.

Tuesday, January 22 - Fairmont High School Basketball vs. West Columbus, HOME, 4:00 p.m.

Thursday, January 24 - Fairmont High School Basketball vs. East Bladen, HOME, 4:00 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 7:25 p.m.

Jennifer H. Larson, CMC/NCCMC
Town Clerk

Regular Meeting – January 15, 2013

The Fairmont Board of Commissioners held their regular meeting on Tuesday, January 15, 2013 at 6:00 p.m. in the Council Chambers with Mayor Charles Kemp presiding. Commissioners present were J.J. McCree, Wayland Lennon, III, Carol Leak-McKenzie, Charles Townsend, Kim Ammons, and Wade Sealey. Staff present included Town Manager Linda Vause, Town Attorney Rob Price, Town Clerk Jenny Larson, Public Works Director Ronnie Seals, Recreation Director Mickey Williamson and Public Safety Director Danny Parker. Others in attendance included members of the Fairmont City Fire Department, Abbi Overfelt, Jamaree Morgan, Sheila Huggins, and Quenton Walker.

Call to Order and Invocation

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

Approval of Agenda

Town Manager Linda Vause asked the board to add water/sewer rate increase under new business. Commissioner Sealey made a motion to approve the amended agenda. Commissioner Leak-McKenzie seconded the motion and it passed unanimously.

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 Jamaree Moore of Rosenwald Elementary, Sheila Huggins of Fairmont Middle School, and Quenton Walker of Fairmont High School.

Recognition of fire and rescue volunteers who helped with the Santa Visits the Kids program.

Mayor Kemp recognized the 13 firefighters, rescue volunteers and police officers who volunteered to help with the “Santa Visits the Kids” program held on Christmas Eve.

Public Comment Period/Citizens Appearance

There was no public comment this month.

Consent Agenda

Commissioner McCree asked that Public Safety Director Danny Parker's comments on the amended golf cart ordinance be added to the minutes. Upon motion by Commissioner Lennon 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 18, 2012

Unfinished Business

Emergency Water Agreement with Robeson County.

Town Manager Linda Vause gave the following report to the board:

I have spoken to Robeson County Manager Ricky Harris concerning our need for an emergency water backup plan should our system fail. Mr. Harris said Robeson County already has such an agreement with the Town of Saint Pauls and the Town of Red Springs. The rate is \$1.55 per thousand gallons. Mr. Harris also said there is a strong possibility of a small rate increase effective July 1, 2013.

A letter from our board is all that is required on our part for the agreement. Mr. Harris will present the agreement to the Robeson County Board of Commissioners for approval.

Commissioner Lennon asked if the letter to the county was a formal request. Mrs. Vause replied affirmatively and said the county would have to accept it. Commissioner Lennon suggested adding a request for a 90 day notice prior to any future rate increases by the county. Commissioner Townsend made a motion to formally request an interlocal agreement for emergency water services with Robeson County with the condition the county provides a 90 day notice prior to any rate increases. Commissioner Leak-McKenzie seconded the motion and it passed unanimously.

New Business

Public Works Department Head Input

Town Manager Linda Vause asked the board to allow Public Works Director Ronnie Seals to give his department head report under new business. Public Works Director Ronnie Seals reported the sewer plant needs costly but necessary repairs to the clarifier. The clarifier has been out of service for two weeks. The whole inside needs to come out in order to replace a bearing that will require renting a crane to complete the work. Mr. Seals said the repair cost estimate is \$25,000 and the work needs to be started as soon as possible. If the plant's other clarifier were to go out, the town would have to haul sewer at a cost of \$5,000 a day. The repair will take about three weeks to complete. Mrs. Vause said the water/sewer fund has a contingency of \$30,000, which should cover the cost of the clarifier repair.

Water/Sewer rate increase

Mrs. Vause made the following recommendation to the board:

I respectfully request *Water/Sewer Rate Increase* to be added to the agenda. I had an interesting, and rather upsetting, meeting with three staff members of the Local Government Commission this past Thursday. Mark Lacy with Hobbs Upchurch & Associates was also in the meeting.

The Local Government Commission will not give approval for the Town of Fairmont to sell revenue bonds to finance our sewer line rehabilitation project without increasing our revenues. Our current rates are not sufficient to make the annual payments.

Not getting approval to sell bonds creates a horrible chain reaction. We will lose the \$600,000.00 CWMTF Grant due to lack of match money and DENR will expect us to repair the Dogwood Street sewer line on our own. The cost estimate June 2011 was \$75,000.00.

I recommend a minimum of a 10% increase in both water and sewer rates to satisfy the LGC.

Current water minimum rate is \$19.34/2000 gallons.
Current sewer minimum rate is \$23.11/2000 gallons.
TOTAL CURRENT WATER/SEWER RATE: \$42.45

With a 10% increase, the water minimum would be \$21.28/2000 gallons.
With a 10% increase, the sewer minimum would be \$25.43/2000 gallons.
PROPOSED WATER/SEWER RATE: \$46.71

TOTAL INCREASE: \$4.26 per month

This increase is *NOT ENOUGH* to cover the Gertrude Street well replacement or our debt to the NC Commerce Department. I am still working on funding for both of those problems.

Commissioner Lennon asked how many water and sewer customers there are. Mrs. Vause stated there are 1,206 water customers and 1,215 sewer customers. Mrs. Vause has to inform the Local Government Commission of the town's decision tomorrow. She added that the bond payments for the sewer line project would become due the first year after project completion, most likely fiscal year 2015-2016. Commissioner Lennon made a motion to increase the cumulative water/sewer base rate by 10% or 14 cents per day (\$4.26 a month multiplied by 12 months divided by 365 days) effective with the February billing due in March. Commissioner Sealey seconded the motion and it passed with a vote of 4 to 3 as follows:

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

Mayor Kemp asked that administration write a short concise statement explaining why the water/sewer rate had to be increased and deliver it to the residents. Mrs. Vause said the notice could be hand delivered by Public Works when they read meters in February.

Mayor Input

Mayor Kemp reported that the J.O.B.S. team has compiled a list of businesses needed in Fairmont. This list has been emailed and posted on Craig's List. So far, Mayor Kemp has received four interest inquiries.

Mayor Kemp announced that the Dr. Martin Luther King Jr. Day Celebration will be held Monday, January 21 at 1:00 p.m. in the Heritage Center.

Mayor Kemp announced that Robeson County will host the next RCMA meeting on Tuesday, January 29 at 7:00 p.m. at the Robeson County Emergency Services Center in Lumberton.

Commissioners Input

Commissioner Lennon thanked the volunteers who sacrificed their time to participate in the Santa Visits the Kids program.

Commissioner Sealey commended Chief Parker and his department for the professional handling of a recent event.

Manager Input

Mrs. Vause presented the following monthly financial summary to the board:

The majority of the departments in the General Fund are at budget projections. Exceptions include the finance, fire and street departments. The largest expense to be paid from the finance department was the audit. The major expenses in the fire department have also been paid. This includes the fire truck payment and the stipend to the volunteer fire fighters. The Street department continues to have equipment failures.

The Water/ Sewer Fund equipment breakdowns continue. As I reported in November a rate increase needs to be seriously considered. The Town needs to have enough money in this fund to take care of unexpected repairs. The budget should include the funds for routine maintenance. Our water and sewer lines continue to have major and minor breaks. Even if we obtained a grant for these lines, a match would be required. Right now, we do not have the needed funds. I realize a rate increase will be hard for some of our residents to pay. However, I cannot find any other way to keep our system operational.

Mrs. Vause informed the board she would be attending a School of Government video gaming/sweepstakes webinar at the LRCOG offices tomorrow.

Department Head Input

Public Safety

Public Safety Director Danny Parker gave a 2012 review for his department. There were 4,200 total calls in 2012, a slight decrease from 2011. There were 658 crimes reported and 338 arrests made. There was one murder, five robberies, 57 breaking and enterings, 26 drug arrests, 591 citations issued, 817 traffic stops and 107 traffic accidents. Chief Parker said the department's goal is to reduce the number of accidents with the new traffic enforcement grant.

Announcements

Mondays - Chair Aerobics for Seniors, 9:00 a.m. to 10:00 a.m., Heritage Center, \$3.00 a class.

Thursdays - Line Dancing for Seniors, 2:00 p.m. to 3:00 p.m., Heritage Center, \$3.00 a class.

Thursday, January 17 - Youngblood Staffing job fair, 10:00 a.m. to 12:00 noon, Courtroom.

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

Monday, January 21 - Dr. Martin Luther King Jr. Day Celebration, 1:00 p.m., Heritage Center.

Tuesday, January 22 - Schools closed, Teacher workday.

Tuesday, January 22 - Fairmont High School Basketball vs. West Columbus, HOME, 4:00 p.m.

Thursday, January 24 - Fairmont High School Basketball vs. East Bladen, HOME, 4:00 p.m.

Friday, January 25 - Fairmont High School Basketball vs. East Columbus, HOME, 4:00 p.m.

Friday, February 1 - Fairmont High School Basketball vs. South Robeson, HOME, 4:00 p.m.

Saturday, February 2 - Senior Bingo, 12:00 noon to 2:00 p.m., Heritage Center.

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Tuesday, February 5 - Pride in Fairmont Ceremony, 7:00 p.m., Heritage Center.

Friday, February 8 - Fairmont High School Basketball vs. Red Springs, HOME, 4:00 p.m.

Sunday, February 10 - Greenbrier Valentine Social, Mayor Kemp and the festival queens.

Friday, February 15 - Fairmont High School Basketball vs. St. Pauls, HOME, 4:00 p.m.

Monday, February 18 - Schools closed, Teacher workday.

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

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

Adjournment

There being no further business, a motion was made and seconded to adjourn the meeting at 7:20 p.m.

Jennifer H. Larson, CMC/NCCMC
Town Clerk

Regular Meeting – February 19, 2013

The Fairmont Board of Commissioners held their regular meeting on Tuesday, February 19, 2013 at 6:00 p.m. in the Council Chambers with Mayor Charles Kemp presiding. Commissioners present were J.J. McCree, Charles Townsend, Kim Ammons, and Wade Sealey. Commissioner Wayland Lennon, III was out of town on business and participated by telephone. Commissioner Carol Leak-McKenzie was absent due to a family emergency. Staff present included Town Manager Linda Vause, Town Attorney Rob Price, Town Clerk Jenny Larson, Public Works Director Ronnie Seals, and Public Safety Director Danny Parker. Others in attendance included Dr. David E. Brooks, Adelina Shee and several 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 and participating by telephone and that Commissioner Leak-McKenzie was at the hospital with her husband.

Approval of Agenda

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

Public Comment Period/Citizens Appearance

There was no public comment this month.

Consent Agenda

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

- a. Approval of Minutes – Regular Meeting, January 15, 2013
- b. Approval of Audit Contract – S. Preston Douglas & Associates, LLP.

Commissioner Lennon suggested that the town put the audit contract up for bid next year in order to get the best rate and be good stewards of the citizen's tax dollars.

Unfinished Business

Request to set minimum prices on surplus property.

Town Manager Linda Vause asked the board to consider setting minimum prices on surplus property:

Page 2 – Regular Meeting, February 19, 2013

We have been asked by interested parties the minimum acceptable bid for town properties we wish to sell. The latest request was from Bishop Hill. Our standard reply has been we will present any bid to the board. We feel this is why we receive extremely low bids.

The staff has also been asked if the town would owner finance any of the properties. Our reply has been no.

We are asking if you would consider setting minimum prices and if you would consider owner financing.

Commissioner Sealey made a motion to accept bids no lower than the appraised or tax value of the property. Commissioner Townsend seconded the motion. Commissioner McCree asked if the board would consider a reasonable bid that was three/fourths of the appraised value. Commissioner Lennon added that every offer needs to be able to stand on its own accord. Commissioners Sealey and Townsend withdrew their motion and second without objection and no further action taken.

New Business

Robeson County Veterinarian Medical Association, Dr. David E. Brooks – Spay/Neuter clinic.

Dr. David E. Brooks informed the board of “S.N.I.P.”, the discount spay/neuter clinic being held March 4 – 16 at the six county animal hospitals. The purpose is to give all pet owners in Robeson County and the surrounding area a chance to curb unwanted litters at a discounted price. Commissioner Lennon made a motion that the Town of Fairmont support the RCVMA’s spay/neuter clinic by printing the dates on our water bills, posting it on the town’s website, announcement sign and other appropriate materials. Commissioner Sealey seconded the motion and it passed unanimously.

Robert Floyd - Offer to purchase unused and uncleared land at the end of the dirt portion of Webster Street.

Mrs. Vause has received an offer to purchase the unused and uncleared land at the end of the dirt portion of Webster Street from Robert Floyd. The lot used to be part of the old railroad and is now on the Powell Bill map as the dirt, unpaved portion of Webster Street, located beside Howard and Hagins. The Floyds are interested in the wooded section of the lot in order to have access to their farm. Mrs. Vause asked for a straw poll from the board before proceeding because the property has to be surveyed and split before the board can declare it surplus and accept offers. Mr. Floyd is willing to pay the survey costs. The board felt it was a reasonable request and agreed for Mrs. Vause to proceed with getting the property surveyed.

Ordinance 13-151 – Amending Section 50.51(a)(37) of the Sewer Use Ordinance.

Mrs. Vause presented the following ordinance to the board:

ORDINANCE 13-151

**AN ORDINANCE OF THE TOWN OF FAIRMONT, NORTH
CAROLINA AMENDING § 50.51(a)(37) OF THE FAIRMONT
CODE OF ORDINANCES,**

Be it hereby ordained by the Board of Commissioners of the Town of Fairmont, North Carolina, that §50.51 of the Collection and Wastewater System subchapter of Chapter 50, Water and Sewers, of Title V, Public Works, be amended by replacing that section in its entirety with the following:

- (37) Significant Noncompliance. Significant Noncompliance (SNC) occurs when: (a) a Significant Industrial User meets any one or more of the following criteria or (b) any Industrial User meets the criteria in Parts (iii), (iv), or (viii) below.
- (i) Chronic violations of wastewater discharge limits, defined here as those in which sixty-six (66) percent or more of all the measurements taken for the same pollutant parameter (not including flow) during a six month period exceed (by any magnitude) a numeric Pretreatment Standard or Requirement including instantaneous limits, as defined by 40 CFR Part 403.3(l);
 - (ii) Technical Review Criteria (TRC) violations, defined here as those in which thirty-three (33) percent or more of all the measurements taken for the same pollutant parameter during a six-month period equal or exceed the product of the numeric Pretreatment Standard or Requirement including instantaneous limits, as defined by 40 CFR Part 403.3(l) multiplied by the applicable TRC; (TRC = 1.4 for BOD, TSS, fats, oil and grease, 1.2 for all other pollutants (except flow and pH);
 - (iii) Any other violation of a Pretreatment Standard or Requirement as defined by 40 CFR Part 403.3(l) (daily maximum, long-term average, instantaneous limit, or narrative standard) that the Control Authority and/or POTW determines has caused, alone or in combination with other discharges, interference or pass through (including endangering the health of POTW personnel or the general public);
 - (iv) Any discharge of a pollutant or wastewater that has caused imminent endangerment to human health, welfare or to the environment or has resulted in either the Control Authority's or the POTW's, if different from the Control Authority, exercise of its emergency authority under 40 CFR Part 403.8(f)(1)(vi)(B) and Section [8.1(e)] of this SUO to halt or prevent such a discharge;
 - (v) Violations of compliance schedule milestones, contained in a pretreatment permit or enforcement order, for starting construction, completing construction, and attaining final compliance by 90 days or more after the schedule date.
 - (vi) Failure to provide reports for compliance schedule, self-monitoring data, baseline monitoring reports, 90-day compliance reports, and periodic compliance reports within 30 days from the due date.
 - (vii) Failure to accurately report noncompliance.
 - (viii) Any other violation or group of violations that the control authority and/or POTW determines will adversely affect the operation or implementation of the local pretreatment program.

§ 50.63 EFFECTIVE DATE

That this ordinance shall become effective immediately upon its adoption.

This ordinance amendment was requested by NCDENR. Commissioner Lennon made a motion to adopt Ordinance 13-151, Amending Section 50.51(a)(37) of the Sewer Use Ordinance. Commissioner Townsend seconded the motion and it passed unanimously. A signed copy of the ordinance is hereby incorporated by reference and made a part of these minutes.

Robeson County Transportation Committee.

Mrs. Vause informed the board that the Lumber River Council of Governments has asked each municipality to appoint a representative to the Robeson County Transportation Committee. Commissioner Townsend agreed to serve on the committee since he is already the LRCOG board representative. Commissioner Ammons made a motion to appoint Commissioner Charles Townsend as Fairmont's representative on the Robeson County Transportation Committee. Commissioner Sealey seconded the motion and it passed unanimously.

Discuss changing Town's regular meeting date.

Commissioner Lennon made a motion to change the Town's regular meeting date from the third Tuesday to the second Thursday at 6:00 p.m. Commissioner Ammons seconded the motion. Commissioner McCree asked if Commissioner Leak-McKenzie was contacted about the date change since she was not present. Commissioner Lennon stated he had been unable to reach Commissioner Leak-McKenzie to poll her about the change. Commissioner McCree suggested holding off on changing the meeting date until Commissioner Leak-McKenzie could be consulted. Commissioner Lennon withdrew his motion. Commissioner Ammons suggested calling Commissioner Leak-McKenzie to see if she was agreeable to the new meeting date. Mrs. Vause called Commissioner Leak-McKenzie on her cellphone. Commissioner Leak-McKenzie answered and said meeting on the second Thursday was fine by her. Commissioner Lennon reintroduced his motion to change the Town's regular meeting date from the third Tuesday to the second Thursday at 6:00 p.m. beginning in March. Commissioner Ammons seconded the motion and it passed unanimously. Mrs. Vause asked the board if delivering the agenda packets on the Monday before the Thursday meeting would be acceptable and they agreed that it would be.

Mayor Input

Mayor Kemp announced that Red Springs will be hosting the next RCMA meeting on Tuesday, February 26, 2013.

Commissioners Input

There was no commissioner input this month.

Manager Input

Mrs. Vause presented the following monthly financial summary to the board:

I have been working closely with the Local Government Commission concerning our sale of revenue bonds. They have received up-to-date financial records through January 2013. I will send them a certified copy of the January board minutes once they are approved. This is needed due to the rate increase approved for our water and sewer rates. Notices of the rate increase are being hand delivered by our public works department. They are doing this as they read the meters.

Public Works Director Ronnie Seals reported the repairs to the clarifier at the waste water treatment plant are complete.

Mrs. Vause invited the board to view the Public Safety Department's newest vehicle, a 2013 Dodge Charger, purchased with a N.C. Governors Highway Safety Grant.

Announcements

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

Saturday, February 23 - Book 'Em NC 2013, 9:30 a.m. to 4:30 p.m., RCC, Lumberton.

Saturday, February 23 - Fairmont Golf Club's 50th anniversary golf tournament, 12:00 noon. \$30 members, \$35 non-members. Call 628-9931 to sign up.

Monday, February 25 - 1st round of State Basketball Playoffs.

Saturday, March 2 - Senior Bingo, 12:00 noon to 2:00 p.m., Heritage Center.

Tuesday, March 12 - NCDMV Mobile Driver's License Unit, 10:30 a.m. to 4:30 p.m., Town Hall parking lot.

Saturday, March 16 - J.R.O.T.C. Cadet Ball, 6:30 p.m., Heritage Center.

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 6:53 p.m.

Jennifer H. Larson, CMC/NCCMC
Town Clerk

Regular Meeting – March 14, 2013

The Fairmont Board of Commissioners held their regular meeting on Thursday, March 14, 2013 at 6:00 p.m. in the Council Chambers with Mayor Charles Kemp presiding. Commissioners present were J.J. McCree, Charles Townsend, Kim Ammons, Wayland Lennon, III, Carol Leak-McKenzie and Wade Sealey. Staff present included Town Manager Linda Vause, Town Attorney Rob Price, Town Clerk Jenny Larson, Public Works Director Ronnie Seals and Officer Casey Locklear. Others in attendance included Christa Thorndyke, Maddy Sealey, Kayla Frierson, Sandra Pridgen, Maurice McMillan, Adelina Shee and several citizens.

Call to Order and Invocation

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

Approval of Agenda

Town Manager Linda Vause asked the board to add Resolution 13-02 - Advertise Offer to Purchase Property – Old Employee Fitness Center by Body of God by Faith as agenda item “c” under new business. Commissioner Sealey made a motion to approve the amended agenda. Commissioner Leak-McKenzie seconded the motion and it passed unanimously.

Mayor Presentations

Recognition of police officer Casey Locklear

Mayor Kemp recognized Officer Casey Locklear by presenting him a certificate of recognition for showing great care and concern toward a citizen in need.

Introduction of Fairmont Youth T.E.A.M Council officers.

Mayor Kemp announced the creation of the Fairmont T.E.A.M. Youth Council. It was formed over the past three weeks during regular meetings with interested students at Fairmont High School. The group meets each Tuesday in the FHS library. The newly elected officers are: President Aaron Epps, Vice President Christa Thorndyke, Secretary/Reporter Maddy Sealey, Treasurer Kayla Frierson, and Historian Ahmad Aziz. The Council will be traveling to Rosenwald on Tuesday, March 19th to read to children at the school. Mayor Kemp thanked Sandra Pridgen and Zavery McDougald of FHS and Maurice McMillan of the Youth Advocacy Team for their assistance as advisors of the Youth Council. Beginning in April, the Youth T.E.A.M. Council will present a progress report at each town board meeting.

Public Comment Period/Citizens Appearance

There was no public comment this month.

Consent Agenda

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

- a. Approval of Minutes – Regular Meeting, February 19, 2013

Unfinished Business

There was no unfinished business this month.

New Business

Ordinance 13-152 – Amending Park Ordinance to allow alcohol during special events.

Town Manager Linda Vause presented Ordinance 13-152, Amending Park Ordinance to allow alcohol during special events, at the request of the Fairmont Chamber of Commerce. Mrs. Vause stated the Heritage Center’s rental policy allows alcohol with an ABC permit and certificate of insurance. Commissioner McCree pointed out the revised park ordinance does not require a certificate of insurance and requested it to be added. He also stated the ordinance does not designate where in the park alcohol should be allowed, have restrictions on the number of people permitted in the park or time limits. Commissioner McCree also had problems with the wording “town sponsored events”. Town Attorney Rob Price stated the ordinance could have clearer criteria by adding precautionary measures to protect the town. Commissioner McCree suggested Mrs. Vause contact the Chamber of Commerce and inform them of the board’s concerns to see if they still want to pursue the ordinance. Commissioner Sealey asked Mrs. Vause to contact Lumberton and Pembroke to see how they handle alcohol in their parks. Commissioner McCree made a motion to table Ordinance 13-152 until the Town Manager determines whether there is a need to go forward with the ordinance. Commissioner Townsend seconded the motion and it passed unanimously.

Resolution 13-01 – Municipal Records Retention Schedule.

Mrs. Vause presented the following resolution to the board:

**RESOLUTION 13-01 OF THE TOWN OF FAIRMONT
ACCEPTING THE RECORDS RETENTION AND DISPOSITION SCHEDULE UPDATED
SEPTEMBER 10, 2012**

WHEREAS, "Public Record" means any document, paper, letter, map, book, photograph, film, sound recording, magnetic or other tape, electronic data-processing record, artifact, or other documentary material, despite physical form or characteristics, made or received pursuant to law or ordinance in connection with the transaction of public business by any agency of North Carolina government or its subdivisions; and

WHEREAS, Without a retention program, public records can accumulate, causing the need for additional storage space; and

WHEREAS, Without a schedule for disposal, valuable documents can be mistakenly discarded; and

WHEREAS, The Municipal Records Retention and Disposition Schedule is endorsed by the Division of Archives and History and the Department of Cultural Resources; and

WHEREAS, The Town of Fairmont currently uses this system for record retention and disposal; and

WHEREAS, The Fairmont Board of Commissioners adopted the use of the Municipal Records Retention Schedule, which was created by the North Carolina Division of Archives and History, on August 15, 1997; and

WHEREAS, The Municipal Records Retention and Disposition Schedule was updated on June 15, 2001; and on February 25, 2002; and on May 19, 2009; and on September 10, 2012; and

WHEREAS, The Town of Fairmont recognizes that the new update requires a specific Agency Policy date for records to be discarded “when administrative value ends;” and

WHEREAS, The Town of Fairmont regards three (3) years as a valuable time for any records to be retained, save those records that are required to be kept longer per said schedule.

NOW, THEREFORE, BE IT RESOLVED THAT THE FAIRMONT BOARD OF COMMISSIONERS accepts the totally revised Municipal Records Retention and Disposition Schedule issued by the North Carolina Department of Cultural Resources, Division of Archives and History, Archives and Records Section, Records Services Branch, dated September 10, 2012; and

NOW THEREFORE, BE IT FURTHER RESOLVED THAT THE FAIRMONT BOARD OF COMMISSIONERS deems the appropriate time to retain all records to be discarded “when administrative value ends” as a period of no less than three (3) years with the provision that any record series that has met the minimum three (3) year retention period shall be reevaluated by the department owning the records to the end that an additional retention period may be ordered by said department.

Commissioner Townsend made a motion to adopt Resolution 13-01 – Municipal Records Retention Schedule. Commissioner Sealey seconded the motion and it passed unanimously. A signed copy of the resolution is hereby incorporated by reference and made a part of these minutes.

Resolution 13-02 – Advertise Offer to Purchase Property – Old Employee Fitness Center by Body of God by Faith

Mrs. Vause presented an offer by Bishop Thomas Hill to purchase the old Employee Fitness Center at 603 South Main Street for \$25,000. The tax value of the property is \$48,000 and the appraised value is \$45,000. If Bishop Hill were to be successful in purchasing the property, there would be no property taxes and only a minimum water bill. Mrs. Vause said that 75% of the appraised value would be \$33,750. It was the consensus of the board to have Mrs. Vause contact Bishop Hill and ask him to offer 75% of the appraised value or \$33,750. Commissioner McCree suggested calling a special board meeting if Bishop Hill agrees to the revised offer to help move the process along faster.

Mayor Input

Mayor Kemp announced that Rowland will be hosting the next RCMA meeting on Tuesday, March 26, 2013.

Commissioners Input

Commissioner Leak-McKenzie has received complaints from citizens about the debris left from a demolished house on Jackson Street. Mrs. Vause said a letter will be sent to the property owner asking them to finish cleaning up the debris.

Manager Input

Mrs. Vause presented the following monthly financial summary to the board:

The clarifier at the waste water treatment plant has been repaired. Everything seems to be in working order. The final bill was \$24,865.00. Town staff, along with volunteer fire fighters, helped keep this expense down. I am not asking for a budget amendment at this time to move funds from contingency to sewer treatment. I had rather wait until later this fiscal year and only move what is absolutely necessary.

Once again, a new engineer has been assigned to our sewer rehab project by Hobbs Upchurch and Associates. All permits have been obtained and the project should be ready to bid out soon. This has been a rather difficult process. This is the first project of this size and scope that I have worked on from the beginning. As finance officer I worked on projects and grants after all approvals, etc. had been obtained. This has really been on the job training for me. All of the staffing changes with the engineering firm have made it that much more difficult and time consuming.

I am continuing to “reach out” to find help with the Town’s debt with the NC Commerce Department. I am trying to get a longer pay-back time if we cannot be relieved of this debt totally.

Mrs. Vause is planning budget workshops for May and June and asked the board to contact her with dates they are unable to meet.

Department Head Input

Public Works Director Ronnie Seals had nothing to report and Public Safety Director Danny Parker was absent due to illness.

Announcements

Friday, March 15 - Schools closed, Teacher workday.

Saturday, March 16 - J.R.O.T.C. Cadet Ball, 6:30 p.m., Heritage Center.

Saturday, March 23 - Fairmont Easter Egg Hunt, 10:00 a.m., Ages 0-12, Fairmont Community Park.

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Sunday, March 24 - Fairmont Woman's Club annual dinner, 11:00 a.m. to 1:30 p.m., Fire Hall. Plates \$7.00.

Thursday, March 28 - Town Employee Easter Cookout, 12:00 noon, Fire Hall.

Friday, March 29 - Good Friday. Town offices and schools closed.

April 1 - 5 - Schools closed for Spring break.

April 3 - 5 - RCC Job Ready Class. Co-sponsored by Town of Fairmont and RCC. Heritage Center.

Saturday, April 6 - Senior Bingo, 12:00 noon to 2:00 p.m., Heritage Center.

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 6:48 p.m.

Jennifer H. Larson, CMC/NCCMC
Town Clerk

Regular Meeting – April 11, 2013

The Fairmont Board of Commissioners held their regular meeting on Thursday, April 11, 2013 at 6:00 p.m. in the Council Chambers with Mayor Charles Kemp presiding. Commissioners present were J.J. McCree, Charles Townsend, Kim Ammons, Wayland Lennon, III, and Wade Sealey. Commissioner Carol Leak-McKenzie was out of town and participated by telephone. Commissioners Ammons was late and arrived at 6:40 p.m. Staff present included Town Manager Linda Vause, Town Attorney Rob Price, Town Clerk Jenny Larson, Public Safety Director Danny Parker and Public Works Director Ronnie Seals. Others in attendance included Elizabeth Epps, Fairmont Middle School Cheerleaders, Maddy Sealey, Sandra Pridgen, Tom Volkman, Shane Godwin, Mark Floyd, Elizabeth Hill, Robert Floyd, Emanuel Thompson, Erich Hackney, Adelina Shee and several citizens.

Call to Order and Invocation

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

Approval of Agenda

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

Mayor Presentations

Fairmont Youth T.E.A.M. Council report.

Maddy Sealey, Secretary of the Fairmont Youth T.E.A.M. Council gave a report on their activities. The Youth T.E.A.M. Council read to kids at Rosenwald Elementary School on March 19 and helped with the Easter egg hunt on March 29. They plan to participate in the recycling contest on April 15 and help with the Earth Day celebration on April 20. They are also going to host a Fairmont Idol talent show on May 17.

Recognition of Fairmont Middle School Cheerleaders.

Mayor Kemp recognized the Fairmont Middle School Cheerleaders and Coach Elizabeth Epps for winning the 2013 CANAM Junior/Middle School National Championship.

Recognition of Fairmont High School art students.

Mayor Kemp recognized Fairmont High School art students Patrick Carver, Shane Godwin, Fredrick Lyttle, Mark Floyd, Elizabeth Hill and Teacher Tom Volkman for recreating the train mural on panels to be hung on the brick wall in Heritage Park next week. Other art mural panels will be installed on the side of Fairmont Department Store. The project was funded with a Grassroots Arts Grant.

Public Comment Period/Citizens Appearance

Robert Floyd – offer to purchase property at end of Webster Street

Mr. Robert Floyd asked the board to consider selling the unused portion of land at the dirt end of Webster Street to Betty Oliver so she can use it to access her farm. Mr. Floyd is willing to pay the expense of surveying the property.

Erich Hackney – praise for Fairmont Department of Public Safety

Mr. Erich Hackney, an investigator for the District Attorney's office, came before the board to praise Public Safety Director Danny Parker, Detective Darren Jones and the rest of Fairmont's Police Department for their work on the case involving the senseless murder of a local teenager.

Emanuel Thompson – SWAY, nonprofit for teens

Mr. Emanuel Thompson has created SWAY, a nonprofit that will empower teens and create unity in the community. Mr. Thompson will present more information at the May board meeting.

Consent Agenda

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

- e. Approval of Minutes – Regular Meeting, March 14, 2013.
- f. Proclamation – Lyme Disease Awareness Month.
- g. Advertisement of 2012 Delinquent Taxes in the Robesonian the week of May 20, 2013.

Unfinished Business

Gertrude Street Well repair decision.

Town Manager Linda Vause informed the board that on March 19th Public Works Director Ronnie Seals met with a representative of the NC Department of Environment and Natural Resources, Water Quality Division. DENR is asking if we are going to take the Gertrude Street Well out of service, repair it or replace it. The cost to repair the well is approximately \$40,000. The estimate to replace the well is \$125,000. Mr. Seals is expecting a visit from DENR between now and July for their inspection of our wells. He needs to know how to answer their questions. Mr. Seals recommended repairing the well for \$40,000. The repair work comes with a two year warranty and a lifespan of 7 to 10 years. Mrs. Vause said there are no grants available to pay for the well. The town can split the repair cost over two fiscal years. Commissioner Sealey made a motion to go forward with repairing the Gertrude Street Well at an estimated cost of \$40,000. Commissioner Townsend seconded the motion and it passed unanimously.

Ordinance 13-152 – Amending Park Ordinance to allow alcohol during special events and Resolution 13-04 - Revising Resolution 08-07, Setting Rental and Usage Rates for Public Recreational Facilities within the Town.

Mrs. Vause presented a revised Ordinance 13-152 to the board:

ORDINANCE 13-152

AN ORDINANCE OF THE TOWN OF FAIRMONT, ROBESON COUNTY, NORTH CAROLINA, AMENDING SECTION 95.03(J) OF CHAPTER 95, PARKS AND RECREATION, OF TITLE IX, GENERAL REGULATIONS, OF THE FAIRMONT CODE OF ORDINANCES

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

Section 1. That Section 95.03(J) of Chapter 95, Parks and Recreation, of Title IX, General Regulations, of the Fairmont Code of Ordinances, is hereby amended to read in its entirety as follows:

“§ 95.03. Rules and Regulations

(J) No person shall, within the confines of any Town-owned or Town-operated recreation facility, park or recreation areas:

1. bring upon, possess, consume or display any beer, wine, whiskey or other intoxicating liquor or beverage or controlled substances or the containers thereof,
2. sell, deliver or attempt to sell or deliver any alcoholic beverage or illegal substance,
3. be reasonably suspected to be under the influence of alcohol or any controlled substance or to fail to leave immediately upon the request of a police officer, recreation personnel, Town employee or volunteer in lawful control of the premises, if such request is based upon suspicion that the person is under the influence of alcohol or any controlled substance.

Notwithstanding the foregoing, if a community event or festival event organizer:

- (1) provides a copy of a valid ABC permit to the Town 30 days prior to the date of the event,
- (2) provides valid evidence of authority to act for the entity holding the ABC permit,
- (3) is the first organizer to seek permission from the Town for alcohol to be consumed during the hours and boundaries requested,
- (4) provides a \$250 refundable breakage deposit, and
- (5) has not been banned as an organizer (and the sponsoring organization involved must not have been banned) by the Town Board from using Town parks and facilities for such a purpose based upon criminal activity or damage occurring at such an event,

the Town Manager shall grant permission for the event to be an “alcohol approved event” by the issuance of a writing setting forth the dates, hours, and boundaries within which alcohol may be consumed. The Town Manager may also grant a written permission for an alcohol approved event for any Town-sponsored event. For multiple alcohol approved events at the same location on the same day, there must be a one-hour gap between the hours of the events at which alcohol may be consumed. The requirements of all ABC rules and regulations and state laws regarding possession and distribution of alcoholic beverages must be met throughout the alcohol approved event.

A person who is not an occupant of a motor vehicle and who is old enough to be permitted by North Carolina law to consume or possess malt beverages and /or unfortified wine shall be allowed to possess and consume such during an alcohol approved event in the designated area.

The sale and consumption of alcoholic beverages at or on Town property is restricted to the hours and areas designated in the written permission of the Town Manager. No person shall bring, carry or transport any alcoholic beverage into or onto any site in which such a special event is taking place, except under the direction of the event organizer.

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

Commissioner Lennon made a motion to adopt Ordinance 13-152 and Commissioner Sealey seconded it. Town Attorney Rob Price explained that an organization wishing to sell alcohol in the park must submit an ABC permit to the town 30 days prior to the event along with a \$250 deposit. He stated that the event must be open to the public. The town manager makes the decision to grant permission based on the criteria in the ordinance. Mayor Kemp asked if the ordinance required police presence at the event and Mr. Price said no. Commissioner Sealey wanted to make sure that event organizers had liability insurance. There was also discussion by the board about having two different events with alcohol on the same day, when the start/stop time of the event is and how violations should be handled. Commissioner Leak-McKenzie made a substitute motion to table the ordinance until next month. Commissioner Lennon seconded that motion and it passed unanimously. There was no need to discuss Resolution 13-04 since it was dependent on the adoption of Ordinance 13-152.

New Business

Resolution 13-03 – Support the 2013-2015 Funding for Clean Water Management Trust Fund.

Mrs. Vause presented the following resolution to the board:

Resolution 13-03 to Support the 2013-2015 Funding for Clean Water Management Trust Fund

Whereas the 1996 General Assembly established the Clean Water Management Trust Fund to provide an innovative and non-regulatory approach to the protection and restoration of the surface waters all across the state; and

Whereas the Clean Water Management Trust Fund is a non-regulatory program established to help meet infrastructure needs of municipalities and counties, restore degraded surface water, protect watersheds, increase recreational opportunities, and enhance quality of life in this state, all critical components for communities to obtain a competitive edge in their economic development; and

Whereas the Clean Water Management Trust Fund has funded 452 infrastructure projects to assist North Carolina Communities balance infrastructure needs with environmental protection and to help struggling communities become self-reliant with future infrastructure needs; and

Whereas infrastructure needs across the state addressing drinking water, wastewater, and stormwater are estimated at \$16.6 billion between 2005 and 2030; and

Whereas the Clean Water Management Trust Fund has leveraged more than \$1billion of private, local and federal funds to support projects; and

Whereas the General Assembly has reduced funding for the Clean Water Management Trust Fund by 78% since 2010; and

Whereas limited funding for the Clean Water Management Trust Fund left 88% of 2012 critical local needs unmet; and

Whereas our economic vitality, health and ability to sustain ourselves and the natural environment all rely on clean water; and

Whereas surface water must be protected to ensure sufficient drinking water supply for the state's growing industrial base and population; and

Whereas, Clean Water Management Trust Fund has provided grant(s) to the Town of Fairmont to do one or more of the following; to protect, restore or enhance surface water quality for the benefit of the state's agriculture, military, recreation and tourism economies and to protect our natural heritage for the benefit of all North Carolinians; and

Now, Therefore, Be It Resolved by the Fairmont Board of Commissioners at its meeting on April 11, 2013, that we support Clean Water Management Trust Fund and that the fund receive an increase in recurring funding from the Governor and the North Carolina General Assembly for the 2013-2015 Biennial Budget.

Commissioner McCree made a motion to adopt Resolution 13-03 – Support the 2013-2015 Funding for Clean Water Management Trust Fund. Commissioner Townsend seconded the motion and it passed with a vote of 5 to 1 as follows:

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

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

Mayor Input

Mayor Kemp announced that N.C. Secretary of Commerce Sharon Decker will visit Fairmont on Tuesday, April 16 to meet with the J.O.B.S. Team.

Mayor Kemp also announced that a job fair with 25 employers will be held on Wednesday, April 17 from 10:00 a.m. to 2:00 p.m. in the Heritage Center.

Commissioners Input

Commissioner Townsend thanked the police department for their work handling the recent murder case but suggested that prevention and intervention programs should be considered to let kids know that police are their friends and protectors.

Commissioner Ammons apologized for being late to the meeting.

Manager Input

Mrs. Vause presented the following monthly financial summary to the board:

Budget preparation for fiscal year 2013-2014 has begun for the department heads. We are facing many obstacles with the new budget year.

The budget vs. actual report indicates that most departments are on budget. The Street Department in the General Fund and the Sewer Treatment Department in the Water/Sewer Fund remain a concern. Please be aware that the actual expenditure amounts may be slightly higher than on the March reports. This is because the agenda packet is to be delivered on April 8th. Not all of the invoices are in at this time.

The flusher truck is at Gregory Poole Caterpillar Dealer in Fayetteville for repairs. The highest estimate on the repair is \$14,308.82. Ronnie Seals has requested they call him as soon as possible with a definite price. Ronnie can explain this problem much better than I can.

Mrs. Vause is working on getting quotes for the town's health insurance because the current plan has a 19.6% increase for the coming fiscal year.

Mrs. Vause announced that Palmer Prevention is hosting an Orange Ribbon luncheon and the cost for a table of 8 is \$200.

Mrs. Vause announced that the Hearts N Hands Ladies Civitan Club will hold their Charter Banquet on Friday, April 19 at 6:30 p.m. in the Heritage Center.

Department Head Input

Public Works Director Ronnie Seals

Public Works Director Ronnie Seals asked the board to contact local legislators to ask them to reconsider closing the prison August 1. The town currently uses 5 minimum security prisoners in the public works department. Mrs. Vause added that traveling to Tabor City to pick up prisoners would put 100 miles a day on our already old vehicles.

Public Safety Director Danny Parker

Public Safety Director Danny Parker appreciated the support from the board during the investigation and arrests following the recent murder. He stated that the town averages 64 crimes a month but the crime rate fell in March, where only 45 crimes were reported.

Announcements

Saturday, April 13 - Student Recycling Contest, 9:00 a.m. to 12:00 noon, Southern States weigh scales on Morro Street. Cash prizes to top 3 students with most recyclables collected. \$100 - 1st place, \$60 - 2nd place, and \$40 - 3rd place prizes for students responsible for most recyclables by weight. Co-sponsored by Waste Management and the Town of Fairmont.

April 14 to April 27 - Spring Litter Sweep. Let's keep our community clean and green. Place your discardable materials by the road and Public Works will take them away.

Tuesday, April 16 - NC Secretary of Commerce Sharon Decker will visit and meet with the J.O.B.S. team from 9:00 - 11:00 a.m. to discuss ways the Commerce Dept. can help in the quest for more and better jobs for Fairmont and improve our economy.

Wednesday, April 17 - Job Fair, 10:00 a.m. to 12:00 noon, Heritage Center. Co-sponsored by Job Link and the Town of Fairmont. 20-25 employers will be present to offer job applications.

Friday, April 19 - Annual South Robeson Head Start Parade down Main Street, 10:30-11:30 a.m. These are the same beautiful children who appeared in the 2012 Christmas Parade as "gift boxes".

Saturday, April 20 - Earth Day Celebration, Community Park, 11:00 a.m. Games, activities, plants/trees for sale, planting demonstrations and Fill the Dump Truck Fundraiser for FMS Science Department (metal, aluminum cans only).

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Saturday, April 27 - Kids Day at Floyd Strawberry Farm, 10:00 a.m. to 2:00 p.m. Games, strawberries, power lifting by Xtreme Strength Team and music by Dr. Electrode.

Saturday, May 4 - Senior Bingo, 12:00 noon to 2:00 p.m., Heritage Center.

Thursday, May 9 - Regular Town Board meeting, 6:00 p.m. Council Chambers. We will be honoring the military for Armed Forces Day and Town Clerk Jenny Larson for National Municipal Clerks week.

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 7:31 p.m.

Jennifer H. Larson, CMC/NCCMC
Town Clerk

Regular Meeting – May 9, 2013

The Fairmont Board of Commissioners held their regular meeting on Thursday, May 9, 2013 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, Kim Ammons, Wayland Lennon, III, and Wade Sealey. Staff present included Town Manager Linda Vause, Town Attorney Rob Price, Town Clerk Jenny Larson, Public Safety Director Danny Parker and Public Works Director Ronnie Seals. Others in attendance included Emanuel Thompson, Pamela Thompson, Rev. Gary Deese, Sandra Pridgen, Maurice McMillan, Aaron Epps, military personnel and several citizens.

Call to Order and Invocation

Mayor Charles Kemp called the meeting to order. Rev. Gary Deese gave the invocation and led the audience in the Pledge of Allegiance.

Approval of Agenda

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

Mayor Presentations

Fairmont Youth T.E.A.M. Council report.

Mr. Aaron Epps, President of the Fairmont Youth T.E.A.M. Council, gave a report on their activities. The Youth T.E.A.M. Council is going to host a Fairmont Idol talent show on May 17 in the Heritage Center and admission is \$3.00.

Proclamation and recognition of Military for Armed Forces Appreciation Day.

Mayor Kemp read a proclamation and poem in honor of Armed Forces Appreciation Day, which is Saturday, May 18. He also recognized Army Sergeant Barton, Navy Petty Officer Richardson, Air Force Staff Sergeant Randolph and Marine Sergeant Jefferies. A copy of the proclamation is hereby incorporated by reference and made a part of these minutes.

Recognition of Town Clerk Jenny Larson for Municipal Clerks Week.

Mayor Kemp read an IIMC proclamation in honor of Municipal Clerks Week, May 5 – May 11, 2013 and recognized Town Clerk Jenny Larson with a certificate of appreciation. A signed copy of the proclamation is hereby incorporated by reference and made a part of these minutes.

Public Comment Period/Citizens Appearance

There was no public comment this month.

Consent Agenda

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

- a. Approval of Minutes – Regular Meeting, April 11, 2013.
- b. Set Public Hearing Date for FY 2013-2014 Budget for June 13, 2013 at 6:00 p.m. in the Council Chambers.

Unfinished Business

Ordinance 13-152 – Amending Park Ordinance to allow alcohol during special events, Alternate Ordinance 13-152 and Resolution 13-04 - Revising Resolution 08-07, Setting Rental and Usage Rates for Public Recreational Facilities within the Town.

Mayor Kemp stated the discussion of Ordinance 13-152 was a continuation from last month's meeting. Mrs. Vause presented an alternate Ordinance 13-152 to the board prepared by Town Attorney Rob Price. The alternate version includes suggestions made at the last meeting. Commissioner Townsend made a motion not to adopt Ordinance 13-152 and Commissioner McCree seconded it. The motion passed with a vote of 4 to 2 as follows:

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

There was no need to discuss Resolution 13-04 since it was dependent on the adoption of Ordinance 13-152.

New Business

Emanuel and Pamela Thompson – Swey program

Mr. Emanuel Thompson and his wife, Pamela, have created Swey, a nonprofit that will empower teens and create unity in the community. They are currently looking for a temporary location to begin their program.

Resolution 13-05 – Resolution appealing closing of Robeson Correctional Center.

Mrs. Vause presented Resolution 13-05 – Resolution appealing closing of Robeson Correctional Center to the board:

Resolution 13-05 to Support the Appeal of the proposed closing of Robeson Correctional Center scheduled in the North Carolina 2013-2015 Biennial Budget

WHEREAS, Robeson Correctional Center, Facility #4340 is a minimum custody security prison which houses felon and misdemeanor adult male inmates located on NC Hwy 711, Lumberton, NC has been proposed in the North Carolina 2013-2015 Biennial Budget to close operations; and

WHEREAS, after a presentation given by the Retired Employees of the Department of Correction (REDOC) to Senator Michael Walters, Representative Charles Graham, Robeson County Board of Commissioners Chairman Noah Woods, Robeson County Manager and Robeson County Municipalities on April 19, 2013 to announce their appeal of the proposed closing of Robeson Correctional Center; and

WHEREAS, Robeson Correctional Center, is of particular economic value to the Respondents and the citizens of Robeson County; and

WHEREAS, of the 80 employees at Robeson Correctional, 64 are residents of Robeson County; and

WHEREAS, Robeson County would lose an estimated \$1.1 million in salaries of the 64 Robeson County resident employees of Robeson Correctional Center; and

WHEREAS, Robeson Correctional Center has 21 buildings with asset equipment worth \$2.8 million; and

WHEREAS, Robeson Correctional Center provides a total of 121 inmates routinely to work in Robeson County and its Municipalities; and

WHEREAS, Robeson Correctional Center provides opportunities for selected inmates for employment in the community which enables payment of restitution, child support, state and federal taxes, federal tax breaks for employers that hire felons, and the inmates pay per diem and transportation into Department of Public Safety's general fund.

NOW, THEREFORE, BE IT RESOLVED by the Fairmont Board of Commissioners that this Resolution be approved to Appeal the proposed closing of Robeson Correctional Center proposed in the North Carolina 2013-2015 Biennial Budget.

Adopted this 9th day of May, 2013.

Commissioner McCree made a motion to adopt Resolution 13-05 – Resolution appealing closing of Robeson Correctional Center. Commissioner Townsend seconded the motion and it passed unanimously. A signed copy of the resolution is hereby incorporated by reference and made a part of these minutes.

Collection of Property Taxes by Robeson County.

Town Manager Linda Vause asked the board for permission to let the Robeson County Tax Department bill and collect the Town of Fairmont's property taxes, real and personal effective July 1, 2013. The county's fee is 3% for real, personal and public service utilities. Based on current year collections, this fee would be about \$20,000.00. It could be higher if they are able to collect more. The county tax department would handle all current and future year taxes. Their fee includes all postage, advertising delinquent taxes and state reporting. The cost to advertise delinquent taxes last May was \$2,100.00. Mrs. Vause spoke with finance officers from towns that the county bills taxes for. They are all pleased with their results and really pleased with the influx of cash in the months of July and August.

Mrs. Vause is not asking to eliminate the tax collector's position. We would continue to collect prior year taxes for the next ten years. The tax collector also handles privilege licenses and is backup for zoning permits. Additional duties would be added to the tax collector. She would be required to work old water accounts and provide relief and assistance in that department.

Commissioner McCree asked how the county would handle future delinquent taxes and if the town would have any input on which properties are foreclosed. After discussion, the board asked Mrs. Vause to get more information from the county and report back at the budget workshop on May 28.

Mayor Input

Mayor Kemp announced an Armed Forces Salute featuring the 82nd Airborne Chorus on Saturday, May 18 at 12:00 noon in the Fairmont-South Robeson Heritage Center.

Mayor Kemp requested that a resolution be prepared for the June board meeting asking the North Carolina State Legislature to reconsider cutting franchise and privilege license fees, which would be a major financial blow to Fairmont and other municipalities in the state.

Commissioners Input

Commissioner Sealey had a complaint from Mr. Walters about the sewer problems on McCollum Street. Public Works Director Ronnie Seals talked with Mr. Walters about the problem and explained that the lines are full of roots and the pipes are bad. Mr. Seals said the town flushes the line once a month but cannot prevent all problems, especially after a heavy rain.

Commissioner Ammons wished Town Manager Linda Vause happy birthday.

Manager Input

Mrs. Vause presented the following monthly financial summary to the board:

The NC Department of Transportation, Robeson County Bridge Maintenance Division will begin work on our three bridges this week. These bridges are on Morro, Floyd and Mitchell Streets. They all had “high priority” maintenance issues. The cost estimate is around \$7,000.00. This will be paid with our Powell Bill Funds. After speaking with a few engineering firms, it was easy to see that having the NCDOT handle the work will be the best and cheapest. Each of these bridges will be closed while being repaired. This shouldn’t present too much of an inconvenience for the residents. It is much better than the alternative of not repairing them. The bridge on Floyd Street would have to be permanently closed if we do not repair it.

The Street Department and the Sewer Department continue to be areas of concern. The Sewer Department problems were caused by the clarifier that had to be repaired. The Street Department is trying to get by with equipment that is worn out! Overtime pay in public works is high. Rarely does a weekend, or even a night, go by without these guys being called out for an emergency situation or Town sponsored event. We have to pay over time when their comp hours reach 240. The repairs to the flusher truck were under the estimate of \$14,000.00. The total bill was \$7,401.06. Public works picked up the truck Wednesday and it was back in action Thursday!

I plan to have a budget to you by May 23rd. We have a budget workshop scheduled for May 28th. I foresee last minute changes being made to the first budget you receive. I would need a crystal ball to forecast what is happening at the State level. Our revenues and expenses hinge on decisions to be made in Raleigh in the next 30 to 60 days.

Department Head Input

Public Works Director Ronnie Seals

Public Works Director Ronnie Seals had no report this month.

Public Safety Director Danny Parker

Public Safety Director Danny Parker reported that Robeson County District Attorney Johnson Britt has advised law enforcement to shut down all internet sweepstakes businesses. Chief Parker said this development is a drastic blow to the town’s budget and that the internet sweepstakes businesses in town never had any crime problems.

Chief Parker informed the board that there have been several complaints about a residence on Canal Street that is known for drugs, gangs, loud music and shots fired. Chief Parker is working with the town attorney on possible legal action against the property owner. A recent patrol of the area resulted in 36 citations and one arrest in a 3 hour period.

Chief Parker showed the board the department’s new patrol bike, which will be used as a crime deterrent.

Announcements

Tuesday, May 14 - NCDMV Mobile Driver's License Unit, 10:30 a.m. to 4:30 p.m., Town Hall parking lot, next to Fire Hall.

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

Thursday, May 16 - 5th annual Robeson Church & Community Center Golf Tournament, 12:30 p.m. shotgun start, Fairmont Golf Club.

Friday, May 17 - Fairmont Youth T.E.A.M. Idol Talent Show, 6:00 p.m. Heritage Center. Admission \$3.00.

Saturday, May 18 - Armed Forces Salute featuring the 82nd Airborne Chorus, 12:00 noon, Fairmont-South Robeson Heritage Center.

Saturday, May 18 - J.R.O.T.C. Cadet Ball, 6:30 p.m., Heritage Center.

Thursday, May 23 - Fairmont Chamber of Commerce's 6th annual Beach Blast featuring Sea-Cruz, 5:30 to 9:30 p.m., Fairmont Golf Club.

Monday, May 27 - Memorial Day. Schools and Town offices closed.

Monday, May 27 - Memorial Day Celebration: Sidewalk Sale, 7:00 a.m. to 2:00p.m., Ceremony in the Heritage Center, 12:00 noon, and Stackhouse Family Parade, 1:00 p.m.

Tuesday, May 28 - Budget Workshop, 6:00 p.m., Council Chambers.

Friday, May 31 - Saturday, June 1 - Robeson County Relay for Life begins Friday at 12:00 noon, Robeson County Fairgrounds.

Saturday, June 1 - Senior Bingo, 12:00 noon to 2:00 p.m., Heritage Center.

Saturday, June 8 - Senior Citizens Choir Extravaganza, 5:00 p.m., Heritage Center.

Thursday, June 13 - Regular Town Board meeting, 6:00 p.m. Council Chambers. Public Hearing on FY 2013-2014 Budget.

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 7:30 p.m.

Jennifer H. Larson, CMC/NCCMC
Town Clerk

Special Meeting – May 28, 2013

The Fairmont Board of Commissioners held a special meeting on Tuesday, May 28, 2013 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, Kim Ammons, Wayland Lennon, III, and Wade Sealey. Staff present included Town Manager Linda Vause, Town Clerk Jenny Larson, and Public Works Director Ronnie Seals. Newspaper reporter Adelina Shee was also in attendance.

Call to Order and Invocation

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

Bid Approval – Sewer Line Rehabilitation project

Town Manager Linda Vause reported that bids were opened on May 14th for the sewer line rehab/replacement project. Five companies placed bids for this project. The bids ranged from a high of \$1,039,452.00 to a low of \$773,694.40. Frank Horne Construction of Fair Bluff, NC had the low bid of \$773,694.40. It is the recommendation of Hobbs Upchurch and Associates that the board accept this bid. Once this bid is accepted and the resolution requesting the Local Government Commission to sell the Town's Water and Sewer System Revenue Bond Anticipation Notes (B.A.N.) at Private Sale approved, we will be ready to send our complete application to the Local Government Commission. There is an application fee of \$1,250.00. When the project is complete and approved by Rural Development and the Local Government Commission, bonds will be sold to pay off the Bond Anticipation Notes. Mrs. Vause added that USDA Rural Development reviewed the bid tabulations and concur in awarding the contract to the low bidder, Frank Horne Construction. Their only concern is the low bid exceeds the original cost estimates and recommend the town contribute, if required, an additional \$39,814.00 in order to have 10% of construction cost available for contingency. Commissioner Charles Townsend made a motion to award the contract for the sewer line rehab/replacement project to Frank Horne Construction of Fair Bluff, NC for \$773,694.40 and to contribute, if required, an additional \$39,814.00 in order to have 10% of construction cost available for contingency. Commissioner Leak-McKenzie seconded the motion and it passed unanimously.

Resolution 13-06 – Requesting the Local Government Commission to sell the Town's Water and Sewer System Revenue Bond Anticipation Notes at Private Sale.

Mrs. Vause introduced the following resolution to the board:

RESOLUTION 13-06 - REQUESTING THE LOCAL
GOVERNMENT COMMISSION TO SELL THE TOWN'S
WATER AND SEWER SYSTEM REVENUE BOND
ANTICIPATION NOTES AT PRIVATE SALE

WHEREAS, the Town of Fairmont, North Carolina (the "Town") acting by and through its Town Council (the "Council"), is authorized by The State and Local Government Revenue Act of North Carolina, N.C.G.S. § 159-80 to issue revenue bonds and notes; and

WHEREAS the Council has determined that it is necessary to extend its existing water and sewer lines (the “Project”); and

WHEREAS, the Council expects to issue not to exceed \$385,000 in the aggregate principal amount of the Town’s Water and Sewer System Revenue Bonds (the “Bonds”) to finance the Project, and, in connection therewith, to issue its Water and Sewer System Revenue Bond Anticipation Notes (the “Notes”) to be repaid with the proceeds of the Bonds; and

WHEREAS, the Town Manager has filed with the Local Government Commission of North Carolina (the “LGC”) an application for its approval of the Bonds and the Notes, on a form provided by the LGC and make certain findings therefor; and

WHEREAS, it is anticipated that the Notes will be sold to a financial institution following a request for proposals at a private sale;

NOW, THEREFORE, the Town Council for the Town of Fairmont, in a special called meeting on May 28, 2013, does hereby request the Local Government Commission of North Carolina to sell the Notes at private sale and without advertisement pursuant to G.S.159-123 of the North Carolina General Statutes.

This resolution shall take effect immediately.

Commissioner McCree made a motion to adopt Resolution 13-06 – Requesting the Local Government Commission to sell the Town’s Water and Sewer System Revenue Bond Anticipation Notes at Private Sale. Commissioner Sealey seconded the motion and it passed unanimously. A signed copy of the resolution is hereby incorporated by reference and made a part of these minutes.

FY 2013-2014 Budget Workshop

Mrs. Vause presented the following memo concerning the FY 2013-2014 proposed budget.

The proposed 2013-2014 budget for the Town of Fairmont includes no increases in fees or charges. There is a deficit of \$65,072.00 in the general fund. Originally, this deficit was about \$100,000.00. There is no “fat” in this budget. The water fund has a surplus balance of \$10,990.00. This amount can be placed in the contingency line item. There is also no “fat” in that fund. Revenues include \$49,260.00 from our sewer rehab project. I also included the possible payout of \$62,775.00 to the NC Department of Commerce for the Harger CDBG grant. I am continuing to try and get this amount expense eliminated, reduced or a longer pay back period. If we are unable to do either, the \$62,775.00 will have to be budgeted for three more years (four year total).

GENERAL FUND

Last year’s tax valuation was \$94,866,977.00. As of today, the valuation is \$94,461,879.00. Our rate of .73 remains the same. The amount billed will be approximately \$689,570.00. I estimated a 91% collection rate for a total estimated revenue of \$627,510.00. State revenues were estimated using the NC League of Municipalities’ estimates and past history. Their estimates include a 2.8% increase in sales tax collection. Robeson County distribution of this tax is based on population, but our population decreased from 2,669 to 2,658 so I used the same estimate as last year. The League estimates the solid waste tax to remain the same. There is an anticipated 1% decrease in video programming tax. Utility franchise tax, if still available in the new year, is based on the electricity sold in our town limits. A mild summer or a mild winter can affect this tax. Therefore, I did not include an increase. Sale of fixed assets is once again included. I did not include gaming privilege license for 2013-2014, which caused a huge hole in the budget.

2013-2014 will be the 6th consecutive year without a cost of living or merit raise for the employees. We plan to increase the employee health insurance deductible from \$500.00 per year to \$2,500.00. Otherwise, the insurance cost increase to the Town would have been over 19%. The increase is only 5% with the change. Jenny spent quite a bit of time shopping for a cheaper plan. This was pretty much impossible with our retiree coverage.

Administration: I reduced the manager's travel allowance from \$250.00 per month to \$200.00 per month.

Planning, Codes and Zoning: The amount in professional services was increased to \$3,500.00. American Legal estimates the cost will be \$3,130.00 to update our ordinance book and on-line ordinance access. Most of this is due to the lengthy sewer use ordinance and we have not updated the book since 2010.

Public Buildings: Maintenance and repair has an extra \$9,000.00 in it. This is to install a generator for the fire department. The generator was purchased from state surplus last year.

Police Department: There is a small increase in maintenance and repair of equipment. The MDT terminals in the vehicles are starting to require more repairs. The additional expense should cover a replace/lease expense.

Fire Department: We had to include the Firemen's Pension for 2013-2014. This was paid from the Firemen's Relief Fund for the past two years. That is no longer allowed.

Street Department: Public Works Director Ronnie Seals requested \$60,000.00 again this year to purchase a tractor or bush hog for the Street Department. This is NOT included in the budget. We increased the salary request in this department. I underestimated what we would need in 2012-2013.

Sanitation Department: Mr. Seals requested \$30,000.00 for chipping of the landfill. This year we paid \$25,000.00. They were not able to finish the job for that amount. This is an area that NCDENR inspects annually.

WATER/SEWER FUND

Water/Sewer Administration: The request for a new computer in the water department is included in this budget. We've been having problems with one of the computers for a couple of years and I don't expect to get many more months use from it.

Water Treatment Department: The public works request for \$10,000.00 for a well casing is included. The balance of the Gertrude Street well repair is also included.

Water Maintenance Department: The request for \$135,000.00 for a new backhoe is NOT included in this budget. Hopefully we can make do for three years until the flusher truck is paid.

Sewer Treatment Department: The request of \$15,000.00 for sludge removal at the sewer plant is included along with \$40,000.00 for preventative maintenance.

The budget for Powell Bill, Federal Drug Funds, State Drug Funds, RBEG Fund and the Sewer Rehab Project are complete and much the same as in prior years. There are still uncertainties in budgeting the General Fund for the new year. We still do not know the status of the closing of the Robeson County Correctional Facility. This action would adversely affect this budget.

Page 4 – Special Meeting, May 28, 2013

It is imperative that we eliminate the deficiency in the General Fund budget. I am required by law to present you, the media and the public with a balanced budget by June 1, 2013. My current plans are to do this May 31, 2013. Changes to the budget can be made up until June 30, 2013. State law mandates a final balanced budget before July 1. Our next budget workshop is planned for June 4th.

Mrs. Vause presented the following information as an option for reducing the general fund budget's deficit:

I've tried exploring different avenues in an effort to balance our budget for 2013-2014. I contacted County Manager Ricky Harris and Assistant County Manager Charles Britt about the possibility of Robeson County taking over The Town of Fairmont's communication services. This has been discussed in the past; however, their fee was much higher then and really did not save the Town any money.

The price is much more reasonable now. Their fee is \$15.00 per town resident. Our current population is 2658. The charge would be \$39,870.00; which can be split into quarterly payments if we so desire. The start-up cost to purchase a radio console is estimated to be less than \$10,000.00. The county will install a \$50,000 antenna using 911 funds.

We would need to keep the communications supervisor to handle clerical duties for the Public Safety Department. It would be most desirable to keep two of the employees in that department. This would eliminate two full time salaries and the equivalent of another for our part time help. Mr. Britt assured me that if our employees can pass their exam, they would be offered the first positions to become available at county communications. I have no fear of them being able to pass this exam, as the county has hired several of our trained communications employees in recent years.

Salary and related payroll expenses for the two employees with the most seniority would be \$73,563.00. The \$15.00 fee per resident, the expense of two employees and the start-up cost would be approximately \$126,500.00 for the first year. I have budgeted \$168,504.00 for communications. The difference is about \$42,000.00. It would take about ninety days from approval to the county taking our calls. This does not have to begin at the start of a fiscal year.

A couple of reasons to change to the county system include the fact that our equipment needs to be updated and there are plans in the works on the Federal level to mandate two employees per shift. I understand the hesitancy in not having Town Hall open 24 hours per day. We would have a call box located outside for emergency services. However, many of the late night on site requests for services are not from town residents. It is from people living outside of our town limits that do not pay anything into the Town of Fairmont's General Fund.

The Town of Red Springs is the latest Town to switch to county dispatch. I have spoken with their town manager and chief of police. They have received mostly positive feedback from their residents. Of course there will always be a complaint no matter what we do.

Mrs. Vause presented the following information regarding the possibility of Robeson County collecting Fairmont's property taxes:

As requested at the May 9th Board Meeting, I spoke with Sue Kozik with the Robeson County Tax Department in reference to the process of foreclosures and other legal proceedings if we ask the county to handle our tax billing and collections. Ms. Kozik is the employee assigned by Cindy Lowery, the Robeson County Tax Collector, to work with requests by local municipalities for these services. Robeson County has a paralegal on staff that handles collections and foreclosures. The county begins foreclosure proceedings based on age of accounts and values. The Town would not be involved in what properties to foreclose on. These decisions would be handled by the Robeson County Tax Department. This service is included in their 3% fee for billing and collections of real, personal and public service utilities.

The county's 3% would be all inclusive. Based on current year collections, this fee would be about \$20,000.00. It could be higher if they are able to collect more. Their fee includes all supplies, postage, advertising of delinquent taxes and state reporting. The Town paid \$2,100.00 last year in advertising expense

A decision will have to be made soon on whether to have Robeson County collect the Town of Fairmont's taxes for 2013 and forward. The request would need to be approved by the Robeson County Board of Commissioners before the process can begin.

As I stated earlier, I am not asking to eliminate the Tax Collector position. We would continue to collect prior year taxes for the next ten years. The Tax Collector also bills and collects privilege licenses and is back-up for zoning permits. Additional duties would also be added to that position. She would be required to work "bad accounts" and provide relief and assistance in the Water Department.

Mayor Kemp opened the floor for the board to discuss the budget and Mrs. Vause's proposals. Commissioner Lennon doesn't like the idea of moving dispatch to the county because the employees are very helpful and professional but realizes the writing is on the wall. Commissioner Ammons asked how many dispatchers would be affected. Mrs. Vause said two full time employees and seven part time, of whom many are already county employees. Mrs. Vause proposed moving dispatch to the county effective October 1, 2013. Mrs. Vause stated the tax collector is eligible to retire December 31 and suggested eliminating the position as of that date. She would like to keep the two dispatchers with the most seniority, one to handle police paperwork, the other to handle fire paperwork and to train to handle back taxes, privilege licenses and be backup for water and zoning. Mrs. Vause said these changes would reduce the general fund deficit but not eliminate it. She plans to budget fund balance to create a balanced budget proposal by June 1 as required by law. The next budget workshop is scheduled for Tuesday, June 4, 2013 at 6:00 p.m. in the council chambers.

Adjournment

There being no further business, a motion was made and seconded to adjourn the meeting at 7:11 p.m.

Jennifer H. Larson, CMC/NCCMC
Town Clerk

Budget Workshop – June 4, 2013

The Fairmont Board of Commissioners held a budget workshop on Tuesday, June 4, 2013 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, Wayland Lennon, III, and Wade Sealey. Commissioner Kim Ammons was absent. Staff present included Town Manager Linda Vause, Town Clerk Jenny Larson, Public Safety Director Danny Parker and Public Works Director Ronnie Seals. Newspaper reporter Adelina Shee was also in attendance.

Call to Order and Invocation

Mayor Charles Kemp called the meeting to order and gave the invocation. The purpose of the meeting is to hold a budget workshop on the fiscal year 2013-2014 budget.

Budget Workshop FY 2013-2014

Town Manager Linda Vause presented the following budget message to the board:

The proposed 2013-2014 budget for the Town of Fairmont does not include any increases in fees or charges. There is a reduction in staffing due to out-sourcing services to Robeson County.

GENERAL FUND

The current valuation for properties located within our town limits is \$95,300,386.55. Our tax rate of .73 remains the same. This budget has been prepared with the Robeson County Tax Department handling tax billing services for Fairmont. Their current collection rate is 91%; which is what I have used for this budget. The county's 3% charge is reflected in the tax department section of this budget. The amount that will be billed is approximately \$695,692.00. Estimated revenue is \$633,080.00. State revenues were estimated using the NC League of Municipalities' estimates and past history. Please keep in mind that the state estimates are still be debated in Raleigh. The League's estimate includes a 2.8% increase in sales tax collection. Robeson County distribution of this tax is based on population. Our population decreased from 2,669 to 2,658. I used the same estimate as last year. The League estimates the solid waste tax to remain the same. Utility franchise tax, if still available in the new year, is based on the electricity sold in our town limits. A mild summer or a mild winter can affect this tax. Therefore, I did not include an increase. Sale of fixed assets is once again included. I did not include gaming privilege license for 2013-2014.

FY 2013-2014 will be the 6th consecutive year without a cost of living or merit raise for the employees. We plan to increase the employee health insurance deductible from \$500.00 per year to \$2,500.00. The rate increase to the Town would have been over 19% without the change. The rate increase is 5% with the change. Jenny spent quite a bit of time shopping for a cheaper plan. This was pretty much impossible with our retiree coverage.

I had to include a fund balance of \$18,450.00 to balance the general fund budget. I cannot find any revenues to increase or expenses to decrease. If we stay on course, 2014-2015 should be a better year due to the changes in operation.

Finance Department: Nine months' salary and salary related expenses are budgeted in this department for an employee that is currently in the Communications Department. This employee will assume several different duties.

Tax Department: The current tax collector is budgeted for six months. She plans to retire effective December 31, 2013. County Collection Fee is a new line item in this department. Their estimate is \$19,000.00. Ladies and gentlemen, a decision will need to be made on this matter by the regularly scheduled June 14th board meeting. The last possible date for the Robeson County Commissioners to approve this request is at their June 17th meeting. Postage, supplies and tax lien advertising have been reduced and/or eliminated in anticipation of this change.

Planning, Codes and Zoning: I have increased the amount in professional services to \$3,500.00. American Legal estimates the cost will be \$3,130.00 to update our ordinance book and on-line ordinance access. Most of this is due to the lengthy sewer use ordinance.

Public Buildings: Maintenance and repair has an extra \$9,000.00 in it. This is to install a generator for the fire department. The generator was purchased from state surplus last year.

Police Department: There is a small increase in maintenance and repair of equipment. The MDT terminals in the vehicles are starting to require more repairs. The additional expense should cover a replace/lease expense.

Communications: I budgeted staffing as usual for the first three months of the new year in anticipation of the transfer of this service to Robeson County Communications. The current supervisor remains in the department to serve as administrative record keeper. The fee to Robeson County is estimated to be \$40,000.00. I included a capital outlay of \$16,000.00, if required, for any equipment upgrades we made need to make during this transition period.

Fire Department: We had to include the Firemen's Pension for 2013-2014. This was paid from the Firemen's Relief Fund for the past two years. That is no longer allowed.

Street Department: Public Works Director Ronnie Seals requested \$60,000.00 again this year to purchase a tractor or bush hog for the Street Department. This is NOT included in the budget. Salaries were increased for our part time help. The prior budget was not sufficient to get the work done. Keep in mind the uncertainty of inmate labor. A decision has not been made by the state if indeed the Robeson County Correctional Facility will close in August. That will have a terrible impact on this town. Ronnie Seals estimates \$500.00 per week in fuel to make the drive to Tabor City or Wagram to pick up inmates. It would take two hours each way to pick up and return the inmates to those facilities. This would be twenty man hours per week in just travel time.

Sanitation Department: Mr. Seals requested \$30,000.00 for chipping of the landfill. This year we paid \$25,000.00. They were not able to finish the job for that amount. This is an area NCDENR inspects annually.

WATER/SEWER FUND

Water/Sewer Administration: The request for a new computer in the water department is included in this budget. We've been having problems with one of the computers for a couple of years and I don't expect to get many more months use from it.

Water Treatment Department: The public works request for \$10,000.00 for a well casing is included. The balance of the Gertrude Street well repair is also included.

Water Maintenance Department: The request for \$135,000.00 for a new backhoe is NOT included in this budget. Hopefully we can make do for three years until the flusher truck is paid for.

Sewer Treatment Department: The request of \$15,000.00 for sludge removal at the sewer plant is included along with \$40,000.00 for preventative maintenance.

The budgets for Powell Bill, Federal Drug Funds, State Drug Funds, RBEG Fund and the Sewer Rehab Project are also enclosed. These are much the same as in prior years.

Mrs. Vause presented the board with a couple of options to balance the general fund portion of the budget without using fund balance. This can be achieved by changing one vacant full time officer position in the police department to two part time employees, saving an estimated \$11,040 in benefits. Eliminating the crossing guard position would save an additional \$4,810.00. Equipment maintenance and repair in the fire department can be reduced by \$2,100.00 by eliminating a maintenance contract that is no longer needed. Commissioner McCree asked how much the town pays in property insurance on the foreclosed/surplus properties. Mrs. Vause said the expense was minimal, around \$400 a year, and only covers fire damage. Commissioner Sealey asked if anyone had shown any interest in the properties lately and Mrs. Vause said no. Commissioner Townsend suggested having an officer monitor the traffic on Martin Luther King Drive at the elementary school. Public Safety Director Danny Parker has spoken to the crossing guard and she only escorts one child to school because most children either ride the bus or their parents bring them. Commissioner McCree asked if the estimated \$500 a week to transport prisoners from Tabor City or Wagram is included in the budget. Mrs. Vause replied no, that the budget is based on the correctional center in Lumberton staying open. Mrs. Vause stated that other than the proposed prison closing, most state budget changes would affect the town in the 2014-2015 fiscal year.

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/NCCMC
Town Clerk

Regular Meeting – June 13, 2013

The Fairmont Board of Commissioners held their regular meeting on Thursday, June 13, 2013 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, Wayland Lennon, III, Charles Townsend and Kim Ammons. Staff present included Town Manager Linda Vause, Town Attorney Rob Price, Town Clerk Jenny Larson, Public Works Director Ronnie Seals and Public Safety Director Danny Parker. Others in attendance included Rev. Horace Lawrence, Nicholas Mitchell, Adelina Shee, Kenneth Floyd, Jr. and several citizens.

Call to Order and Invocation

Mayor Charles Kemp called the meeting to order at 6:00 p.m. He recognized Nicholas Mitchell, a Boy Scout with Troop 33. Rev. Horace Lawrence of St. John's AME Church gave the invocation.

Public Hearing – Fiscal Year 2013-2014 Budget

Commissioner Sealey made a motion to go into Public Hearing at 6:10 p.m. Commissioner McCree seconded the motion and it passed unanimously.

The purpose of the public hearing is to gather public and board comment on the Fiscal Year 2013-2014 budget. Town Manager Linda Vause stated the Fiscal Year 2013-2014 General Fund budget is \$1,809,710.00 and the Water Fund budget is \$1,144,435.00. The budget does not increase any fees and keeps the tax rate at \$0.73. It does reflect a reduction in staffing due to outsourcing services to Robeson County. For the sixth year, there is no cost of living or merit raise for employees in the budget. Commissioner Lennon noted that the employees do get a 2% Christmas bonus every year. Mayor Kemp mentioned the state's budget could affect the town's revenue severely in the coming years and it is likely the Robeson Correctional Facility in Lumberton will close in the fall.

There was no public comment on the budget.

Commissioner Lennon made a motion to come out of the public hearing at 6:20 p.m. Commissioner Leak-McKenzie seconded the motion and it passed unanimously. The board agreed to cancel the budget workshop scheduled for June 20. Mrs. Vause noted that the FY 13-14 budget and the FY 12-13 amended budget will be adopted on Thursday, June 27 at 6:00 p.m. in the council chambers.

Approval of Agenda

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

- h. Approval of Minutes – Regular Meeting, May 9, 2013, Special Meeting, May 28, 2013 and Budget Workshop, June 4, 2013.

Unfinished Business

Requesting Robeson County approval of dispatching for Fairmont.

Town Manager Linda Vause informed the board that she had a meeting this week with Charles Britt and Chad Deese with the Robeson County Communications Department along with Public Safety Director Danny Parker, Public Works Director Ronnie Seals, Telecommunications Supervisor Annie Elliot, and Town Clerk Jenny Larson to discuss the details of switching dispatch over to the county. The county will answer the 628-5115 administrative police line at night and on weekends. They will also alert public works when an alarm dialer goes off for water or sewer. Commissioner McCree asked about home security systems. Mrs. Vause said they could be programmed to be answered by the county. Mrs. Vause plans to send out a letter explaining the changes to the citizens. Commissioner Ammons asked if Town Hall will be locked after 5:00 p.m. during the week. Mrs. Vause replied that the doors would be locked when administrative staff leaves and that the police department will use the side door for access to the building. A call box will be installed for citizens who need police assistance after hours and it will be similar to ones used on college campuses. Commissioner Townsend made a motion to request the approval of the Robeson County Board of Commissioners for the Robeson County Communications Department to begin dispatching for the Town of Fairmont on or about October 1, 2013. Commissioner Sealey seconded the motion and it passed unanimously.

Requesting Robeson County approval of tax collection for Fairmont.

Mrs. Vause said the county will bill the 2013 taxes for Fairmont effective July 1, 2013 for a fee of 3% of total collections. The county's current tax collection rate is 92%. Mrs. Vause said the town's tax collector is retiring on December 31, 2013. Of the two communicators being kept in the police department, one will work part-time in finance and train to collect back taxes and be relief in the water department. Commissioner Lennon made a motion to request the approval of the Robeson County Board of Commissioners for the Robeson County Tax Department to begin billing taxes for the Town of Fairmont effective July 1, 2013. Commissioner Leak-McKenzie seconded the motion and it passed unanimously.

Disposal of Surplus Property and Floyd offer. Resolution 13-07 – Authorizing the advertisement of an offer to purchase certain property.

Mrs. Vause informed the board that Mr. Kenneth Floyd, Jr. has submitted an offer of \$1,200 for a portion of a lot owned by the town located at the end of the dirt section of Webster Street, which used to be part of the old railroad track. The official property description is as follows:

Beginning at a found damaged iron pipe at the most eastern corner of the property of the Lumbee Tribe of North Carolina described in the deed recorded in Book 1721 at Page 106, said pipe being North 48 degrees 52 minutes 30 seconds East 30.07 feet from an iron pipe found at a corner of the property of Johnny R. Hagins described in the deed recorded in Book 992 at Page 731 in the southeast line of the of the Lumbee Tribe of North Carolina; thence North 37 degrees 11 minutes 30 seconds West 691.79 feet to an iron pipe in a line of the Fairmont Development Corporation property described in the deed recorded in Book 582 at Page 750; thence with that line North 52 degrees 48 minutes 30 seconds East 65.00 feet to an iron pipe found in the line of the property of Cameron Brent Brooks et al described in the deed recorded in Book 1749 at Page 247(Map Book 43 at Page 6); thence with the Brooks line South 37 degrees 10 minutes 44 seconds East 687.33 feet to a new corner; thence South 48 degrees 52 minutes 30 seconds West 65.00 feet to the iron rod at the point of BEGINNING. This property is a portion of the 2.52-acre tract deeded to the Town of Fairmont by the instrument recorded in Book 775 at Page 597. This property is a portion of tax parcel 0505-05-035.

Commissioner Lennon made a motion to declare the portion of the lot located at the end of the dirt section of Webster Street, tax parcel 0505-05-035, surplus and to use the upset bid method according to G.S. 160A-269. Commissioner McCree seconded the motion. Town Attorney Rob Price said the motion to declare the property surplus was not necessary because Resolution 13-07 covered everything legally. Commissioners Lennon and McCree withdrew their motion and second.

Mrs. Vause asked the board to adopt Resolution 13-07 – Authorizing the advertisement of an offer to purchase certain property, which reads as follows:

RESOLUTION 13-07

RESOLUTION AUTHORIZING THE ADVERTISEMENT OF AN OFFER TO PURCHASE CERTAIN PROPERTY

WHEREAS, the Board of Commissioners of the Town of Fairmont desires to dispose of certain surplus property of the Town, described below;

WHEREAS, the Board of Commissioners has received an offer to purchase the property described below from Kenneth Floyd, Jr. for the sum of \$1,200; and,

WHEREAS, North Carolina General Statute § 160A-269 permits the Town to sell property by upset bid, after receipt of an offer for the property;

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners that:

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1. The following described property is hereby declared to be surplus to the needs of the Town: Beginning at a found damaged iron pipe at the most eastern corner of the property of the Lumbee Tribe of North Carolina described in the deed recorded in Book 1721 at Page 106, said pipe being North 48 degrees 52 minutes 30 seconds East 30.07 feet from an iron pipe found at a corner of the property of Johnny R. Hagins described in the deed recorded in Book 992 at Page 731 in the southeast line of the of the Lumbee Tribe of North Carolina; thence North 37 degrees 11 minutes 30 seconds West 691.79 feet to an iron pipe in a line of the Fairmont Development Corporation property described in the deed recorded in Book 582 at Page 750; thence with that line North 52 degrees 48 minutes 30 seconds East 65.00 feet to an iron pipe found in the line of the property of Cameron Brent Brooks et al described in the deed recorded in Book 1749 at Page 247(Map Book 43 at Page 6); thence with the Brooks line South 37 degrees 10 minutes 44 seconds East 687.33 feet to a new corner; thence South 48 degrees 52 minutes 30 seconds West 65.00 feet to the iron rod at the point of BEGINNING. This property is a portion of the 2.52-acre tract deeded to the Town of Fairmont by the instrument recorded in Book 775 at Page 597. This property is a portion of tax parcel 0505-05-035.

2. The Board of Commissioners intends to accept the offer unless a qualifying upset bid shall be made.

3. The Town Clerk shall cause a notice of the proposed sale to be published in accordance with G.S. 160A-269.

4. Persons wishing to upset the offer must submit a written offer to the Town Clerk within ten (10) days after publication of the notice. A person making an upset bid must deposit with the Town Clerk a sum equal to five percent (5%) of his or her offer by cash or money order. Once a qualifying upset bid has been received, that offer will become the new offer.

5. If a qualifying upset bid is received, the Town Clerk is directed to re-advertise the offer at the increased offer amount and to continue with this process until a ten (10) day period has passed without receipt of a qualifying upset bid.

6. The terms of a final sale are that:

- e. the Town Board must approve the final high offer before a sale is closed, which it will consider within 30 days after the final upset bid period has passed,
- f. the Town will pay the cost of deed preparation, the property tax for years prior to the year in which the sale closes, and any tax stamps due. The Buyer must pay current year taxes and all other costs of closing,
- g. the Town will use a quitclaim deed to transfer the property, and
- h. the buyer must pay with cash at the time of closing.

7. The Town reserves the right to withdraw the property from sale at any time before the final high bid is accepted and the right to reject all bids at any time.

Commissioner Lennon made a motion to adopt Resolution 13-07 – Authorizing the advertisement of an offer to purchase certain property. Commissioner Sealey seconded the motion and it passed unanimously. A signed copy of the resolution is hereby incorporated by reference and made a part of these minutes.

New Business

Proclamation – North Carolina Domestic Violence Proclamation 100 Day.

Mayor Kemp introduced the following proclamation:

North Carolina Domestic Violence Proclamation 100 Day

WHEREAS, the Town of Fairmont is concerned about the issues of domestic and teen dating violence in the state of North Carolina, and,

WHEREAS, statistics show that on average, 3 women are murdered by their intimate partners every day, and,

WHEREAS, 95% – 97% of severe domestic violence occurs against women of all ages, races, religions and socioeconomic status, and,

WHEREAS, battering is the leading cause of injury or hospitalization for women, and

WHEREAS, the National Coalition Against Domestic Violence reports that more than 9 times as many women are murdered by a man they know than are killed by strangers, and,

WHEREAS, statistics show that our youth are enduring dating violence as early as age 13 and show that half of reported date rapes occur among teenagers, and,

WHEREAS, surveys show that only 33% of teenagers who are in an abusive relationship ever tells anyone, and,

WHEREAS, there were 63 domestic violence homicides in the state of North Carolina in the year 2012 and there has been 10 domestic violence homicides in North Carolina in 2013 as of March 15, 2013, and,

WHEREAS, sexual abuse is also a form of domestic violence, and,

WHEREAS, we believe that educating our communities on the issues of domestic and teen dating violence is imperative, and,

WHEREAS, Mothers On A Mission Domestic Violence Organization is dedicated to educating the state of North Carolina on the issue of Domestic and Teen Dating Violence, and,

WHEREAS, Mothers On A Mission has dedicated *Saturday June 15, 2013* to a statewide educational event on the issues of domestic and teen dating violence, and will set up radio and television interviews, and workshops across North Carolina.

NOW, THEREFORE, I, CHARLES KEMP, Mayor of the Town of Fairmont, do hereby officially proclaim *Saturday June 15, 2013 as*

“North Carolina Domestic Violence Proclamation 100 Day”

in the Town of Fairmont and commend this observance to all our citizens.

Town Attorney Rob Price said it would be appropriate for the board to endorse the proclamation. Commissioner Sealey made a motion to support the Mayor’s proclamation of “North Carolina Domestic Violence Proclamation 100 Day.” Commissioner Leak-McKenzie seconded the motion and it passed unanimously. A signed copy of this proclamation is hereby incorporated by reference and made a part of these minutes.

Resolution 13-08 – Urging the North Carolina General Assembly to amend Senate Bills 363 and 394 and House Bill 998 to preserve balanced municipal revenues.

Mayor Kemp asked the board to consider adopting Resolution 13-08 – Urging the North Carolina General Assembly to amend Senate Bills 363 and 394 and House Bill 998 to preserve balanced municipal revenues, which reads as follows:

RESOLUTION 13-08

A RESOLUTION URGING THE NORTH CAROLINA GENERAL ASSEMBLY TO AMEND SENATE BILLS 363 AND 394 AND HOUSE BILL 998 TO PRESERVE BALANCED MUNICIPAL REVENUES

WHEREAS, the Town of Fairmont supports efforts to ease the tax burdens on North Carolina citizens and to encourage economic development; and

WHEREAS, the Town of Fairmont operates an efficient government with a minimal property tax burden on its citizens; and

WHEREAS, Senate Bills 363 and 394 and House Bill 998 as proposed would reduce personal income tax rates, corporate income tax rates, corporate fees, and corporate charges, while reducing revenues for cities and towns; and

WHEREAS, these bills as proposed will lower or eliminate sales tax, franchise fee, and privilege license fee revenues for the Town of Fairmont and all other North Carolina municipalities; and

WHEREAS, there is no provision in these bills that would provide cities and towns with alternative revenue sources for this lost revenue; and

WHEREAS, passage of these bills as proposed will create a significant imbalance in the sources of municipal revenue in North Carolina, which historically and successfully have been balanced respectively between commercial or business sources and individual citizens in order to pay for the services desired by the businesses and citizens in each town or city and provided for by their elected representatives at the local level; and

WHEREAS, passage of these bills will result in the loss of significant funding sources for the Town of Fairmont and other North Carolina municipalities and may result in the imposition of additional property taxes on individual citizens.

NOW, THEREFORE, BE IT RESOLVED, that the Town of Fairmont does call on the members of the General Assembly to amend Senate Bills 363 and 394 and House Bill 998 to preserve balanced municipal revenues and specifically to preserve sales tax, franchise fee, and privilege license fee revenues for Fairmont and all other North Carolina municipalities. The Clerk is directed to send a copy of this resolution to each of the members of the General Assembly representing the people of the Town of Fairmont, to North Carolina Senate President Pro Tempore Philip E. Berger, Sr., and to North Carolina House Speaker Thom Tillis.

Commissioner McCree made a motion to adopt Resolution 13-08 – Urging the North Carolina General Assembly to amend Senate Bills 363 and 394 and House Bill 998 to preserve balanced municipal revenues. Commissioner Leak-McKenzie seconded the motion and it passed unanimously. A signed copy of the resolution is hereby incorporated by reference and made a part of these minutes.

Resolution 13-09 – Agreement to continue participation in the North Carolina Small Town Main Street Program 2013-2014.

Mayor Kemp asked the board to consider adopting Resolution 13-09, agreement to continue participation in the North Carolina Small Town Main Street Program 2013-2014, which reads as follows:

**RESOLUTION 13-09
ADOPTING AN AGREEMENT TO CONTINUE PARTICIPATION IN THE
NORTH CAROLINA SMALL TOWN MAIN STREET PROGRAM
2013-2014**

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

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

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

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

WHEREAS; there is no cost to the Town except reimbursement for travel related expenses that may be requested by the Town;

THEREFORE, BE IT RESOLVED; that the Town agrees to continue its participation in the Small Town Main Street Program and to abide by the following conditions:

1. The Town will actively participate in the Small Town Main Street Program for an additional period of no less than twelve (12) months beginning July 1, 2013.
2. The Town will designate a contact person in the community for the technical assistance team to coordinate with in order to provide continuity and leadership for the effort.

3. The Town will continue to maintain a volunteer committee and working subcommittees that are representative of the entire community, to provide focus for the program.
4. The Town will continue its support for the volunteer committee and will assist the committee and team in conducting community projects and any other necessary activities.
5. The Town will cooperate with the Small Town Main Street technical assistance team and support the community vision and plan of action.
6. The Town will continue to implement the plan of action to the fullest extent possible.
7. The Town will continue to develop and actively participate in local and regional partnerships and networks, and share resources and information gained through the program with other communities in the region.
8. The Town agrees to reimburse the Office of Urban Development for travel related expenses for any travel requested by the Town as submitted.

Commissioner Sealey made a motion to adopt Resolution 13-09, agreement to continue participation in the North Carolina Small Town Main Street Program 2013-2014. Commissioner Townsend seconded the motion and it passed unanimously. A signed copy of the resolution is hereby incorporated by reference and made a part of these minutes.

Mayor Input

Mayor Kemp invited everyone to the Fairmont Fantastic Fourth celebration to be held Sunday, June 30 from 5:00 to 10:00 p.m. in the Fairmont Community Park. Too Much Sylvia and the 82nd Airborne All American Chorus will be performing and the fireworks show will be at 9:30 p.m.

Mayor Kemp announced the RCMA meeting will be hosted by Fairmont in the Heritage Center on Tuesday, June 25th at 7:00 p.m. The guest speaker will be Joel Olsen, President of O2 Energies.

Commissioners Input

Commissioners Sealey and Leak-McKenzie commended Town Manager Linda Vause and her staff for their hard work on the budget preparation.

Manager Input

Mrs. Vause presented the following monthly financial summary to the board:

I reported last month that the NC Department of Transportation, Robeson County Bridge Maintenance Division would begin work on our three bridges. The bridges are on Morro, Floyd and Mitchell Streets. They all had “high priority” maintenance issues. However, I do not know an actual start date. Public Works Director Ronnie Seals is trying to find out the date.

I had to move \$20,000.00 from Water/Sewer Fund Non-departmental Contingencies to Sewer Treatment maintenance and repair. This was because of the earlier repairs to the clarifier. I had hoped this would not have to be done. The department budget adjustments were done in accordance with the 2012-2013 Budget Ordinance.

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We will have to do an interfund loan from the Water/Sewer Fund to the Sewer Rehabilitation Fund. Currently, the amount is \$44,580.00. We should be reimbursed sometime in August. I have already informed the LGC about this transfer.

Mrs. Vause said there were two lightning strikes that caused \$20,000 worth of damage to the sewer plant but that the repairs will be covered by insurance.

Department Head Input

There was no input from Public Works Director Ronnie Seals or Public Safety Director Danny Parker this month.

Closed Session – Attorney-Client Privilege G.S. 143-318.11(a)(3)

Commissioner Sealey made a motion to go into closed session at 6:48 p.m. to prevent the disclosure of information that is deemed privileged or confidential as determined under General Statute 143-318.10(e) and to discuss attorney-client privilege as permitted under General Statute 143-318.11(a)(3). Commissioner McCree seconded the motion and it passed unanimously.

Mayor Kemp, Commissioners Ammons, Leak-McKenzie, Lennon, McCree, Sealey, and Townsend along with Linda Vause, Rob Price, Danny Parker and Jenny Larson were in attendance during closed session.

Commissioner Sealey made a motion to come out of closed session at 7:15 p.m. Commissioner McCree seconded the motion and it passed unanimously. Mayor Kemp announced that potential litigation was discussed under the attorney-client privilege as permitted under General Statute 143-318.11(a)(3) and no action was taken.

Announcements

Thursday, June 20 - Budget workshop, if necessary, 6:00 p.m., Council Chambers.

Thursday, June 27 - Special meeting, adoption of FY 2012-2013 Amended Budget and adoption of FY 2013-2014 Budget, 6:00 p.m., Council Chambers.

Saturday, June 29 - Greenbrier Social with Mayor Kemp and the festival queens.

Sunday, June 30 - Fairmont's Fantastic Fourth, 5:00 to 10:00 p.m., Fairmont Community Park. Featuring a concert by the beach band Too Much Sylvia plus a special mystery guest performer. Food and kids amusements. Huge fireworks show at 9:30 p.m.

Saturday, July 6 - Senior Bingo, 12:00 noon to 2:00 p.m., Heritage Center.

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Tuesday, July 16 - NCDMV Mobile Driver's License Unit, 10:30 a.m. to 4:30 p.m., Town Hall parking lot.

Thursday, July 11 - Regular Town Board meeting, 6:00 p.m. Council Chambers.

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

Adjournment

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

Jennifer H. Larson, NCCMC
Town Clerk

Special Meeting – June 27, 2013
Budget Adoption

The Fairmont Board of Commissioners held a special meeting on Thursday, June 27, 2013 at 6:00 p.m. in the Council Chambers with Mayor Charles Kemp presiding. Commissioners present were Wade Sealey, J.J. McCree, Charles Townsend, Carol Leak-McKenzie and Kim Ammons. Commissioner Wayland Lennon, III was out of town on business and participated by telephone. Staff present included Town Manager Linda Vause, Town Clerk Jenny Larson, and Public Works Director Ronnie Seals. Robesonian reporter Adelina Shee also attended the meeting.

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

Administrative Matters

Resolution 13-10 – Ratifying Interlocal Agreement with Robeson County for Dispatch Services.

Town Manager Vause asked the board to adopt Resolution 13-10 – Ratifying Interlocal Agreement with Robeson County for Dispatch Services, which reads as follows:

RESOLUTION 13-10

**RATIFYING INTERLOCAL AGREEMENT WITH ROBESON COUNTY
FOR DISPATCH SERVICES**

WHEREAS, the Town of Fairmont is striving to improve its E-911 emergency communications; and,

WHEREAS, Robeson County has the technological capability with its Robeson County Communication System; and,

WHEREAS, Robeson County has agreed to provide dispatch services for the Town of Fairmont; and,

WHEREAS, Robeson County requires an interlocal agreement to be in place before dispatching can begin on October 1, 2013;

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Town of Fairmont that the interlocal agreement between Robeson County and the Town of Fairmont executed on June 27, 2013, is hereby approved and ratified.

Commissioner Lennon made a motion to adopt Resolution 13-10 – Ratifying Interlocal Agreement with Robeson County for Dispatch Services. Commissioner Leak-McKenzie seconded the motion and it passed unanimously. A signed copy of the resolution and interlocal agreement is hereby incorporated by reference and made a part of these minutes.

Resolution 13-11 – Ratifying Interlocal Agreement with Robeson County for Property Tax Collection Services.

Mrs. Vause asked the board to adopt Resolution 13-11 – Ratifying Interlocal Agreement with Robeson County for Property Tax Collection Services, which reads as follows:

RESOLUTION 13-11

**RATIFYING INTERLOCAL AGREEMENT WITH ROBESON COUNTY
FOR PROPERTY TAX COLLECTION SERVICES**

WHEREAS, the Town of Fairmont would like to simplify its property tax collection process; and,

WHEREAS, Robeson County has the technological capability with the Robeson County Tax Department; and,

WHEREAS, Robeson County has agreed to provide property tax collection services for the Town of Fairmont; and,

WHEREAS, Robeson County requires an interlocal agreement to be in place before property tax collection can begin on July 1, 2013;

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Town of Fairmont that the interlocal agreement between Robeson County and the Town of Fairmont executed on June 27, 2013, is hereby approved and ratified.

Commissioner Lennon made a motion to adopt Resolution 13-11 – Ratifying Interlocal Agreement with Robeson County for Property Tax Collection Services. Commissioner Sealey seconded the motion and it passed unanimously. A signed copy of the resolution and interlocal agreement is hereby incorporated by reference and made a part of these minutes.

Write Off Uncollected Water Accounts for 2012-2013 in the amount of \$2,795.89.

Commissioner McCree made a motion to write off uncollected water accounts for 2012 - 2013 in the amount of \$2,795.89. Commissioner Townsend seconded the motion and it passed unanimously. A copy of the 2012-2013 uncollected water accounts is hereby incorporated by reference and made a part of these minutes.

Write Off 2002 Property Taxes in the amount of \$1,462.43.

Commissioner Sealey made a motion to write off the 2002 property taxes in the amount of \$1,462.43. Commissioner McCree seconded the motion and it passed unanimously. A copy of the 2002 property tax accounts are hereby incorporated by reference and made a part of these minutes.

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Ordinance 13-153 - Amended Fiscal Year Budget 2012-2013

Mrs. Vause said the estimated fund balance usage is \$42,085.00. Commissioner Townsend made a motion to adopt Ordinance 13-153 - Amended Fiscal Year Budget 2012-2013 in the amount of \$3,146,040.00. Commissioner Leak-McKenzie seconded the motion and it passed unanimously. A copy of the 2012-2013 amended budget ordinance is hereby incorporated by reference and made a part of these minutes.

Ordinance 13-154 - Fiscal Year Budget 2013-2014

Mrs. Vause said no changes were made to the budget since the last budget workshop. No fund balance was appropriated and the estimated fund balance percentage should be between 13% and 15%. Commissioner Sealey made a motion to adopt Ordinance 13-154 - Fiscal Year Budget 2013-2014 in the amount of \$4,055,911.00. Commissioner Townsend seconded the motion and it passed unanimously. A copy of the 2013-2014 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 6:20 p.m.

Jennifer H. Larson, NCCMC
Town Clerk