

REGULAR MEETING, MONDAY, FEBRUARY 19, 2007

The regular meeting of the Hope Mills Board of Commissioners was called to order by Mayor Dees at 7:30 p.m. Commissioners Luther, Smith, Gorman, Legge, and Collins were present.

Others present were Interim Town Manager Bob Nicholl, Town Attorney William R. Davis, Parks and Recreation Director Anita Kilgore, Fire Chief Chuck Hodges, Public Works Director Bruce McLaurin, Police Captain John Smith, and Police Chief John Hodges.

Rev. Willis Mitchell, Solid Rock Bible Church, gave the invocation, and Commissioner Smith led the Pledge of Allegiance.

1. AGENDA ADJUSTMENTS, ADDITIONS, DELETIONS TO THE AGENDA.

Mayor Dees presented an addendum to add approval and award of Saffo Contracting \$295,000.00 bid for Hope Mills Lake Clearing Project and approval of Crowder Construction Company \$10,037,590.00 bid for Hope Mills Dam Repair Project, and suggested adding this item to the status report for the lake/dam project.

Commissioner Legge made a motion to add the items as requested. Commissioner Collins seconded, and the motion carried unanimously.

Mayor Dees asked that an item be added to old business, various committee appointments and consideration to dissolve inactive committees.

Commissioner Collins made a motion to add the items as requested. Commissioner Luther seconded, and the motion carried unanimously.

2. STATUS REPORT ON HOPE MILLS LAKE/DAM PROJECT.

Mayor Dees reported he and Mr. Nicholl met with Vance Holloman and Sharon Edmundson, Local Government Commission, on February 15, 2007. Mayor Dees reported a draft copy of the 2005 audit was delivered to the LGC, and discussions were held for financing the spillway project. Mayor Dees stated the LGC was complimentary on the steps the Town has taken to complete two audits now in a short period of time, and further, they expressed confidence in the Town's ability to get back on track finishing the 2006 audit after tax season, probably in May, and completing the 2007 audit on time, probably in September.

Mayor Dees reported the LGC advised the Town to proceed and approve the lake bed clean up bid and approve the spillway bid contingent on securing the needed financing. Mayor Dees stated Saffo Contracting had indicated they might start the lake bed cleanup as early as next week or the first week in March. Mayor Dees remarked that he and Gordon Rose were in the process of scheduling a meeting with Crowder Construction to discuss all the other details for starting the spillway project.

- a) Consideration to approve and award Saffo Contracting \$295,000.00 bid for Hope Mills Lake clearing project.**

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Mr. Gordon Rose, McKim & Creed, presented the bid opening summary for the Hope Mills Lake Clearing Project. He reported bids were opened on January 26, 2007, 2:00 p.m., in Town Hall.

Mr. Rose stated the apparent successful low bidder at the public bid opening was identified as Saffo Contracting based on the bids received. Mr. Rose stated based on their review, they recommended the award of contract be issued to Saffo Contracting who submitted a responsive and responsible bid of \$295,000.00.

BID OPENING SUMMARY

Out on a limb, Inc.	NA
MW Clearing & Grading	\$855,000.00
Southeastern	NA
J-MAC, Inc.	NA
ES & J	\$960,000.00
Phillip and Jordan, Inc.	\$498,000.00
McClam and Associates	NA
Triangle Paving	NA
West Contracting	NA
Roberson Contracting, Inc.	NA
Saffo Contractors	\$295,000.00
Woodland Management Corporation	NA
Conner Construction Co.	NA
McQueen Construction	NA
BMCO Construction	NA
GB Moran	NA
Woodchuck Tree Service	NA

Mayor Dees commented that Saffo had agreed to possibly reduce the contract bid if they did not have to pay landfill charges and volunteers were secured to haul away the clearing.

Further, Mayor Dees stated Saffo was interested in beginning the project in the winter because they would have more help available. Mayor Dees stated that Saffo indicated they would come back and do a final clearing for any new growth and they would be willing to put this in writing to the Town.

Commissioner Gorman made a motion to approve and award Saffo Contracting \$295,000.00 bid for the Hope Mills Lake Clearing Project. Commissioner Collins seconded, and the motion carried unanimously.

b) Consideration to approve Crowder Construction Company \$10,037,590.00 bid for the Hope Mills Dam repair project contingent upon the Town securing financing.

Mr. Gordon Rose, McKim & Creed, presented the bid opening summary for the Hope Mills Dam repair project and stated the bids were opened on January 30, 2007, 3:00 p.m., in Town Hall.

He stated the apparent successful low bidder at the bid opening was Crowder Construction Company based on the bids received. Mr. Rose stated they recommended award of the contract to Crowder Construction Company who submitted a responsive and responsible bid of \$10,037,590.00.

BID OPENING SUMMARY

Brayman Construction	\$10,878,456.00
Crowder Construction	\$10,037,590.00
T.A. Loving	\$10,816,426.00

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Commissioner Luther made a motion to approve Crowder Construction Company \$10,037,590.00 bid for the Hope Mills Dam Repair Project contingent upon the Town securing financing. Commissioner Collins seconded, and the motion carried unanimously.

3. STATUS REPORT ON RECREATION CENTER.

Mayor Dees commented there was no report at this time and since the project was now complete, recommended the Board discontinue this as a regular item on the agenda. He said anything new relative to the Recreation Center could be reported under old business.

4. ADOPTION AND PRESENTATION OF RESOLUTION OF APPRECIATION AND MEMORIAL TRIBUTE FOR SERGEANT HEATH HARDIN.

Commissioner Legge made a motion to adopt the resolution. Commissioner Luther seconded, and the motion carried unanimously.

Mayor Dees read the resolution and present copies to Mrs. Shelly Hardin and Mr. and Mrs. Harold Hardin.

**RESOLUTION OF APPRECIATION AND
MEMORIAL TRIBUTE
FOR
SERGEANT HEATH HARDIN**

WHEREAS, Sergeant Heath Hardin began his career with the Hope Mills Police Department on August 24, 1997, received the Officer of the Year award in 2000, was promoted to Corporal on September 8, 2004, received his Intermediate Law Enforcement Certification in 2005, and was promoted to Sergeant on July 14, 2006; and

WHEREAS, he was proud of his Native-American heritage and very involved in the activities of the Native-American community; and

WHEREAS, throughout his public service in law enforcement, he earned the respect, admiration, and high regard of all those with whom he came into contact, and the love and affection of all who were proud to call him friend; and

WHEREAS, his untimely death on January 11, 2007 while in the line of duty leaves this Town mourning the loss of a young man of courage and dedication to law enforcement, his family, his friends, and this community; and

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Board of Commissioners take public and official cognizance of Sergeant Hardin's short but faithful and loyal service to the citizens of this Town, and express to his wife, Shelly, daughter, Samantha, son, Mason, and parents, Harold and Mel Hardin, and all family members our sincere appreciation of Heath's dedicated performance of his law enforcement duties, and our deep realization of the loss we all have sustained; and

BE IT FURTHER RESOLVED that a copy of this Resolution be spread upon the record and that a copy shall be presented to his wife and family as evidence of our heartfelt sympathy.

ADOPTED this 19th day of February, 2007.

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Eddie Dees, Mayor

Bob Gorman, Mayor Pro Tem

Tonzie K. Collins, Commissioner

Jerry Legge, Commissioner

Doris R. Luther, Commissioner

Terry W. Smith, Commissioner

5. SPECIAL PRESENTATIONS BY HOPE MILLS POLICE DEPARTMENT TO SERGEANT HEATH HARDIN FAMILY.

The Hope Mills Police Department made the following presentations to the Hardin Family:

1. Memory book from Sergeant and Mrs. Ferreyra.
2. Shadow box to Mr. and Mrs. Hardin containing the badge that Heath wore, the flag, a piece of his uniform and ribbons he received as an Officer.
3. Shadow box of the flag, pictures, plaques and ribbons.
4. Plaque of authentication and a shadow box containing a US Flag flown over the US Capitol on January 11th.
5. Shadow box, name plate, badge, stripes, ribbon, and US Flag to Shelly Hardin.
6. Shadow box with Heath's original weapon, and number 625 plaque retired car number.

Mrs. Shelly Hardin said Heath was very special and he touched many lives. She thanked everyone for their support, and stated Heath gave the ultimate sacrifice and she was very proud of him.

Mrs. Mel Hardin said she was very proud of Heath and he had a heart of gold. She said so many had reached out to them and touched their lives during this time. Mrs. Hardin said that Heath loved Hope Mills and his job and she thanked everyone for their overwhelming support. She stated that all the items and presentations were so beautiful and meaningful.

On behalf of Mr. Hardin, Mrs. Hardin stated that Heath and his Dad were best friends and that Mr. Hardin wished to thank Hope Mills as well for all its support and for everyone's prayers which continued to get them through this difficult time.

6. PUBLIC COMMENTS.

There were none.

7. CONSENT AGENDA:

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Mayor Dees presented the consent agenda and asked the Commissioners if there were any items they wished moved to the regular agenda for discussion.

Commissioner Luther made a motion to approve the consent agenda items as presented. Commissioner Legge seconded, and the motion carried unanimously.

- a) Consideration to approve Minutes of the February 5, 2007 Regular Meeting.

Minutes approved as written.

- b) Consideration to adopt Fee Schedule Amendment to include Street Closing Application Fee.

Mr. Nicholl reported the Town had recently had two inquires regarding closing of a public street, and briefly reviewed the steps necessary to accomplish a street closing procedure.

Mr. Nicholl recommended the Board amend its current fee schedule to establish a street closing application fee, \$400.00, which would cover legal ad costs, certified letter costs, and recording fees for the Register of Deeds Office.

Street closing application fee, \$400.00, approved.

- c) Consideration to adopt Resolution for Delinquent Taxes for 2006.

RESOLUTION
OF THE
BOARD OF COMMISSIONERS
OF THE
TOWN OF HOPE MILLS, NORTH CAROLINA

WHEREAS, N. C. General Statute 105-369 requires the Tax Collector to report unpaid taxes for the current fiscal year that are liens on real property by the second Monday in February; and

WHEREAS, the purpose of the reporting is to allow the Board of Commissioners to order the Tax Collector to advertise the tax liens; and

WHEREAS, upon receipt of the Order of the Board of Commissioners, the Tax Collector will advertise the tax liens by posting notice at the Town Hall, or by publishing each lien at least one time in one or more newspapers having general circulation in Cumberland County; and

WHEREAS, the N. C. General Statute requires that the advertisement period occur during the period of March 1st through June 30th; and

WHEREAS, the uncollected ad valorem taxes and fees for the Town of Hope Mills that are delinquent and a lien on real estate as of January 25, 2007 is \$164,260.57.

NOW, THEREFORE, BE IT RESOLVED by the BOARD OF COMMISSIONERS that the report from the Cumberland County Tax Administrator

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of unpaid taxes for the current fiscal year that are liens on real property is hereby accepted; and

BE IT FURTHER RESOLVED that the Cumberland County Tax Collector is hereby charged to advertise the tax liens pursuant to the N. C. General Statutes.

ADOPTED this 19th day of February, 2007.

EDDIE DEES, MAYOR

ATTEST:

Phyllis C. Register, MMC, Town Clerk

Resolution adopted.

- d) Consideration to adopt Resolution directing Clerk to perform sufficiency study for voluntary annexation of remaining portions of Steeplechase Subdivision.

**RESOLUTION DIRECTING THE CLERK TO INVESTIGATE
A PETITION RECEIVED UNDER G.S. 160A-31
Annexation #07-1**

WHEREAS, a petition requesting annexation of an area described in said petition was received on February 14, 2007 by the Board of Commissioners for 136.98 acres, property of NPS associates, Larry W. Strother, known as STEEPLECHASE SUBDIVISION, located on the west side Blacks Bridge Road; and

WHEREAS, G.S. 160A-31 provides that the sufficiency of the petition shall be investigated by the Town Clerk before further annexation proceedings may take place; and

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Town of Hope Mills, North Carolina, that:

The Town Clerk is hereby directed to investigate the sufficiency of the above described petition and to certify as soon as possible to the Board of Commissioners the result of her investigation.

ADOPTED this 19th day of February, 2007.

EDDIE DEES, MAYOR

ATTEST:

Phyllis C. Register, MMC, Town Clerk

Resolution adopted.

"END CONSENT AGENDA"

8. **INFORMATION ITEM: FIRST ANNUAL "GUNS AND HOSES" BASKETBALL FUND-RAISING TOURNAMENT.**

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Parks & Recreation Director Kilgore reported the Parks & Recreation Department was sponsoring the first annual "Guns and Hoses" basketball tournament between the Hope Mills Police Department and the Hope Mills Fire Department on Saturday, February 24th. She stated the event would raise money for the family of Hope Mills Police Sergeant Heath Hardin.

Mrs. Kilgore stated the P & R staff was seeking donations of door prizes and would raffle prizes to be given away during the event. In addition, Mrs. Kilgore noted that donations could be made directly to the Sergeant Heath Hardin Memorial Fund, First Citizens Bank, 3626 North Main Street, Hope Mills NC 28348.

9. OLD BUSINESS: Consideration of various appointments:

a) Various committee appointments.

Commissioner Collins made a motion to approve the following appointments. Commissioner Smith seconded, and the motion carried unanimously.

Board Appointments
February 19, 2007

Tax Collector Aaron Donaldson

Deputy Tax Collector E. T. Sessoms

Deputy Tax Collector Diana Krist, Interim Finance Director
(for the Town)

Mid-Carolina COG Representative Commissioner Terry Smith

Transportation Advisory Committee (TAC) Mayor Eddie Dees

Transportation Technical Committee (TCC) Bob Nicholl, Interim
Town Manager

Audit Committee Mayor Pro Tem Bob Gorman, Commissioner Terry
Smith

Finance Committee Mayor Eddie Dees, Mayor Pro Tem Bob Gorman,
Commissioner Terry Smith, Interim Finance Director Diana
Krist, Interim Town Manager Bob Nicholl

Cumberland Community Action Program Edwin Deaver

Fayetteville Area Convention & Visitors Bureau Commissioner
Collins

Cumberland County Air Quality Stakeholders Committee
Commissioner Legge

Town Historian Eddie Brower

Firemen's Local Relief Fund Committee Justin Smith, Wayne
Dutterer

Cumberland County Community Health Care Council Dr. Neil
Worden

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PWC Board Liaison Bob Nicholl, Interim Town Manager

City/County Joint Appearance Commission Sally Bailey

Military Liaison Edwin Deaver

2030 Land Use Planning Committee Commissioner Luther, Melvin Dove

Cumberland County Joint Planning Board **Pat Hall**

Recommended Committee Appointments

February 19, 2007

Appearance Commission

Vendetta Hall, Sally Bailey, Dorothy Smith, Linda Wilson, Margaret Swanson, Mary Reed, Sandra Hardee, Patricia Reed, John Huskey, Judy Williams

Commission on Educational Development

Sylvia Dean, Gerald Patterson, Janet Gardner

Historic Advisory Committee

Eddie Brower, Pat Hall, Edwin Deaver

Parks & Recreation Advisory Committee

Gary Dove, John Turner, Winnie Golden, Deric Reed, Amy Porter, Gary Autry, Liaisons: Paula Hamilton, Sycamore Tree Senior Center; Rveda Faulkner, Hope Mills Seniors Club; James Summers, The Sunshine Center; Billie Sue Herring, Hope Mills Youth Association

Zoning Board

Roland Schmidt, Pat Hall, Brandon Hodges, Melvin Dove, Dorothy Riddle, **Bill Speight, Russell Regenhardt**

Veterans Affairs Commission

Robert Pinsky, William Conklin, Don Walton, Dennis Faulkner, Jessie Bellflowers, Thomas Nicholson, Robert Proulx, Archie Bates, Edwin Deaver

Zoning Board of Adjustment

Carleen Miller, Melvin Dove, Daniel DeCriscio, Christina Jen, **Bruce Armstrong**

* new members indicated in bold type

b) Consideration to dissolve inactive committees.

Mayor Dees commented the Town currently had some inactive committees and in most cases these committees had not met at all this year. Mayor Dees recommended that the Board dissolve these committees until such time as they may be needed in the future.

Commissioner Legge made a motion to dissolve the

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following committees. Commissioner Smith seconded, and the motion carried unanimously.

Policy Committee

Cemetery Board

Adopt A Street Committee

Environmental "Green Team" Committee

Transportation Task Force

Technology Advisory Committee

In addition, Mayor Dees noted that the town ordinance will be amended in the future to incorporate the name change from the Planning Board to Zoning Board.

10. STAFF CONCERNS.

There were none.

11. OFFICIAL CONCERNS.

Commissioner Smith commented as follows:

1. Thanked Rev. Mitchell for the invocation.
2. Thanked the Hardin Family for attending the meeting, and stated it was an honor for the Town of Hope Mills to have had Sergeant Heath Hardin as a Police Officer.

Commissioner Gorman commented as follows:

1. Thanked the Hardin family for attending the Board meeting and the presentations and said this was a very moving ceremony. He stated it had been his honor to know Heath Hardin.
2. Read the Police Department December 2006 activity report and stated it was an overwhelming report. Commissioner Gorman summarized the report.
3. Reviewed and summarized the Police Department 2006 yearly report.
4. Stated that he appreciated the hard work of both the Fire Department and Police Department.

Commissioner Legge commented as follows:

1. Thanked Rev. Mitchell for the invocation.
2. Commended Mrs. Kilgore and P & R staff for the Seniors Valentine's party which was fantastic.
3. Expressed sincere condolence to the Hardin Family.

Commissioner Collins commented as follows:

1. Stated he appreciated the Police Department

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activity report, and noted there was a 50% recovery rate on stolen property and the State recovery ratio was 30%.

2. Said it was an honor to have worked with Heath Hardin and he was a great Police Officer.
3. Commended Mrs. Kilgore and the P & R Staff for the great Senior Valentine's party.
4. Expressed appreciation to the Mayor and Board for their hard work, and said he thought the Town was heading in the right direction and the lake and spillway would be reconstructed and it would happen.
5. Thanked Rev. Mitchell for his kind words.
6. Thanked all the volunteers and committee members.
7. Stated he appreciated Mr. Nicholl for his hard work and he was doing a very good job.

Commissioner Luther commented as follows:

1. Thanked the Hardin Family for attending the meeting and stated they was deserving of every presentation made. Commissioner Luther said that she was proud of Heath Hardin and the Hardin Family as well.
2. Thanked Mrs. Kilgore and the P&R Staff for the Seniors Valentine party, said it was very well attended and enjoyed by everyone.
3. Recognized Police Chief John Hodges for being elected Vice-President of the North Carolina Association of Police Chiefs. She stated this was a very prestigious office.
4. Stated she was pleased the contract was awarded to Crowder Construction as they were familiar with the lake and the roadway. She stated that she felt this would be a great advantage to the Town.
5. Expressed appreciation to everyone attending the meeting and thanked all volunteers and said more volunteers input and citizens advice was needed. She stated that everyone needed to work together as a family.

Mayor Dees commented as follows:

1. Wished everyone a happy Presidents Day and said he was glad to have everyone at the meeting. Mayor Dees stated he hoped everyone had a good Valentine's. Mayor Dees said he was glad to have Sergeant Hardin's family at the meeting. Also, he reminded everyone once again of the Saturday night, "Guns and Hoses" benefit basketball game at 6:00 p.m. at South View High School.
2. Thanked all the volunteers who make up the Town committees for their participation and said their input is very important.

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3. Stated that candidates for Finance Director have been interviewed and an offer has been made. Mayor Dees said hopefully someone would be on board in March.
4. Stated he attended the DOT hearing on the Legion Road project and learned they will begin securing rights-of-ways in 2008 and begin construction in 2010 depending on everything going as planned. Further, he reported Camden Road was to be constructed before Legion Road they thought. Mayor Dees noted that the bypass was to be opened in October, 2006, but they now say there are some repairs that have to be made and they will be complete and the road opened by the end of the summer.
5. Friends of the Hope Mills Lake meeting, Tuesday night, at Hope Mills United Methodist Church, and everyone is invited to attend and join the organization.
6. Reminded everyone that the next Board meeting will be Monday, March 5th.

12. CLOSED SESSION PURSUANT TO NCGS 143-318.11(A)(3)(5)(6) TO CONSULT WITH THE ATTORNEY ON MATTERS WITHIN THE ATTORNEY-CLIENT PRIVILEGE AND TO DISCUSS PERSONNEL MATTERS.

At 8:10 p.m., Commissioner Gorman made a motion to enter Closed Session for the purposes as stated above. Commissioner Luther seconded, and the motion carried unanimously.

13. RETURN TO REGULAR SESSION.

8:25 p.m., upon motion by Commissioner Legge, seconded by Commissioner Luther and unanimously carried, the Board returned to regular session.

14. CONSIDERATION OF CLOSED SESSION MINUTES.

Commissioner Gorman made a motion to seal the minutes of the Closed Session until such time as the release of the information would no longer frustrate the purpose of the Closed Session, and further no action was taken. Commissioner Smith seconded, and the motion carried unanimously.

15. ADJOURNMENT.

At 8:27 p.m., upon a motion by Commissioner Luther, seconded by Commissioner Collins and unanimously carried, the meeting was adjourned.

EDDIE DEES, MAYOR

ATTEST:

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Phyllis C. Register, MMC, Town Clerk