

**MINUTES OF THE TOWN OF HOPE MILLS BOARD OF COMMISSIONERS
REGULAR MEETING
MONDAY, APRIL 20, 2009 --7:00 P.M.
BILL LUTHER BOARD MEETING ROOM**

Mayor Dees called the Regular Meeting of the Hope Mills Board of Commissioners to order on Monday, April 20, 2009, at 7:00 p.m.

GOVERNING BODY MEMBERS PRESENT

Mayor Eddie Dees, Mayor Pro tem Bob Gorman, Commissioners Doris Luther, Tonzie Collins, Jackie Warner, and Eddie Maynor.

GOVERNING BODY MEMBERS ABSENT – None

STAFF PRESENT

Town Manager Randy Beeman, Assistant Town Manager/Town Clerk Connie Spell, Human Resources Administrator Debbie Disbrow, Assistant Finance Director Diana Krist, Chief Building Inspector Mike Bailey, Parks and Recreation Director Stan Braswell, Public Works Director Bruce McLaurin, Fire Chief Chuck Hodges, Police Chief John Hodges, Police Captain John Smith.

INVOCATION AND PLEDGE OF ALLEGIANCE

Chaplin Tim Gore, Advantage Hospice Home Care gave the invocation followed by the Pledge of Allegiance led by Commissioner Luther.

1. APPROVAL OF AGENDA – ADDITIONS OR DELETIONS.

Mayor Dees presented the agenda and by consensus was unanimously approved.

2. PRESENTATIONS.

Mayor Dees acknowledged the following proclamations:

- a. Mayor's Proclamation – Silver Star Banner Day, May 1, 2009.
- b. Mayor's Proclamation – Air Quality Awareness Week, April 26-May 2, 2009.
- c. Mayor's Proclamation – National Day of Prayer, May 7, 2009.

3. PUBLIC HEARINGS. None

4. PUBLIC COMMENTS. None

5. CONSENT AGENDA.

Mayor Dees presented the consent agenda and asked if there were any items the board wished to be placed on the regular agenda for further discussion.

Motion was made by Commissioner Luther, seconded by Mayor Pro tem Gorman and unanimously carried to approve the consent agenda as presented.

The following actions were affected:

a. Consideration to approve Minutes of the March 2, 2009 Regular Meeting.

The Board approved the minutes of the March 2, 2009 Regular Meeting as written.

b. Consideration to adopt BB&T Resolution and Agreement for Deposit Account (authorizes signatures of Town Manager Randy Beeman, Assistant Town Manager/Clerk Connie Spell and Assistant Finance Director Diana G. Krist).

The Board adopted the Resolution and Agreement authorizing the signatures of Town Manager Randy Beeman, Assistant Town Manager/Clerk Connie Spell and Assistant Finance Director Diana G. Krist for Deposit Account with BB&T.

A copy of the Resolution and Agreement are filed in the Book of Resolutions and Book of Agreements in the Town Clerk's office.

c. Consideration to adopt Resolution of Support for Continuation of the Ozone Early Action Compact.

The Board adopted the following Resolution of Support for Continuation of the Ozone Early Action Compact for Cumberland County --Resolution No. 2009-05.

**RESOLUTION OF SUPPORT FOR CONTINUATION OF THE
OZONE EARLY ACTION COMPACT**

BY

TOWN OF HOPE MILLS, NORTH CAROLINA

Resolution No. 2009-05

Whereas, the Federal Clean Air Act, through the Environmental Protection Agency (EPA), establishes air quality standards to protect public health and welfare; and

Whereas, the EPA must regularly update the air quality standards to provide increased protection for children and other at risk populations against an array of ozone related adverse health effects; and

Whereas, the EPA revised the level of the ozone 8-hour standard by increasing it to a lower amount of 0.075 parts per million (ppm); and

Whereas, Cumberland County has acknowledged the importance of air quality standards in promoting quality of life, economic development and health; and

Whereas, as participants in the 2002 Early Action Compact (EAC), Cumberland County and its municipalities believe in the opportunity of empowerment given to local governments in the process of reducing ozone precursors through locally selected strategies and adopted control measures; and

Whereas, the benefits of a continued Early Action Compact include clean air sooner than through non-attainment designation providing a more healthful environment for the region's citizens, while minimizing the economic impact of non-attainment designation standards on new/expanding industries and transportation projects; and

Whereas, a continued Early Action Compact promotes the uninterrupted implementation of locally developed control measures, in partnership with stakeholders, the state and federal governments, and the citizens of Cumberland County; and

Whereas, the current three years ozone average (2006-2008) for Cumberland County is 0.077 ppm, just over the revised threshold and well below the previous standards, proving that the EAC process was very successful; and

Whereas, the past, present and continued cooperative efforts of the 2002 Cumberland County Early Action Compact have made significant improvements in Air Quality;

NOW, THEREFORE BE IT RESOLVED by the Town of Hope Mills, that EPA should consider an Early Action Compact for the new standards giving us the ability to join with other Cumberland County jurisdictions and continue what we began in 2002, achieving the new ozone standards through local cooperation for the benefit of our citizens.

ADOPTED THIS 20TH DAY OF APRIL, 2009.

d. Consideration to approve GovDeals Sellers Agreement, an Internet-based auction system.

The Board approved the GovDeals Sellers Agreement, an online auction service for governments auctioning off surplus property.

A copy of the agreement is filed in the Book of Agreements in the Town Clerk's office.

e. Consideration to approve Resolution Opposing Senate Bill 1004 and House Bill 1252, Level Playing Field Act.

The Board approved the following Resolution opposing Senate Bill 1004 and House Bill 1252 – Bills that block broadband from North Carolina Communities –Resolution No. 2009-06.

**RESOLUTION OF THE TOWN OF HOPE MILLS
AGAINST SENATE BILL 1004 and HOUSE BILL 1252
Level Playing Field Act
Resolution No. 2009-06**

WHEREAS, Senate Bill 1004 (HB 1252) , *The Level Playing Field Act*, have been introduced in the 2009 Session of the General Assembly of North Carolina, and referred to the Senate Commerce Committee and House Committee on Science and Technology, respectively; and

WHEREAS, these bills Senate do not provide a “level playing field” to cities, towns and counties. but greatly hinders local governments from providing needed communications services, especially advanced high-speed broadband services, in underserved areas; and

WHEREAS, the bills do not provide a “level playing field,” but instead impose numerous obligations on cities and towns that private broadband companies do not have to meet; and

WHEREAS, private companies, despite having received favorable regulatory and tax treatment to enable broadband investment, have chosen to avoid the financial commitment necessary to provide top quality services, instead offering lesser quality, slow non-state-of-the-art infrastructure technologies that are **not even** available to all residents; and

WHEREAS, while private companies declare top quality service is cost-prohibitive in our country, the United States continues to lose ground to other nations in broadband access, cost and growth in number of users, falling behind the United Kingdom, Korea, France, Japan and Canada to name a few, and Japan has internet access that is at least 500 times faster than what is considered high-speed in the United States and at less cost; and

WHEREAS, the U.S. Congress provided funds in the American Recovery and Reinvestment Act (federal stimulus) to reverse our county's catastrophic broadband decline by making local and state governments, and not private communication companies, directly eligible for \$4.7 billion in federal grants to provide affordable access to high capacity broadband services in unserved and underserved areas; and

WHEREAS, the bills would prohibit North Carolina cities and towns from using federal grant funds to deploy or operate locally-owned or operated broadband systems, thereby denying N.C. residents access to billions of dollars of federal assistance available to the rest of the country and hindering employment opportunities; and

WHEREAS, deployment of true high-speed broadband internet is a new public utility vital to the future economic development, educational outreach, and community

growth in North Carolina necessary to replace lost textile, tobacco, furniture and manufacturing jobs; and

WHEREAS, the General Assembly has already established 1) statutory provisions for Public Enterprises (NCGS Chapter 160A, Article 16); 2) conservation finance provisions in the Budget and Fiscal Control Act (NCGS Chapter, 159 Article 3); and 3) oversight by the Local Government Commission (NCGS Chapter, Article 2) and a local government must comply with all of those requirements in order to undertake providing an enterprise service to its community; and

WHEREAS, the bills are counter to the Local Development Act of 1925 in NCGS Chapter 158 that allows local governments to aid and encourage economic development in communities throughout North Carolina; and

WHEREAS, North Carolina law has long permitted local governments to engage in public enterprises and there is no justification for treating communications enterprises differently from other public enterprises that are essential for a sound economy; and

WHEREAS, historically it was government that funded much of the current corporate telecommunications infrastructure in the United States and government paid for and developed the Internet; and

WHEREAS, there are telecommunications designers, equipment manufacturers and suppliers in North Carolina who will be negatively affected if local governments are not allowed to provide needed communications services, meaning that **North Carolina will stand to lose more jobs by not investing** in top-quality broadband infrastructure than it will lose due to government provision of such services; and

WHEREAS, many for-profit companies with operations in North Carolina joined our local governments in opposing these bills;

NOW THEREFORE BE IT RESOLVED THAT THE TOWN OF HOPE MILLS opposes Senate Bill 1004 and House Bill 1252 and urges all members of the North Carolina General Assembly to vote “no” in committee and, if necessary, on the floor of the General Assembly.

ADOPTED THIS 20TH DAY OF APRIL, 2009

Eddie Dees, Mayor

ATTEST:

Connie F. Spell, Town Clerk

“END OF CONSENT AGENDA”

6. OLD BUSINESS:

Commissioner Maynor arrived at 7:07 p.m. and was present for the remainder of the meeting.

a. Consideration of HVAC bids received for the Brower Park Facility.

Mr. Beeman reported bids had been received for the repair/replacement of the heating and air conditioning unit located at Brower Park complex.

He stated the Parks and Recreation Advisory Committee voted that the Town not pay the cost for the air conditioning unit because the system had not been operational for some time and was not operating before the agreement was signed between the Town and the Hope Mills Youth Association.

Mr. Beeman recommended the board consider funding of the project and request the Hope Mills Youth Association share in the cost at a minimum of fifty percent. He further stated the pro-rata cost would be allocated from fund balance and would require a budget amendment.

Motion was made by Commissioner Luther, seconded by Commissioner Warner and carried unanimously to award the bid to the low bidder Jimmy Hall Heating and Air in the amount of \$4,240.00 contingent on the HMYA paying one-half of the cost.

b. Consideration of appointments to various town committees.

The following applications for appointment had been tabled and staff was directed to prepare a policy and procedure for appointments:

Historic Advisory Committee – Al Brafford

Veterans Affairs Commission – Nathan Lathrop, Jessie Bellflowers, Dennis Faulkner

Mr. Beeman reported the policy and procedure was almost complete and ready to be submitted for the board's consideration. He recommended that the board take action on these applications and not change the procedure that had been used for the other 2009 committee appointments. He stated the new policy would establish guidelines for future yearly appointments.

Attorney Jackson suggested each application be voted on individually.

Motion was made by Commissioner Collins, seconded by Commissioner Luther and carried unanimously to appoint Al Brafford to the Historic Advisory Committee.

Motion was made by Commissioner Collins, seconded by Commissioner Maynor and carried unanimously to appoint Nathan Lathrop to the Veterans Affairs Commission.

Motion was made by Commissioner Warner, seconded by Commissioner Maynor to appoint Jessie Bellflowers to the Veterans Affairs Commission.

Ayes: Commissioner Maynor, Commissioner Warner, Commissioner Luther, Mayor Pro tem Gorman.

No: Commissioner Collins

Motion carried 4 to 1 to appoint Mr. Jessie Bellflowers.

Motion was made by Commissioner Collins, seconded by Commissioner Luther and carried unanimously to appoint Dennis R. Faulkner to the Veterans Affairs Commission.

7. NEW BUSINESS:

a. Consideration of July 4, 2009 Celebration location.

Mr. Kenny Bullock, Program Supervisor requested a decision be made as to where the Annual 4th of July Celebration would be held. He stated the Parks and Recreation Staff recommended to keep the event at the Municipal Park and presented a list of advantages and disadvantages.

After a brief discussion, motion was made by Commissioner Collins, seconded by Commissioner Warner and unanimously carried to have all activities at the Municipal Park with the exception of the fire works and they be held at the Hope Mills Lake.

b. Consideration to approve July 4th Independence Day Holiday Observance and meeting cancellation.

Mr. Beeman recommended the Board consider changing the Fourth of July Independence Day Holiday observance for the Town from Friday, July 3, 2009 to Monday, July 6, 2009. He stated on Friday various town department staff would be required to work in preparation of Saturday, Fourth of July celebration.

He also suggested the cancellation of the July 6 board meeting due to the holiday.

Motion was made by Mayor Pro tem Gorman, seconded by Commissioner Collins and carried unanimously to change the Fourth of July Holiday observance for the town from Friday, July 3rd to Monday, July 6, 2009.

Motion was made by Mayor Pro tem Gorman, seconded by Commissioner Warner and carried unanimously to cancel the July 6, 2009 Regular Board of Commissioner Meeting.

c. Consideration of Lake Attendants/Maintenance Position.

Mr. Stan Braswell reported that a Lake Attendant must be on duty from April 1 – September 30 of each year in accordance to the Hope Mills Town Ordinance. He recommended the town utilize three part-time employees during the lake season. He stated the attendant would be on duty from 9:00 am – 9:00 pm Monday through Saturday and 12:00 noon to 9:00 pm on Sundays. He said the hours would be split among the three lake attendants.

He reported the cost estimate for three positions from May 1, 2009 through June 30, 2009 would be approximately \$6,234.90. The cost includes salary, FICA, Workers Comp for three (3) attendants @ 30 hours a week, two cell phones and an electric golf cart for transportation.

Motion was made by Commissioner Collins, seconded by Commissioner Luther and carried unanimously to hire three (3) part-time Lake Attendants as soon as possible and proceed with the required budget amendment.

8. REPORTS AND INFORMATION ITEMS:

a. Town Manager's update.

Mr. Beeman reported he had spoken with NCDOT Engineer Gary Burton concerning the graffiti along the Hope Mills Bypass, Highway 162. He stated DOT division maintenance was the responsible department.

There was discussion on if the Town could clean the graffiti off the Bypass since it was on property of the State.

Commissioner Warner expressed concerns about the image the graffiti portrayed and the increasing amount of graffiti on the walls along the road that serves as the gateway to Hope Mills.

After discussion, motion was made by Mayor Pro-tem Gorman, seconded by Commissioner Warner and carried unanimously to offer a \$500 reward for information that leads to the arrest and conviction of anyone placing graffiti on walls located on Hope Mills Bypass.

b. Department Monthly Reports.

The following departments presented written reports:

Fire Department, March 2009.

Police Department, March 2009.

Parks & Recreation Department, March 2009.

Inspections Department, March 2009.

c. Committee Reports. None

d. Update report on the Hope Mills Lake/Dam project.

Mr. Beeman reported Dam Safety, DENR, and the Engineers had a walk through and were waiting for several more documents to be processed and submitted by McKim & Creed for the final engineering report of certification and also the report on the vibration.

Mayor Dees suspended the rules and asked if anyone had questions or comments. There were none.

9. STAFF COMMENTS. None

10. OFFICIAL COMMENTS.

Commissioner Luther:

- Had concerns and questions concerning a yard sale that was held on the Town's parking lot located at Main Street and why the Police Department did not investigate.
- Congratulated Mrs. Connie Spell, Town Clerk upon her recent appointment to the Local Government Credit Union Advisory Board.
- Asked if the Town was going to do anything for the volunteers to show appreciation for their work.

Commissioner Maynor:

- He stated there were problems with the PA system at the Sunrise Service and recommended a procedure be in place and a chain of command for special events.

Mayor Pro-tem Gorman:

- Thanked everyone for attending.

Commissioner Warner:

- Thanked staff for placing the ropes up around the swimming area.
- Expressed concerns with the yard sale without a permit.
- Expressed concerns with Opening Day Parking and suggested that the parking should be better supervised.
- Suggested that signs be placed on the other side of spillway because of danger for the fisherman and children and she questioned the liability to the town.
- Expressed concerns with graffiti and stated it was a major concern in town.

Commissioner Collins:

- Stated the Easter Sunrise service and Opening Day was great.
- Stated he concurred with Commissioner Luther to recognize our volunteers.

Mayor Dees:

- Thanked Maxie Dove for the great job on Opening Day.
- Recommended a policy be established concerning the timer at the lake due to the problems that have occurred at the last two special events.
- Reminded everyone of Litter Sweep on April 25, 2009.
- He suggested that the volunteers be recognized with a plaque/volunteer of the year, etc., sometime in the future.

11. ADJOURNMENT.

Upon motion of Commissioner Maynor, seconded by Commissioner Gorman and unanimously carried, the meeting was adjourned at 7:45 p.m.

Eddie Dees, Mayor

ATTEST:

Connie F. Spell, MMC
Town Clerk