

## **REGULAR MEETING, MONDAY, APRIL 17, 2006**

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

Others present were Town Manager Roy Taylor, Town Attorney William R. Davis, Public Works Director Bruce McLaurin, Finance Director David Stafford, Fire Chief Chuck Hodges, Parks and Recreation Director Anita Kilgore, Police Captain John Smith, Police Chief John Hodges, and Deputy Clerk Natasha McCants.

Rev. Michael Boarts, Highland Baptist Church, gave the invocation, and Commissioner Luther led the Pledge of Allegiance.

### 1. ADDITIONS/DELETIONS TO THE AGENDA.

Mr. Taylor requested the Board consider adding an appointment to consent agenda Item B, Col.(Ret)Greg Bean, Chief of Public Utilities, Fort Bragg, to the 2030 Growth Vision Task Force.

Commissioner Legge made a motion to add this name to the appointments as requested. Commissioner Luther seconded, and the motion carried unanimously.

### 2. SPECIAL RECOGNITION AND DEDICATION - "WILLIAM F. (BILL) LUTHER, JR. BOARD MEETING ROOM."

Mayor Dees commented this occasion would formalize a previous Board action by resolution to name the Board Room, The William F. "Bill" Luther Jr. Board Meeting Room.

Mayor Dees, on behalf of the Board of Commissioners, Town of Hope Mills, and citizens, presented a framed copy of the resolution to the Luther family.

At this time, Mayor Dees recognized Representative Rick Glazier for a special presentation.

Representative Glazier stated Mr. Bill Luther served first his nation as a member of the United States Air Force, four years during the Korean War; long time follow up member with the American Legion; and Civil Service, Fort Bragg, for eight years. Representative Glazier said secondly, Mr. Luther served his community beginning in 1961, at age 29, and served longer than any other person in the history of the Town as Mayor, Mayor Pro-Tem, and Commissioner for 28 years; was instrumental in obtaining the Hope Mills Golf Course and property for the Town Hall, Fire Department, Police Department, Park and Library; served 17 years as a volunteer Fireman; helped organized the Hope Mills Area Chamber of Commerce; served nearly 50 years in the Congregation Christian Church as Superintendent, Deacon, and Chairman of the Board of Trustees. Representative Glazier said most importantly of all, Mr. Luther served his family as a loving and devoted husband, father, grandfather, brother, and friend. Representative Glazier stated Mr. Luther was a remarkable community steward and model public servant who led the community to a kinder, wiser, and better and more progressive future. He said Mr. Luther was a leader with vision, personal strength of character, with deep understanding of political, emotional, social, economic, and spiritual basis, all of which enabled him to be the public servant that he was. Representative Glazier said Mr. Luther possessed many skills and shared these with the community.

Representative Glazier remarked it was his honor and pleasure to present on behalf of Governor Michael F. Easley a posthumous award that was long overdue, The Order of the Long Leaf Pine, which was the highest honor awarded any civilian in the State of North Carolina. Representative Glazier said this was an honor that would place Mr. Luther's name and memory in a most exclusive club composed of a few of those in the State who had through the work of their lives altered North Carolina for better for generations to come.

Representative Glazier read the North Carolina Toast: Here's to the land of the long leaf pine, The summer land where the sun doth shine, Where the weak grow strong and the strong grow great, Here's to "down home," The Old North State!

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Commissioner Luther thanked Representative Glazier and Hope Mills and said she knew Mr. Luther was present in the room tonight.

Mayor Dees asked everyone to please assemble in the foyer for the dedication ceremony.

At 7:40 p.m., Commissioner Doris Luther and family, unveiled the naming of the William F. "Bill" Luther Jr. Board Meeting Room. Commissioner Luther commented that today was Mr. Luther's birthday and there could not be a better birthday gift to the family.

At 7:45 p.m., the Board was reseated.

### **3. STATUS REPORT ON HOPE MILLS LAKE/DAM PROJECT.**

#### **a) Report by Mr. Taylor.**

Mr. Taylor reported he was expecting to receive notification from Dam Safety in Raleigh anytime between now and the first of May regarding the Town's permits. He stated Mayor Dees had inquired earlier about the permits and whether or not they would come to the Town directly. Mr. Taylor reported in speaking with the engineers, these permits would come to the Town and the Town may coordinate a meeting with the US Army Corps of Engineers as soon as practical.

Mr. Taylor noted he was still looking for a firm answer regarding construction permits and any expiration dates. He stated if any expirations were attached, he would discuss this with all parties involved what, if anything, would be required of the Town to extend these dates to coincide with a tentative construction schedule. Mr. Taylor said at this time he did not perceive this being a problem for the Town. In addition, Mr. Taylor remarked he was discussing with the Town's engineers the logical phasing of construction once construction was underway.

Further, Mr. Taylor reported as requested several months ago, the Department of Corrections had been contacted on numerous occasions and at this time there was not a firm commitment as to when the Department of Corrections might be able to clear the brush and plant life from the lake bed. Mr. Taylor said as soon as this information was available, he would inform the Board.

#### **b) Consideration to adopt Resolution supporting restoration and preservation of Hope Mills Lake.**

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

#### **RESOLUTION SUPPORTING RESTORATION AND PRESERVATION OF HOPE MILLS LAKE**

WHEREAS, the old mill pond, now known as Hope Mills Lake, was the center of this community for over 200 years; and

WHEREAS, the lake was the downtown focal point, known statewide for its picturesque beauty, and its environmental friendly green space enjoyed by citizens for over two centuries; and

WHEREAS, the lake was the lifeblood of the area, rich in fish and wildlife, and possible use as a water reservoir; and

WHEREAS, the lake provided numerous recreational opportunities including swimming, fishing, picnicking, and boating venues such as canoeing, kayaking, sailing, and rowing; and

WHEREAS, the lake was the most visible asset in the town's historic district, which is included in the National Register of Historic Places, and a Civil War site where Gen. William T. Sherman's men destroyed the local mill; and

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WHEREAS, the lake was used by local churches, as a place of worship and often as a baptismal pool ; and

WHEREAS, the lake and its adjoining park was used by the community for its major events such as the 4<sup>th</sup> of July Celebration and the Christmas Festival; and

NOW, THEREFORE, BE IT RESOLVED that the Mayor and the Board of Commissioners of the Town of Hope Mills, hereby goes on record as fully supporting any and all efforts to restore Hope Mills Lake and to preserve it for the benefit of current and future generations.

ADOPTED this 17<sup>th</sup> day of April, 2006.

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EDDIE DEES, MAYOR

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Bob Gorman, Mayor Pro Tem

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Tonzie K. Collins, I, Commissioner

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Jerry Legge, Commissioner

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Doris R. Luther, Commissioner

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Terry W. Smith, Commissioner

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

4. STATUS REPORT ON RECREATION CENTER.

Mr. Taylor reported that the steel trusses were up and the contractor was working on the walls. He noted that the next construction meeting would be Tuesday, April 18<sup>th</sup>, 1:30 p.m., in the Town Hall front conference room, and invited any of the Board Members to attend.

- a) Consideration to approve \$14,762.50 Sprint proposal for Recreation Center.

Mr. Taylor presented the proposed Sprint proposal to deliver communication services to the new recreation center. He stated this work included the installation proposal, service and equipment agreement, equipment list and scope of work. He noted the total sales price for labor and equipment for this new installation was \$14,762.50, not including sales tax, and this price did include the usual one year warranty on parts and labor. Mr. Taylor said the Town had already provided the required conduits to the recreation center in anticipation of this new installation of cable and equipment. He stated this installation could occur in the late summer or early fall, according to the recreation center construction schedule. Mr. Taylor recommended the Board approve this proposal.

In response to a question from Commissioner Gorman, Mr. Stafford stated the wiring installation for the recreation center was a separate cost. Mr. Taylor noted this was included in the overall package, and it would be a part of the overall project cost. Mr. Stafford noted this proposal was for the internal wiring of the building, separate from construction costs. Mr. Stafford stated this was for telephone equipment which would be separate.

In response to a question from Commissioner Collins, Mr. Stafford reported this was part of the original presentation made to the Board previously by former Manager Rodney Johnson. Commissioner Collins asked specifically if the money for this contract was being budgeted now. Mr. Stafford said the Architect did not bid this as a part of the contract documents because this was for telephone and data wiring.

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Commissioner Luther raised questions regarding the one year warranty. Commissioner Luther commented after the money on hand was spent, and the Town was not prepared at this time to borrow money, what would happen then. Commissioner Luther said the audit must be finished before the Town could borrow any money and finish the building, and the Town must figure out where the money was going to come from. Commissioner Luther asked if this contract warranty would be from installation, or one year from the date the building was completed. Mr. Taylor said he felt that this would run with the certificate of occupancy, but he would confirm this and advise the Board.

A brief discussion ensued regarding the warranty period.

Mr. Stafford said this contract was for the wiring in the walls, telephone and data wiring.

Commissioner Luther asked how far along was the Town in spending the money on hand. Mr. Taylor said the Town had spent approximately \$556,000.00. Commissioner Luther stated she was not against the recreation center, but did not want to see a building partially completed and vacant.

In response to a question from Commissioner Legge, Mr. Taylor stated the contractor would be running conduit, but would not pull the wires for data and telephone service.

A brief discussion was held regarding the construction schedule.

Commissioner Legge commented he felt the building needed to be secured with doors and windows in order to secure the inside of the building.

Commissioner Legge made a motion to table this matter for additional financial information.

Mr. Taylor suggested this matter be tabled to the next meeting in order for staff to gather additional information as requested by the Board. Commissioner Collins stated the telephone system for the recreation center must be better than the telephone system the Town currently had.

Mr. Stafford stated the only reason this proposal was before the Board now was because the contractor was ahead of schedule approximately 30 days and staff wanted to make sure this contract was in place, however, there was not a big rush at this time.

**Commissioner Legge stated he wanted to make sure all the bases were covered, and made a motion to table this matter to the next regular meeting. Commissioner Collins seconded, and the motion carried unanimously.**

Commissioner Luther asked after the Town spent the money it had on hand, would the contractor continue or would the Town be penalized. She asked if the construction contract addressed what would happen if the project was delayed because of funding, and asked if the project would be finished.

Mr. Taylor stated he would review the construction contact and obtain some answers for the Board.

Mayor Dees requested the Manager give the Board a list of alternatives regarding this situation.

### 5. PUBLIC COMMENTS.

Patrick Mitchell, 3631 Lakeshore Drive, addressed the Board and asked that their focus be on Lake restoration. Mr. Mitchell stated he did not own waterfront property, but this was a community issue. Mr. Mitchell stated the lake was a resource that the Town needed to keep track of.

### 6. MAYORAL PROCLAMATIONS:

- a) National Day of Prayer - May 4, 2006.

Mayor Dees read the proclamation, and presented it to Pastor Boarts on behalf of the Hope Mills Ministerial Association.

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Mayor Dees urged all citizens to observe this day by joining members of all faiths and creeds all over the community and nation in seeking divine guidance for ourselves, our leaders, and our country.

- b) Loyalty Day - May 1, 2006.

Mayor Dees read the proclamation, and presented it to Past Commander Robert Proulx, Jessie Bellflowers, and Mark Bergman, representatives of VFW Post 10630.

Mayor Dees encouraged all citizens to join at the Hope Mills Armed Forces Veterans Memorial Park at 5:00 p.m., May 1, to pause in a special ceremony by the Hope Mills VFW, and affirm allegiance to the flag and country, and further called upon citizens to display the American Flag that day as a clear manifestation of our loyalty and patriotism.

- c) Vietnam Veterans Recognition Day, May 6, 2006.

Mayor Dees read the proclamation, and presented it to representatives of VFW Post 10630.

Mayor Dees urged all citizens, community leaders, interested organizations, and government officials to observe May 6<sup>th</sup> with programs, ceremonies, and activities that commemorate the service and sacrifices of brave individuals who served in Vietnam and to express appreciation for the sacrifices and contributions made to keep America free.

- 7. PRESENTATIONS BY VFW POST 10630 - DEPARTMENT OF NC VFW GOLD MEDAL WINNERS, POLICE OFFICER DAVID M. SERVIE, JR. AND FIREFIGHTER TERRY CASHWELL.

Past Commander Robert Proulx, VFW Post 10630, presented a plaque and letter of award to Police Officer David M. Servie Jr. congratulating him for winning the VFW Law Enforcement Gold Medal Award for 2005-2006 from the Department of North Carolina. Mr. Proulx stated this award was given by the VFW annually to recognize the state's top law enforcement officer serving in a municipal, county, state, or federal unit tasked with enforcement of the laws pertaining to their area of responsibility.

Mr. Proulx also presented a plaque and letter of congratulations to Firefighter Terry A. Cashwell congratulating him for winning the VFW Firefighter Gold Medal Award for 2005-2006 from the Department of North Carolina. Mr. Proulx stated this award was also given by the VFW annually to recognize the state's top individual who actively fights fires as a member of any public or volunteer company organized to fight fires and give assistance to our nation's citizens.

- 8. CONSENT AGENDA:

Mayor Dees present the consent agenda, and asked if there were any items the Board wished to move to the regular agenda for discussion.

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

- a) Consideration to approve Minutes of the April 3, 2006 Regular Meeting.

Minutes approved as written.

- b) Consideration to appoint Melvin Dove, Frank Arrant and Col. (Ret) Greg Bean to serve on the 2030 Growth Vision Task Force.

Appointments approved.

- c) Consideration to approve Fourth of July Fireworks display expenditure, \$7,500.

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Mr. Taylor reported staff was preparing for the 2006 Fourth of July Celebration, and it was appropriate at this time to commit to Melrose South Pyrotechnics Inc. for the fireworks display event. He stated the cost of the fireworks display was \$7,500, and as in the past, staff would submit a \$1,500 deposit upon Board approval. Mr. Taylor recommended the Board approve this budgeted expenditure.

**Fourth of July Fireworks display expenditure approved.**

**“END CONSENT AGENDA”**

9. **PUBLIC HEARING: CONSIDERATION OF A PROPOSED CHARTER AMENDMENT ORDINANCE TO ALLOW STAGGERED TERMS FOR THE TOWN OF HOPE MILLS ELECTED OFFICIALS.**

At 8:20 p.m., Mayor Dees opened the Public Hearing.

Pat Hall, 3511 Beechwood Street, said she had a number of questions regarding this matter, and asked what was the Board's reasons for this proposed action, and suggested the Board consider possibly establishing voting districts, or increasing the number of board members. Ms. Hall stated she felt all aspects of this procedure should be addressed, and if any costs were involved, then it should not be done. Ms. Hall stated there were other matters that should have the Board's priority consideration, such as completing audits, funding the recreation center, and funding the spillway at the dam. In addition, Ms. Hall noted recently there had been interest expressed in sidewalks, annexation, and she realized everything depended on funding. Ms. Hall stated there were a lot of projects the Board needed to figure out how to pay for.

Dr. Jim Williams, 5415 Thompson Circle, distributed some information obtained from the Board of Elections, and briefly reviewed the materials outlining some statistics of candidates elected to office from 1993 to 2005. Dr. Williams stated he opposed four year staggered terms, and briefly commented regarding concerns that had been expressed relative to a complete turnover on the Board. Dr. Williams stated there were some serious issues facing the Town Board that should be addressed including upgrades to several departments as well as some unfunded mandates. Dr. Williams said it was his opinion that the Board should drop this matter.

Jessie Bellflowers, 3819 Sturbridge Drive, noted there were a lot of discussions during the last election relative to a clean sweep of the Town Board, and he felt these comments were from those who had lost faith, trust and confidence in the Town Board. Mr. Bellflowers stated as everyone realized no clean sweep occurred. Mr. Bellflowers stated the Town Charter had served the Town well, and he fully supported the Town Board having continuity, but he did not support four year staggered terms.

Rex Johnson, 3636 Lakeshore Drive, stated he opposed changing the terms of office from two years to four year staggered terms. He stated the two year terms of office kept the voters close to the elected officials, and there were many matters the Board must take care of. Mr. Johnson stated if there was any change in the terms of office, this matter should be put before the voters.

There being no one else to speak in favor or in opposition to the matter, the public hearing was closed.

Commissioner Gorman thanked the four speakers for their comments, and stated he had received some of the same comments from other citizens.

**Commissioner Gorman made a motion for the Board to not consider four year staggered terms. Commissioner Legge seconded the motion.**

Commissioner Smith commented perhaps he had received less citizen feedback than some of the other Board Members, but he had tried to obtain the feelings of the citizens on this matter. Commissioner Smith stated those he had spoken with, expressed the same concerns as were stated. Further, Commissioner Smith said he was available to talk to the citizens about anything at anytime and to please feel free to contact him.

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Commissioner Collins expressed appreciation to everyone who spoke, and stated he felt that was what the Board wanted to hear from the citizens.

Mayor Dees commented he understood there was only one municipality in Cumberland County who currently had four year staggered terms.

Commissioner Luther commented if in the future, this matter came up again, she felt it should be placed on the ballot for the citizens to decide.

### **The motion carried unanimously.**

#### 10. OLD BUSINESS:

There was none.

#### 11. STAFF CONCERNS.

There were none.

#### 12. OFFICIAL CONCERNS.

Commissioner Smith commented as follows:

1. Thanked Rev. Boarts for bringing the invocation.
2. Congratulated the Luther family on the special recognitions; stated he never met Mr. Luther, but he felt as though he knew him.
3. Thanked Mr. Mitchell for speaking under public comments.
4. Stated he really wanted to see the lake restored, and the Town should look to the future. Commissioner Smith said the Town should be more prepared and should take action to preserve the future of the lake and its restoration. Commissioner Smith stated he was not blaming anyone and this was no criticism on any previous Board.

Commissioner Gorman commented as follows:

1. Congratulated the Luther family on the honor and recognition. He stated he had really enjoyed working with Commissioner Doris Luther and Mr. Luther.
2. Stated he appreciated Mr. Mitchell's comments under public comments.
3. Appreciated all those who spoke at the public hearing, and said the Board listened to what the citizens said. Commissioner Gorman asked that any citizen call him at any time with any concerns.
4. Stated he appreciated everyone's attendance at the meeting.

Commissioner Legge commented as follows:

1. Stated he was glad to be a part of the honor for the Luther family and stated this was well deserved and long overdue.
2. Thanked all the citizens for being present and especially the speakers. He stated the Board had to know what the citizens wanted.
3. Stated the recent news conference at the lake was a very nice event and there were a lot of people who were interested in getting something done. Commissioner Legge said he wanted to see the lake restored.

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4. Expressed appreciation to Mrs. Kilgore and the Parks and Recreation Department for the Easter Festival and stated this was a great event.
5. Reminded everyone that Saturday, April 22, 9:00 a.m., was the Hope Mills Youth Association Opening Day Ceremony and invited everyone to attend.
6. Thanked the Clerk for all her work relative to the staggered terms issue for the elected officials.

Commissioner Collins commented as follows:

1. Stated he had known the Luther family for a number of years and they had done a great job for Hope Mills and congratulated the family.
2. Stated he was behind all supporters of the lake; it was a great news conference, and he hoped that the Town could give some money to this organization.
3. Stated he appreciated the VFW and all the work they do for the Town.
4. Welcomed all the political candidates attending the meeting.
5. Expressed condolence to the Gorman family in the recent loss of Mrs. Gorman's brother.
6. Encouraged everyone to attend the opening day ceremony on Saturday.
7. Thanked everyone for attending the meeting.

Commissioner Luther commented as follows:

1. Thanked the Board for the honor that was bestowed upon Mr. Luther, and thanked the citizens for the confidence they had in electing Mr. Luther to serve as their elected official for 28 years. She stated Mr. Luther had loved every minute of his service, and said she felt his presence.
2. Thanked all the speakers regarding the lake, and stated she wanted the lake restored as much as anyone.
3. Expressed appreciation to the speakers relative to the Elected Officials terms of office, and stated this would be something the Board would need to study.
4. Stated the Board could not do its job alone, and the citizens must get involved. She asked the citizens please contact her with any concerns.

Mayor Dees commented as follows:

1. Stated he was proud of the Luther family and Mr. Luther's legacy, and this recognition was long overdue.
2. Expressed condolences to Mrs. Gorman in the loss of her brother.
3. Thanked the Friends of the Lake for all they were doing for the Town; said he was excited about the group and what would be accomplished for the Town.
4. Thanked Mrs. Kilgore and the Parks and Recreation Department for the Easter Festival celebration.
5. Thanked the Hope Mills Senior Citizens Club for the Easter luncheon.

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6. Thanked all the local churches and ministers for the invocations at the Board meetings and for prayers and support.
7. Thanked all citizens who spoke during the meeting; said the Board needed to hear from its citizens.
8. Reminded everyone the Hope Mills Youth Association Opening Day was a big event in the Town and said if you missed it you would miss out on a lot.
9. Reminded everyone that Litter Sweep is April 29<sup>th</sup> and encouraged everyone to meet at the gazebo at the lake area at 9:00 a.m.
10. Reminded everyone about Loyalty Day, May 1; National Day of Prayer, May 4; and Vietnam Veterans Recognition Day, May 6, and encouraged all citizens to give appropriate recognition to these events.
11. Thanked VFW Post 10630 for all they do for the Town.
12. Congratulated Police Officer Servie and Firefighter Cashwell on their awards.
13. Reminded everyone of the budget workshop Wednesday, April 19, 7:00 p.m., in the Luther Board Meeting Room; stated the public was invited to attend.
14. Thanked everyone for their attendance at the meeting.

**13. ADJOURNMENT.**

At 8:50 p.m., upon a motion by Commissioner Luther, seconded by Commissioner Collins and unanimously carried, the meeting was adjourned.

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EDDIE DEES, MAYOR

ATTEST:

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Phyllis C. Register, MMC, Town Clerk