

## **REGULAR MEETING, MONDAY, DECEMBER 18, 2006**

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, Director of Inspections Jerry Thompson, Public Works Director Bruce McLaurin, Human Resources Administrator Kimberly Lockamy, and Police Chief John Hodges.

Rev. Michael Bost, Camden Christian Fellowship, gave the invocation and Commissioner Collins led the Pledge of Allegiance.

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

There were none.

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

Mayor Dees reported he had spoken with Mr. Bill Dowling, NC Emergency Management, Grant Overseer, and Mr. Dowling stated the Town will be able to use grant funds for the lake bed clearing due to this being mandated by the Corps of Engineers. Mayor Dees stated Mr. Dowling recommended the Town go through the formal bid process, and Mayor Dees suggested using McKim & Creed for the preparation of the bid documents. Mayor Dees stated that the plan was to have these bids submitted for approval the same time as the other bids. He noted it may be February before the lake bed was cleared. In addition, Mayor Dees reported he had spoken with Mr. Gordon Rose, and Mr. Rose stated they would prepare the bid documents and they would be placed on the Town's website and would be advertised in the local newspapers.

Additionally, Mayor Dees reported that McKim & Creed had advertised for the pre-qualification of contractors, and the following submittals were received:

- \_ Balfour Beatty Construction, Inc.
- \_ Brayman Construction Corporation
- \_ Cape Romain Constructors, Inc.
- \_ Crowder Construction Company
- \_ Hayward Baker Inc.
- \_ Paul Howard Construction Company, Inc.
- \_ LJ Inc.
- \_ Phillips & Jordan, Inc.
- \_ Roberson Contracting, Inc.
- \_ T A Loving Company
- \_ Thalle Construction Co., Inc.

Rose reported that his office would review each of the submittals and expected to have a recommendation to the Town by the end of next week. He stated at that point they would be ready to send bid documents to those contractors determined qualified to construct the project. Further, Mr. Rose reported they would prepare documents to accept bids on the clearing of the lake bed as requested and would assist the Town in advertising and evaluating bids on this portion of the work separately from the dam repair project.

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or Dees opened the floor for public comments or questions.

Lowder, 3639 Lakeshore Drive, requested a copy of the letter from Mr. Gordon Rose listing the contractors.

### **3. STATUS REPORT ON RECREATION CENTER.**

or Dees noted the Board would discuss furnishing the Recreation Center under another item on the agenda.

or Dees commented it was reported at the November 20<sup>th</sup> meeting that the amount still owed was estimated at \$267,319.00. He said that the contractor had advised he had not used all of the final retainage and a final cost was determined today that the Town would still owe less than \$15,000.00 to complete the project. Mayor Dees said the Recreation Center was basically paid for, and the final cost amount would be known by the next Board meeting.

response to a question from Commissioner Luther, Mayor Dees stated that Purchasing Agent Cindy Murray and Interim Finance Director Diana Krist had the exact information on these figures and the amounts were still in negotiation at this time.

### **4. PUBLIC COMMENTS.**

re were none.

### **5. CONSENT AGENDA.**

or Dees presented the consent agenda and asked if there were any items the Board wished moved to the regular agenda for discussion.

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

a) Consideration to approve Minutes of the November 20, 2006 Regular Meeting; November 27, 2006 Recessed Meeting; and December 4, 2006 Regular Meeting.

Minutes approved as written.

b) Consideration to adopt BB&T Resolution and Agreement for Deposit Account (authorizes signatures of Interim Town Manager Robert Nicholl, Town Clerk Phyllis C. Register, and Assistant Finance Director Diana Krist).

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copy of the resolution and agreement is filed in the Book of Resolutions in the Town Clerk's Office.

Resolution and Agreement adopted.

### "END CONSENT AGENDA"

#### **6. PUBLIC HEARING: CONSIDERATION TO ADOPT REVISED FLOOD DAMAGE PREVENTION ORDINANCE AND NEW FLOOD INSURANCE RATE MAPS (FIRMS).**

or Dees presented the proposed ordinance and referenced one minor correction under Section E, Variance Procedures, that the appeal board would be the Hope Mills Zoning Board of Adjustment. The Clerk acknowledged this correction.

or Dees thanked Mr. Tom Lloyd, Cumberland County Planning Director, and Mr. Wayne Dudley, County Engineers Office, for assisting the Town with the preparation of this ordinance. Mayor Dees stated he received a November 17, 2006 letter from FEMA, U.S. Department of Homeland Security, advising that the Town must adopt floodplain management measures such as floodplain management ordinance that meet or exceed the minimum NFIP requirements by January 5, 2007 to avoid suspension from the NFIP. He noted the letter stated if suspended, the Town becomes ineligible for flood insurance through the NFIP, new insurance policies cannot be sold, and existing policies cannot be renewed.

Jerry Thompson, Director of Inspections, noted that the flood map was provided from the Cumberland County Planning Department, and no maps were currently available as the maps were in production by FEMA. Mr. Thompson reported the website [www.ncfloodmaps.com](http://www.ncfloodmaps.com) had the available flood maps for viewing. Further, Mr. Thompson indicated he was responsible as the Floodplain Manager for the Town of Hope Mills and no building had been brought into Hope Mills since 1997 that was built in a floodway without being duly recorded. Mr. Thompson briefly reviewed the flood zones in Hope Mills and stated there were no problems with any flooding in the Town.

missioner Luther asked if there was a house in the Creek Bend Subdivision in the flood zone. Mr. Thompson responded it was not in the floodway but was in the floodplain and briefly explained the difference. Mr. Thompson noted with this particular location a drainage problem was found and had been corrected.

response to a question from Commissioner Legge, Mr. Thompson stated that FEMA and Corps of Engineers established the floodplain criteria and jurisdictions.

or Dees introduced Ms. Tammy L. Riddle, North Carolina Emergency Management, NFIP Planner, Floodplain Management

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Branch. Ms. Riddle stated she provided technical assistance to the eastern part of the state and gave a general overview and briefing of the mandated changes to the floodplain maps and ordinances.

response to a question from Commissioner Gorman, Ms. Riddle stated that the ordinance would be approved by FEMA if it was the same as Cumberland County had adopted, and it was based on this model.

response to a question from Attorney Davis, Ms. Riddle stated if the Board would adopt the ordinance as is it would comply with all federal and state requirements.

7:55 p.m., Mayor Dees opened the public hearing. There being no one to speak in favor or opposition to the matter, the public hearing was closed.

**Commissioner Gorman made a motion to adopt the revised flood damage prevention ordinance and new flood insurance rate maps as presented. Commissioner Collins seconded, and the motion carried unanimously.**

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

### **7. CONSIDERATION TO APPROVE SANITATION DEPARTMENT OVERTIME REQUEST (\$2,000.00).**

Manager Nicholl reported that Public Works Director Bruce McLaurin requested an additional \$2,000.00 appropriation to cover anticipated overtime for additional sanitation services for the upcoming holidays. He stated this matter had been discussed with Interim Finance Director Diana Krist, and they concurred with Mr. McLaurin's request and recommended the Board's favorable approval of the recommendation.

Mayor Dees noted that due to the holidays, the garbage pickup could get behind. He briefly reviewed the sanitation budget for fiscal years 2005, 2006, 2007. Mayor Dees said it was his understanding funds were available to cover this requested overtime and it would be a matter of authorizing the Manager to transfer these funds from another line item.

**Commissioner Legge made a motion to approve the \$2,000.00 overtime as requested. Commissioner Smith seconded, and the motion carried unanimously.**

Commissioner Legge commented the Town must get the garbage picked up. Mayor Dees briefly reviewed the holiday garbage schedule.

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### **8. CONSIDERATION TO APPROVE RECREATION CENTER FURNISHINGS (\$205,224.00).**

. Kilgore briefly reviewed the list of the furnishings and noted the list was outlined room by room. She stated these furnishings were needed to get the Recreation Center up and operational. Further, Mrs. Kilgore said she had some pictures available of some of the items such as fitness equipment and other items requested for Board review. Additionally, Mrs. Kilgore said she had submitted this list to Mr. Larry Philpot with the County and Mr. Philpot had given a good review and said everything was covered.

or Dees stated he felt the furnishings would pay for themselves once the programs were started and asked if a study had been done on the revenues from the fees for the programs. Mrs. Kilgore responded that had not been done yet. Mrs. Kilgore reviewed some of the suggested and possible proposed programs such as after school and summer camp.

brief discussion ensued regarding the basketball program beginning practicing in the gym. Mrs. Kilgore stated some chairs would be furnished until the furnishing could be purchased.

missioner Legge suggested Mrs. Kilgore use some of the programs from other municipalities as a possible guideline, and Mrs. Kilgore said this was a good idea for consideration. Mrs. Kilgore stated she was trying to target all age groups.

response to a question from Commissioner Gorman, Mrs. Kilgore stated she had started working on this list last January, but was told not to include these items in the budget. Commissioner Gorman said he felt the citizens wanted to make sure this list was looked at very carefully and asked if there were any items that could be reduced. He said he did not want to sell anyone short, but wanted to cut back wherever possible.

or Dees commented that many of the items requested were mandated by safety issues, and reminded the Board that it adopted a resolution on September 18, 2006 indicating its intent to finance the Recreation Center. Mayor Dees suggested the Board consider approving the plan to furnish the center, but this not be done until the audits were completed, financing was obtained, and approval by the Local Government Commission. He stated he felt the Board could approve the items and the plan to purchase contingent on the audits being completed, financing being secured, and Local Government Commission approval before spending any funds.

. Kilgore stated she thought the state contract prices

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would be effective for one year, but it would be unknown for the other vendors.

missioner Smith said initially he was concerned with the amount being requested because he felt the Town needed to know exactly what the audits would confirm. Commissioner Smith said he was encouraged to learn the final payment on the Recreation Center was extremely less than what was previously expected, and asked for Mr. Nicholl's recommendation.

Nicholl recommended what Mayor Dees had stated, and said what was proposed to be purchased was very conservative and the items as listed were needed and further the figures were reasonable.

missioner Smith concurred that the furnishings were needed.

Nicholl stated the Board needed to approve the concept, and after the audits were complete, could proceed. He stated he would welcome any comments from the Board, but felt the basic items were requested and were not unreasonable. Commissioner Smith stated that the Board relied on the expertise of the Manager.

brief discussion ensued regarding leasing verses purchasing a copier. Commissioner Smith commented it had been his experience that leasing a copier was the best way to go. Commissioner Legge suggested consideration be given to buying a copier with a service contract.

response to a question from Commissioner Collins regarding fencing, Mrs. Kilgore said this was needed to enclose the unit behind the gym as this had very computerized equipment and the fencing was needed for security and also to enclose the generator as well.

Thompson said he had previously recommended to the contractor that this equipment be fenced due to safety issues.

missioner Legge made a motion to approve the plan to furnish the Recreation Center subject to the audits being completed, financing secured, and LGC approval before any funds are spent. Commissioner Collins seconded, and the motion carried unanimously.

### **9. OLD BUSINESS: CONSIDERATION OF PROPOSED TERMS FOR CUMBERLAND COUNTY INTERLOCAL AGREEMENT FOR HOPE MILLS PLANNING SERVICES.**

or Dees presented a letter from Mr. Tom Lloyd, Cumberland County Planning Director, and stated the letter detailed

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proposed terms of an agreement, but no action was being requested from the Board at this time. He stated this matter would come back before the Board at its January meeting. He asked for any recommended changes to the proposal and said this information would be communicated to the County. Mayor Dees remarked he had talked with Mr. Lloyd who had a conflict and could not be present at the meeting tonight, but felt that the Town needed to approve the terms, read and discuss the terms, and make any recommendations if changes were needed.

or Dees briefly reviewed the terms of the agreement and said he felt this was a good plan and agreement and that the Town was being treated as the other municipalities. Mayor Dees emphasized that the Cumberland County Planning Board would not be handling zoning issues as this would be handled by the Town Zoning Board.

missioner Luther stated she agreed with these terms as long as Hope Mills retained the zoning jurisdiction and authority. Commissioner Luther noted the estimated annual cost for planning services would be \$47,078.00.

or Dees stated Mr. Lloyd said the County would hire another planner to be devoted to Hope Mills issues. Attorney Davis noted the planning staff would also provide technical support to the Town for zoning issues.

missioner Gorman commented he thought this agreement and arrangement would be good for the Town. Mayor Dees commented he was excited about the possibilities and felt that this arrangement had a lot to offer.

missioner Legge commented for some time the Board had discussed uniform building standards throughout the county. He said he wanted the Town to work with the County on construction and building standards such as sidewalks and hopefully this arrangement would lead to that and that it would directly benefit the Town.

missioner Luther commented regarding the 2030 Growth Plan and stated the recommendations of the committee would be ready for the Board's consideration in February and it covered a lot. Commissioner Luther said she had been very outspoken regarding countywide building standards.

or Dees noted one concern was that there was no reference in the proposed agreement regarding re-establishing Hope Mills municipal influence area and area of intent. Mayor Dees stated this should be asked to be restored and he had spoken to Mr. Lloyd and he said he would get back with the Mayor regarding this as this should be addressed.

missioner Luther said another matter that had been

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discussed on the 2030 Growth Task Force was the issue of clear cutting land by developers.

Commissioner Smith made a motion for the Town to approve the concept of the terms and to table the matter for final approval at its next board meeting. Commissioner Luther seconded, and the motion carried unanimously.

or Dees reiterated he would ask the County to re-establish the Town's municipal influence area and area of intent.

### 10. STAFF CONCERNS.

orney Davis wished everyone Merry Christmas and Happy New Year.

### 11. OFFICIAL CONCERNS.

Commissioner Gorman stated he felt this was a time of year to be joyful and asked everyone to consider the season and wished everyone Merry Christmas and Happy New Year.

Commissioner Legge commented as follows:

Thanked everyone for attending the meeting and said he would like to see more people get involved in their town.

Thanked everyone for the presentations.

Asked everyone to remember the Board and Staff in their prayers and that everyone would be united as a team.

Wished everyone Merry Christmas and Happy New Year.

Commissioner Collins commented as follows:

Stated that Mr. Nicholl was doing a good job.

Stated he enjoyed a recent tour of the Recreation Center and Mrs. Kilgore was doing a good job.

Commended the Police Department for its excellent work in apprehending a recent bank robber and stated the dispatchers did an excellent job as well.

Stated the sanitation department was doing a good

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job.

Wished everyone Merry Christmas and Happy New Year.

missioner Luther commented as follows:

Thanked everyone for attending the meeting and requested more citizens input.

Stated everyone needed to volunteer for the Town to make it a better place to live. She stated that the Town was moving forward.

Expressed appreciation to Mr. Nicholl and stated he was a tremendous help.

Stated she talked with Mr. Ellis Hankins Director of the North Carolina League of Municipalities at the recent National League of Cities Conference in Reno. She said Mr. Hankins commented that Hope Mills was on the right track and to continue to move forward.

Wished everyone Merry Christmas and Happy New Year.

missioner Smith wished everyone Merry Christmas and Happy New Year.

or Dees commented as follows:

Stated it had been an interesting year and he was glad to have had everyone share it, and he was glad to have everyone here tonight. Mayor Dees said everyone had learned a lot this past year and said he knew things had not been easy sometimes but he promised the Board was working to make things better. He said he wanted to especially thank the Board, and he knew they had some tough decisions to make and on behalf of the citizens he would like to say thank you for taking actions you feel are in the best interest of the town. Mayor Dees said he would like to thank all the citizens of Hope Mills for understanding and wanted everyone to know their support and encouragement had meant so much to him this year.

Stated the Town had started advertising for a new Town Manager and a new Finance Director. He said the ads will appear in the NCLM newsletter and the Southern Cities newspaper in January and the ad for Town Manager ran this week in the Raleigh News and Observer, and will run again in the Raleigh paper and the Charlotte paper on January 7<sup>th</sup>. Mayor Dees said the Town Manager position is also posted on the ICMA, the City/County Managers professional association website. Mayor Dees

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stated the Finance Director position will run in the Fayetteville paper on January 7<sup>th</sup>, but in the meantime assistant Finance Director Diana Krist has been named Interim Finance Director and also part-time help has been hired to assist with the audits.

Stated that for general information he has been talking with some people at the First Baptist Church in the Cotton Community (No.2), and they have talked with the Salvation Army in Fayetteville, and also the workers at the Alms House about possibly starting a Soup Kitchen or something for the homeless in town. He stated that it was a long way from becoming a reality and he did not know what if any involvement the Town might have, but he just wanted to make the Board aware that it is being discussed.

Reminded everyone of the holiday garbage pickup schedule.

Stated the next Board meeting is scheduled for Tuesday January 2<sup>nd</sup>, and there has been some discussion that with the holidays there might not be any pressing business at that time. He asked if the Board would like to amend the meeting schedule and cancel the first meeting in January. Mayor Dees said if it becomes necessary the Board could call a special meeting to take care of anything that might come up.

**missioner Gorman made a motion to amend the regular meeting schedule by cancelling the January 2, 2007 Board Meeting. Commissioner Smith seconded, and the motion carried unanimously.**

Stated that the Town had received a notebook detailing the County Emergency Management Plan. He stated this notebook would be reviewed by Fire Chief Chuck Hodges and Police Chief John Hodges with a recommendation forthcoming to the Board for its adoption.

Noted that Monday January 15<sup>th</sup> is a holiday, and the next regular meeting will be Tuesday January 16<sup>th</sup> at 7:30 p.m. Mayor Dees said he wished everyone a very Merry Christmas and a Happy New Year, and said thanks again for everything, especially for caring.

### **12. ADJOURNMENT.**

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

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EDDIE DEES, MAYOR

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ATTEST:

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Phyllis C. Register, MMC, Town Clerk