

Board of Commissioners Meeting
Work Session - 7:00 PM

Present: Mayor Lillie A. McKoy; Commissioners: Dean, Hamer, Oxendine and Mayor Pro Tem McLaurin

Absent: Commissioner McLean

Staff Present: Town Manager Tatum, Town Clerk Roberson, Deputy Finance Clerk Tyndall and Town Attorney Jessica Hunt.

Mayor Lillie A. McKoy called the July 17, 2007 work session of the Town of Maxton Board of Commissioner to order at 7:00 p.m.

Invocation was given by Commissioner Oxendine

WORK SESSION

1. Robeson County Board of Elections – Deferral of Authority by Scotland County
Robeson County Board of Elections and Scotland County Board of Elections have agreed that Robeson County shall handle all elections for the 145 Scotland County residents residing in the Town of Maxton. The Scotland County Board of Elections has already signed the agreement and the town's only obligation is that of acknowledgement since the agreement is between the two elections boards.

2. Project Budget Amendment Ordinance – Smart Choices Saves Children and Our Saturday Academy

As indicated in the letter recently received by the Local Government Commission, this project was overspent without authorization during the year 2005-2006. The town had to cover approximately \$800 in salary payments. An attempt was made to find the original ordinance, but there wasn't one, although project budget ordinances were required. The amendment has been prepared in such a way that it places all original data on record. General language was used to create the required amendment because I had no ordinance number from which to refer. Along with changes that have been implemented in the financial management system, this amendment should clear everything up for the fiscal year 2005-2006. Commissioner Dean stated that she requested an accounting and spend down of this project in the past and has yet to receive it. She asked if a copy of it and the closeout was included. Ms. Tatum stated that Ms. Tyndall and Ms. Maynor had to do a closeout and staff will give you what we have. Commissioner Dean asked if the Town has any recourse to recoup the overpayment that the Town had to cover. Ms. Tatum directed that question to our attorney. Attorney Locklear agreed that we will be going in the hole with fees and all. Mayor McKoy asked staff to make sure that Council gets a copy of the expenditures.

3. Appointment of Town Commissioner – Replacement for Commissioner Patsy Hamer

Commissioner Patsy Hamer resigned the position of Town Commissioner Effective July 5, 2007. In accordance with Article III. Mayor and Board of Commissioners, Section 3.3 Terms; Qualifications; Vacancies. Subsection (c) “In the event a vacancy occurs in the office of mayor or commissioner, the board of commissioners shall by majority vote to appoint some qualified person to fill the same for the remainder of the unexpired term,” you are charged with selecting an individual to serve the remaining term of Commissioner Hamer. This seat will be up for election in November. Emmett Morton and Victor Womack, Sr. have expressed interest in filling the unexpired term for this position.

4. Lease Agreement – Historical Society

The Historical Society is in the process of renovating the Maxton Museum. To this end, they have asked Preservation Maxton to supply the remainder of funds needed to complete this project. Preservation Maxton is willing to donate the funds. However, they would be more comfortable with the transaction, if they knew that the Historical Society had a substantial leasehold interest. The Gilbert Patterson Memorial Library has voted to relinquish its leasehold interest in favor of the Historical Society. I have prepared a three party 99 year lease agreement between the Town, the Historic Society and the Gilbert Patterson Memorial Library that will allow the Gilbert Patterson Memorial Library to become the lessee in the event the Historic Society terminates the agreement. That way, no new lease agreements will be needed upon termination of the leave by the Historic Society. Ms. Tatum stated that she prepared the lease and Town Attorney Locklear reviewed. Town Attorney Locklear stated that after Ms. Tatum made a few minor changes the lease was fine.

5. Review of Responses - 2007 Landscaping RFP

The Town of Maxton Landscaping Contract RFP was issued May 24, 2007 and closed June 19, 2007. The bids were sealed until opened at 10:00 am by Jacqueline Roberson and Katrina Tatum. Those present were Former Commissioner Patsy Hamer and Margaret Smith. I have attached the proposals for your review. The following analysis will give the particulars regarding the bids:

Contractor	Bid Amount	Comments
Richard Davis	\$15,840	Bid was responsive, included all elements requested.
Margaret Smith	\$24,520	RFP requested a total for all items. This bidder chose not to give a bid for the placement of flowers at special events and instead gave an hourly rate of \$10 plus cost of equipment other than spade or shovel if needed, which may be more cost effective for this item only.

Express Image	\$38,880	Bid is responsive. However, conversations with the bidder indicate that a mistake was made in bid. Bid considered high.
Womack's Lawn & Tree	\$23,950	Bid was not responsive. No breakdown of costs was given.
Bonnie's Lawn Care	\$35,992	Bid was responsive. Bid is considered high.
Arnold's Lawncare	\$11,040	Bid was responsive. Currently maintains the Butler Plant and Prospect United Methodist Church.

Mayor McKoy asked if other bidders had the opportunity to attend the bid opening. Ms. Tatum replied, yes. She went on the state that the lowest bidder was Arnold's Lawncare, the next was Richard Davis. Mayor Pro Tem asked about the lowest bidder's work. Ms. Tatum replied that it was good. Commissioner Oxendine asked if he understood the proposal. Ms. Tatum replied, yes. Mayor Pro Tem McLaurin stated that was a lot of work for that amount of money.

6. Review of Responses – Freight Building RFP

Approximately forty RFP's were mailed out to prospective restaurateurs. Three proposals were received. Responders were required to submit the following with their packets:

- a) An outline of experience and qualifications
- b) A business plan, including marketing plan
- c) Proposed layout for use of space
- d) Proposed capital improvements if any
- e) Proposed hours of operation
- f) Proposed menu and product selection
- g) Proposals are to be valid for 90 days.

Item b is considered the most critical of the requirements for submission. Therefore any comments will be based more strongly on this item. A good business plan includes the following and therefore I reviewed the submissions with the following elements as guides to responsiveness:

- a. a brief description of the project and market;
- b. a brief description of the management team;
- c. a summary of the financial projections;
- d. the amount of money required, in what form, and for what purpose.

The following is a summary of findings with respect to the review:

Responding Restaurateurs	COMMENTS
San Ariel – Sanford Locklear	The San Ariel proposal was most responsive of all submissions. It did include a detailed business plan, including financials and sources of funding. Other than catering experience, this responder has no real restaurant experience. This submission included all elements of a good business plan.
Abgail’s – Carolyn Bowden-Powell	While responsive in some areas, the Abigail’s proposal did not include a detailed business plan. Of all the responders, this restaurateur has extensive experience in the restaurant business.
Member’s Only	This proposal was considered to be completely non-responsive. No menu, no business plan, no marketing strategy, etc. In addition, the idea that a hair salon will be incorporated in the spacing scheme for FINE dining is not what the town had in mind.

Ms. Tatum stated that only one RFP was responsive and that was San Ariel – Sanford Locklear. Mayor Pro Tem McLaurin stated that she wanted to discuss Abgail’s. Mayor Pro Tem McLaurin talked about the fact that Abgail’s has extensive experience in the restaurant business – though she does not have a detailed plan. She stated that it matters what kind of food that you have. After a brief discussion, it was the consensus of the Board to request additional information. Ms. Tatum will ask Abgail’s to present a set of financials. Commissioner Dean stated that we need to make sure she has soundness in her business plan.

7. Establish Rates for Extra Pickups

As you know, the town will now be charging for extra pickups. To this end, the following rates are recommended for extra pickup items:

- Mattress \$8.00
- Chair \$6.00
- Couch \$12.00 (Loveseat \$10.00)
- Tires \$2.50
- Stove \$12.00
- Water Heater \$10.00 small \$12.00 large
- Refrigerator \$12.00
- Freezer \$12.00
- Lawn Mowers \$5.00

Carpet: Charge according to size of load.

Assorted Household Items (Items not listed above) \$5.00 - \$25.00 according to size of load, not more than ½ truck load.

Over ½ truck load – As charged by Landfill

Commissioner Dean asked what portion of the cost encumbers the landfill charge. Ms. Tatum stated it depends on what you have and the landfill charge determines the fees. Mayor Pro Tem Geraldine McLaurin said that she thinks we should look at this item. Even though we voted on it, she doesn't think it will work. She mentioned that the house on Wilmington Street has trash that has been there over a month. Ms. Tatum stated that she just found out about that trash and she also stated that the landfill is going to put those fees on the Town. Mayor Pro Tem Geraldine McLaurin stated that when the garbage is picked up, the men should have made note of it. Mayor Pro Tem Geraldine McLaurin stated that the Town should pick up at least three or four times a year for free. Ms. Tatum replied, once a quarter. Mayor Lillie McKoy asked about charging a flat fee. Commissioner Gladys Dean added, or average out the fees on the list. There was discussion about picking up trash that has been placed on the curbs. Ms. Tatum stated that if you give notice, it can be put on the taxes. Commissioner Ray Oxendine stated that we do it twice a year with the State; can we do it every quarter? Mayor Lillie McKoy stated, one day a quarter. Mayor Pro Tem Geraldine McLaurin stated, more than twice a year. Commissioner Gladys Dean stated, I think we should average the cost and give them one flat fee. Mayor Lillie McKoy stated that we can try it and then we can change it if needed. Ms. Tatum stated that some of the cost does not cover the gas. She then asked the Board if they have any suggestions. Mayor Lillie McKoy said that we will give it a try. Mayor Pro Tem Geraldine McLaurin asked about the disposal of oil. Ms. Tatum responded that oil can be carried to the landfill because it has to be processed.

AGENDA
Regular Meeting – July 17, 2007
Welcome by Mayor Lillie McKoy
7:30 P.M

Present: Mayor Lillie A. McKoy; Commissioners: Dean, Hamer, Oxendine and Mayor Pro Tem McLaurin

Absent: Commissioner McLean

Staff Present: Town Manager Tatum, Town Clerk Roberson, Deputy Finance Clerk Tyndall, Police Chief McDowell (came in after Public Forum) and Town Attorney Jessica Hunt.

Call to Order – Mayor Lillie McKoy called the regular meeting of July 17, 2007 to order at 7:30 p.m. Mayor Pro Tem Geraldine McLaurin gave the invocation.

Consent Agenda

1. Minutes:

Regular Meeting: June 12, 2007
Budget Meeting: June 11, 2007
Budget Meeting: June 19, 2007
Budget Meeting: June 25, 2007
Budget Hearing: June 27, 2007

2. July Tax Adjustments

Mayor Pro Tem Geraldine McLaurin motioned to approve the Consent Agenda as presented. Commissioner Gladys Dean seconded. The motion carried.

New Business

1. Robeson County Board of Elections – Deferral of Authority by Scotland County

Commissioner Gladys Dean motioned to approve Robeson County Board of Elections-Deferral of Authority by Scotland County. Commissioner Ray Oxendine seconded. The motion carried.

2. Project Budget Amendment Ordinance – Smart Choices Saves Children and Our Saturday Academy

Commissioner Gladys Dean motioned to approve Project Budget Amendment Ordinance – Smart Choices Saves Children and Our Saturday Academy. Mayor Pro Tem Geraldine McLaurin seconded. The motion carried.

3. Appointment of Town Commissioner – Replacement for Commissioner Patsy Hamer

Commissioner Ray Oxendine motioned the Appointment of Emmett Morton as replacement for Commissioner Patsy Hamer. Mayor Pro Tem Geraldine McLaurin

seconded. The motion carried. Mayor Lillie McKoy proceeded to swear in Emmett Morton. Afterward Commissioner Emmett Morton took his seat on the Town Council.

4. Lease Agreement – Historical Society

Mayor Pro Tem Geraldine McLaurin motioned approval of the Lease Agreement – Historical Society with the condition that editing by Attorneys for both parties be allowed as long as no substantive changes are made. Commissioner Ray Oxendine seconded. The motion carried.

5. Review of Responses - 2007 Landscaping RFP

Mayor Pro Tem Geraldine McLaurin motioned to award the 2007 Landscaping RFP to the lowest bidder, pending thorough research of credentials. Commissioner Gladys Dean seconded. The motion carried. The Town Council proceeded to commend and thank Mrs. Margaret Smith for the beautiful work she has done maintaining the Town's landscape.

6. Review of Responses - Freight Building RFP

Commissioner Ray Oxendine motioned to table Review of Responses - Freight Building RFP to request additional information. Mayor Pro Tem Geraldine McLaurin seconded. The motion carried.

7. Establish Rates for Extra Pickups

Mayor Pro Tem Geraldine McLaurin motioned to approve establishment of rates for extra pickup and that the Town establish four (4) free pickups per year with the dates to be specified. Commissioner Gladys Dean seconded. The motion carried.

Reports

1. Commissioner's Reports – Mayor Lillie McKoy stated that Former Commissioner Patsy Hamer is to be commended for the time she has served on the Board of Commissioners and she is sorry that she resigned. Ms. Hamer had done a good job and will be missed.

2. Manager's Report

A. NC STEP: NC Step – July 4th Celebration was held on the 30th of June as planned. It was a full filled day for all who attended. The monthly Leadership Team Meeting was rescheduled for the 19th of July. Therefore, no reports have been received from the focus groups. Misty Herget is scheduled to attend the August 2, 2007 Leadership Team meeting and meet with the Mayor and staff during business hours to conduct a program compliance review.

B. SMALL TOWN MAIN STREET APPLICATION

Ms. Tatum stated that she worked with five youth, Teneisha McIntyre, Fletcher McIntyre, Kayla Lee, Samantha Wilson, and Kaswanna Baker to complete the Small Town Main Street Application for the Town of Maxton. The youth put forth considerable effort to complete this application and the end product is something for which the town can be proud. These youth took all the pictures, research the demographics of our downtown area and worked to come up with the priorities. They interviewed the merchants and developed the narrative data. All that had to be done was to clean it up and send it off. Ms. Tatum stated that THINK sessions were held with the youth and they did an admirable job. Ms. Tatum saluted the youth for their efforts.

C. URGENT REPAIR PROGRAM

Staff is in the process of taking applications for the Urgent Repair Program. There are about four applications ready to be submitted. Staff is available to help the citizens get their information together.

D. INDUSTRY AND COMMUNITY DEVELOPMENT

Staff is still working with Robeson County Economic Development office to bring an industry to the Twist and Drill building. Plats were given to the existing owner July 11, 2007 for review by the prospective purchaser. Ms. Tatum stated that at one time there was a rail going into that plant.

E. BUDGET

S. Preston Douglas and Associates is now actively reviewing data for the 2006-2007 audit. The Local Government Commission response letter has been prepared for review by auditor. We were waiting on the Smart Choices Amendment and it has been approved.

F. PUBLIC WORKS EQUIPMENT: STREET SWEEPER

Staff has met with two companies regarding the purchase of a street sweeper and we will look at one more. Specific maintenance statistics and a detailed proposal was requested. We expect to receive the information by the week of July 16, 2007.

3. Police Report – Report given after the public forum.

Chief McDowell stated that the police reports have been submitted with the packets. He added that the National Night Out will be held on the first Tuesday in August.

4. Water/Wastewater – No report.

5. Public Works Reports – No report.

Announcements

- 1. Managing Conflict: Strategies for Elected Officials Workshop** – September 19, 2007. Must register by August 17, 2007.
- 2. NC STEP Leadership Team Meetings** – July 19, 2007 and August 2, 2007 @7:00 pm.
- 3. No RCMA meeting for the months of July or August.** Pembroke is the administrative entity for planning and will give notice for the next meeting.
- 4. North Carolina Black Elected Officials Summer Conference** – August 10, 2007 – The Sheraton New Bern Welcome Reception – 3:00 pm

Public Forum

- 1. Robert M. Henderson – 305 N. Florence Street - 844-3458:** Mr. Henderson read the following “Upon the advise of my attorney Bob Gordon from Laurinburg, who could not be here tonight, I would like to review the appointment of Airport Commissioner at your meeting held on Tuesday, June 12, 2007. Mayor McKoy opened the floor for a motion after applicant’s list was read. Commissioner Oxendine made a motion to reappoint Robert M. Henderson to the position. Commissioner Hamer seconded the motion. Mayor McKoy called for questions. There were none. Mayor McKoy asked for all in favor to raise their right hands. Commissioner Oxendine and Hamer raised their right hands. Mayor McKoy asked all opposed to raise their right hand. Commissioner Dean and

McLean raised their right hand. I did not see Commissioner McLaurin raise her hand. I did hear her say either “No I’m not going to vote or I abstain. The law says that a commissioner who is bodily at a meeting cannot abstain. She has to vote and if she doesn’t her vote will be counted as an affirmative vote. I along with Patsy Hamer and Joe Clark went to listen to the tape of the meeting. Neither of us could hear the tape very well. I said it didn’t matter what was said, it was a matter whether or not Commissioner McLaurin raised her hand. I have talked with thirteen people who were at the meeting and none of them saw Commissioner McLean raise her hand. Later that day Ms. Tatum called me and said she had talked with Commissioner McLaurin and she said she did raise her hand. If this is the case, I was beaten on a 2 to 3 vote, and I was no longer in the ballgame. However, at the close of motions the Mayor declared that this was a tie vote and she voted for Mr. Morris. There were five commissioners at the meeting. How could there be a tie vote? I noted that the Town Attorney made no comment to the Mayor about the way the appointment was mishandled.” Mr. Henderson went on to state that his concern was whether or not Commissioner McLaurin raised her hand.

2. **Sheila Pipkin – 106 N. Hooper Street:** Mrs. Pipkin stated that her concern was about the trash and furniture built up on the street where she lives, the field behind her house and the basketball goal on the street that the children use to play basketball. Ms. Tatum stated that Public Works will pick up the trash and the issue concerning the basketball goal is being addressed.
3. **Dorothy Page - 314 E. Graham Street – 844-5719:** Ms. Page stated that her concern is the police in Maxton. Every time a fight breaks out, Paul and Jamie blame her kids. The fight that took place 2 weeks ago, Ms. Page said that her kids were blamed and her kids were at home. A fight that took place over the weekend – The police blamed her kids, but her kids were home. She called the kids out to show that they were home. Ms. Page said that Chief McDowell and Detective Oxendine told her that they will have her evicted. She said that Chief McDowell went to her landlord. Mayor McKoy asked Ms. Page to leave her telephone number so the manager can contact her.

Mayor Lillie McKoy commended Mrs. Vivian Morrison for her work and dedication to the 2nd Annual Celebration of the NC Step Program held on June 30, 2007 in Beacham Park. Mayor Lillie McKoy also thanked the committee for a job well done.

Closed Session

Mayor Pro Tem McLaurin motioned to enter into Closed Session pursuant to General Statute 143.318.11(a) (6). Seconded by Commissioner Morton seconded. The vote was unanimous. The purpose of this Closed Session was to discuss a personnel issue – the manager’s salary. Discussion. Commissioner Oxendine motioned to come out of Closed Session to allow staff time to prepare the necessary paperwork and return to open session. Seconded by Commissioner Dean. The vote was unanimous.

Adjournment

Mayor McKoy entertained the motion to adjourn. Commissioner Gladys Dean motioned to adjourn. Seconded by Mayor Pro Tem Geraldine McLaurin and carried.

Mayor Lillie A. McKoy

Town Clerk Jacqueline Roberson, CMC