

Regular Meeting – March 21, 2023

The Fairmont Board of Commissioners held their regular meeting on Tuesday, March 21, 2023, at 6:00 p.m. in the Fairmont-South Robeson Heritage Center with Mayor Charles Kemp presiding. Commissioners present were J.J. McCree, Terry Evans, Melvin Ellison, Heather Seibles, and Clarence McNeill, Jr. Commissioner Jan Tedder-Rogers was absent. Staff present included Town Manager Jerome Chestnut, Town Clerk Jenny Larson, Town Attorney Jessica Scott, Public Works Director Ronnie Seals, Recreation Director Mickey Williamson, and Police Chief Jonathan Edwards. Several citizens were also present including Rev. George Locklear, Copeland Jacobs, Dr. Kenneth Bowen, Scottie Locklear, Brendalyn Thompson, Marcus Thompson and the Fairmont High School Women's Basketball Team.

Call to Order and Invocation

Mayor Charles Kemp called the meeting to order at 6:06 p.m. Reverend George Locklear, Pastor of Trinity Methodist Church gave the invocation, which was followed by the Pledge of Allegiance.

Mayor's Presentations

Recognition of Coach Marcus Thompson and the Fairmont High School Women's Basketball Team

Mayor Kemp recognized Coach Marcus Thompson and the Fairmont High School Women's Basketball Team for their winning season.

Public Hearing – Code Enforcement Ordinances

Commissioner McNeill made a motion to go into Public Hearing to discuss Code Enforcement at 6:17 p.m. Commissioner Seibles seconded the motion and it passed unanimously.

Town Manager Jerome Chestnut worked with the N-Focus company to update the town's building and junk car code ordinances. He stated code enforcement is necessary for the town's future growth and to make it cleaner and safer.

Ms. Cynthia Dudley lives on South Main Street, and she complained about her neighbor having a lot of junk and animals in his backyard.

Ms. Shirley Smith is a business owner downtown and would like to see the debris and old appliances removed from the alley behind First Bank.

Ms. Lynn Taylor complained about the junk car businesses as you come into town from both Highway 130 and Highway 41. She also asked if the town charged for cutting vacant lots.

Ms. Ann Hughes asked if residents could have a business like a beauty shop/nail salon in their backyard.

Ms. Teresa Floyd is a business owner downtown and was concerned some businesses do not care about how things look and felt standards must be set to keep the town looking presentable.

Commissioner Evans made a motion to come out of Public Hearing at 6:37 p.m. Commissioner Seibles seconded the motion and it passed unanimously.

Approval of Agenda

Commissioner Evans made a motion to approve the agenda. Commissioner Ellison seconded the motion and it passed unanimously.

Public Comment Period/Citizens Appearance

Brendalyn Thompson - PSRC Family Engagement Specialist

Mrs. Brendalyn Thompson, PSRC Family Engagement Specialist, announced there is a family night happening on March 30 from 6:00 to 8:00 p.m. at the Southeastern Agricultural Center in Lumberton full of STEAM (Science, Technology, Art, and Mathematics) activities and giveaways. The PSRC Mobile STEAM Unit will be onsite, and dinner will be provided. During the event, families will learn about the connection between literacy and STEAM, about STEAM careers, and build their very own "balloon car."

Dr. Kenneth Bowen and Scottie Locklear – AISES Regional Conference

Dr. Kenneth L. Bowen, Director of Institutional Planning & Research and Scottie Locklear, M.A., CPC, Medical Office Administration Instructor, announced that Robeson Community College will be hosting the 2023 American Indian Science and Engineering Society (AISES) Regional Conference on April 21 and 22. This is a great opportunity for the youth in our county who have an interest in learning more about AISES and STEM (Science, Technology, Engineering, and Mathematics). All attendees enrolled in college will be registered in a drawing for a chance to receive a \$500 scholarship – at least three scholarships will be awarded.

Catherine Gaddy

Ms. Catherine Gaddy lives on Linden Street. She complained about her high water bill, that streets in her neighborhood need to be paved, and that people are loitering at night in the Calvin Haggins park.

Consent Agenda

Upon motion by Commissioner Evans and seconded by Commissioner Ellison, it was unanimously voted to adopt the following consent agenda items:

- a. Approval of Minutes – Regular Meeting, February 21, 2023
- b. Ordinance 23-229 – Budget Amendment #7 - \$3,945.00
- c. Ordinance 23-230 – Close Main Street for May Day Fun Festival on May 6
- d. Ordinance 23-231 – Close Main Street for Summer Business Expo on May 20

Signed copies of the ordinances are hereby incorporated by reference and made a part of these minutes.

Old Business

Adopt Revised Code Enforcement ordinances: Ordinance 23-225 Chapter 91: Public Nuisances, Ordinance 23-226 Chapter 91.20: Abandoned, Junked, and Nuisance Vehicles, Ordinance 23-227 Chapter 152: Minimum Housing Standards, and Ordinance 23-228 Chapter 152A: Non-Residential Buildings or Structures Standards

The following Ordinances have been updated to reflect changes mandated by Chapter 160D of the North Carolina General Statutes:

- Chapter 91: Public Nuisances
- Chapter 91.20: Abandoned, Junked, and Nuisance Vehicles
- Chapter 152: Minimum Housing Standards
- Chapter 152A: Non-Residential Buildings or Structures Standards

These ordinances have been updated by an outside consultant (N-Focus, Inc) and have been reviewed by the Town Attorney, Police Chief, and local Magistrate. These drafts were published on the town's website and copies made available at Town Hall for citizens. After adoption, enforcement of these ordinances is set to begin on Monday, April 3, 2023.

Commissioner Seibles made a motion to adopt Ordinance 23-225 Chapter 91: Public Nuisances, Ordinance 23-226 Chapter 91.20: Abandoned, Junked, and Nuisance Vehicles, Ordinance 23-227 Chapter 152: Minimum Housing Standards, and Ordinance 23-228 Chapter 152A: Non-Residential Buildings or Structures Standards. Commissioner Ellison seconded the motion and it passed unanimously. Signed copies of these ordinances are hereby incorporated by reference and made a part of these minutes.

New Business

Resolution 23-03 – Approving CDBG Compliance Plans and Grant Project Ordinance 23-232 for FY 2022 CDBG Neighborhood Revitalization Program.

Town Manager Jerome Chestnut asked the board to collectively adopt the following Compliance Plans/Project Budget Ordinance to be executed and utilized during the administration of the FY2022 CDBG Neighborhood Revitalization Program:

- Equal Employment Opportunity and Procurement Plan
- Fair Housing Plan
- Section 3 Plan
- Section 504 Compliance Officer/Grievance Procedure
- Language Access Plan
- 519 Resolution - Excessive Force Policy
- Residential Anti-Displacement and Relocation Assistance Plan
- Optional Coverage Plan
- Program Policies

- Code of Conduct
- Performance Based Contract
- Use of Experienced CDBG Administrator
- Signatory Resolution
- Signature Cards
- Project Budget Ordinance 23-232 - CDBG 21-C-4013 - \$950,000

Commissioner Ellison made a motion to adopt Resolution 23-03 – Approving CDBG Compliance Plans and Grant Project Ordinance 23-232 for FY 2022 CDBG Neighborhood Revitalization Program. Commissioner Evans seconded the motion and it passed unanimously. Signed copies of the resolution, plans and project budget ordinance are hereby incorporated by reference and made a part of these minutes.

State Water Infrastructure Authority (SWIA) Grant Award Announcement - \$350,000 Stormwater Planning

On February 21, 2023, the Town of Fairmont was approved for a \$350,000 Grant for Stormwater Planning. This planning grant will help with how to handle stormwater issues during heavy rain periods, storms, and hurricanes. This grant is key to the town's future, especially with the current development going on. The more properties that are developed with facilities and pavement increases the chances of localized flooding if we do not properly plan on how to handle stormwater runoff. This grant will also study how we can prevent stormwater from entering our wastewater (sewer) system.

Discuss Curfew Ordinance Revision and set Public Hearing Date for April 18, 2023

Town Manager Jerome Chestnut presented the current and revised curfew ordinance to the board. The changes include keeping a computer file of all minors who have violated the curfew ordinance and the criminal offense for violation of this ordinance shall be Contributing to the Delinquency of a Minor, as stated in NC GS 14-316.1 and the civil punishment for violation shall be a fine of up to \$100. The Board of Commissioners need to review this ordinance and set a Public Hearing and tentative adoption date for April 18, 2023.

Commissioner Evans made a motion to set a Public Hearing for Tuesday, April 18, 2023, at 6:00 p.m. in the Heritage Center for the purpose of discussing updating the town's curfew ordinance. Commissioner Ellison seconded the motion and it passed unanimously.

Commissioner and Mayor Comments

The commissioners thanked the citizens for coming to the meeting and voicing their concerns. Commissioners Seibles thanked the speakers for sharing information about the programs available to youth in our community. Commissioner Ellison announced that the Fairmont ABC Store will hold a ribbon cutting for the newly remodeled store on Friday, April 14 at 11:00 a.m.

Mayor Kemp made the following statement:

To the commissioners- what you have done tonight by your unanimous vote to adopt our new codes has probably been the single most important act taken by an elected board in Fairmont's history. Fairmont's age plus the loss of important economic activities such as tobacco and textiles has resulted in economic stagnation over the past 30 years here. In layman's terms- Fairmont has hit a wall but these codes, as simple as they may appear on paper, when applied in real terms can be the cause of our town moving forward progressively and enjoying a rebirth. You each are to be commended for this decision you've made here tonight and tomorrow will begin bright and sunny as our manager and staff put action into the voice you've all spoken with tonight. Again, let me say how proud I am of this board and each of its members.

Town Manager Comments

Town Manager Jerome Chestnut thanked the board for their support, thanked the department heads for working hard for the citizens and stated Fairmont is in a better place than it was 6 months ago.

Executive/Closed Session – Property acquisition NCGS 143-318.11(5)

Commissioner Seibles made a motion to go into closed session at 7:08 p.m. for the purpose of discussing the acquisition of real property per N.C.G.S. §143-318.11(a)(5). Commissioner Evans seconded the motion and it passed unanimously.

Mayor Kemp, Commissioners McCree, Evans, Tedder-Rogers, Ellison, Seibles, and McNeill along Town Attorney Jessica Scott, Town Manager Jerome Chestnut, and Town Clerk Jenny Larson were in attendance during closed session.

Commissioner Evans made a motion to come out of closed session at 7:35 p.m. Commissioner McCree seconded the motion and it passed unanimously. Mayor Kemp announced no action was taken.

Announcements

Saturday, March 25 – Community Trash/Litter Cleanup, 10:00 a.m., various locations

Wednesday, March 29 – Town Employees luncheon, 12:30 p.m., Fire Hall.

Saturday, April 1 – Easter Egg Hunt, 10:00 a.m., Fairmont Community Park.

Thursday, April 6 – Fairmont Planning Board meeting, 6:00 p.m., Heritage Center.

Adjournment

Commissioner Ellison made a motion to adjourn the meeting at 7:37 p.m. Commissioner McNeill seconded the motion and it passed unanimously.

Jennifer H. Larson
Town Clerk