



ROCKINGHAM

NORTH CAROLINA

A CITY LOOKING FORWARD

**March 13, 2012
Agenda Packet**

**CITY COUNCIL
AGENDA**

**March 13, 2012
7:30 p.m.**

- 1. Opening of meeting by Mayor Eugene B. McLaurin, II.**
- 2. Invocation by Reverend Mitchell Roller, Pastor of Sweet Haven Church.**
- 3. Amendments and Changes to Agenda.**
- 4. Consent Agenda:**
 - A. Disposition of Minutes of the February 14, 2012 Regular Meeting and Closed Session.**
 - B. Tax Collector's Report. (See Pages 6-7)**

Informational Items:

 - 1.) Monthly Collection Report**
 - 2.) Uncollected Taxes as of February 29, 2012.**

Action Items:

 - 1.) Refunds per County Assessor's Office.**
 - 2.) Discovery bills added to Tax Scroll.**
 - 3.) Releases per County Assessor's Office.**
 - C. Consideration of Resolution defining method Tax Collector should handle small underpayments/overpayments of taxes, defined as \$1.00 less than or \$1.00 greater than, in accordance with G. S. 105.357(c). (See resolution on Page 8)**
- 5. Business by Planning Board.**
 - A. Set Public Hearing. (none)**
 - B. Hold Public Hearing. (none)**
 - C. Minutes from Various Boards. (enclosed separately)**

City Council Agenda

March 13, 2012

Page 2

- 6. Consideration of Supplemental Municipal Agreement with the NCDOT regarding the installation of 33 Crape Myrtles and 29 tree grates in the 200 and 300 blocks of E. Franklin St. (See memo & agreement Pages 9-12)**
- 7. Public Hearing to receive citizen input for a CDBG application for funding under the 2011 Infrastructure Hook-up Program. (See Page 13)**
- 8. Presentation of Rockingham Police Department's 2011 Annual Report by Interim Chief of Police Billy Kelly. (Enclosed separately)**
- 9. Consideration of approval of Audit Contract for FY 2011-2012 Audit with Anderson Smith & Wike, PLLC for year end June 30, 2012 (current year). (See Manager's Comments & separate contract enclosure)**
- 10. Consideration of bid award/construction contract for the renovation of McKenzie Furniture Building to become the home of Discovery Place Kids-Rockingham. (See Manager's Comments)**
- 11. Consideration of Approval of Adoption of a Policy for Mutual Assistance with Other Law Enforcement Agencies. (See Manager's Comments & Pages 14-15)**
- 12. Business by Visitors.**
- 13. Business by City Clerk.**
- 14. Business by City Manager.**
- 15. Business by City Attorney.**
- 16. Items of discussion by City Council Members.**
- 17. Business by Mayor.**
- 18. Adjournment.**

MEMO TO: Mayor Gene McLaurin & City Council

FROM: Monty R. Crump, City Manager

DATE: March 7, 2012

RE: Agenda Items & Items of Interest

CONSENT AGENDA:

(No Comments)

REGULAR AGENDA:

- 9. Consideration of approval of Audit Contract for FY 2011-2012 Audit with Anderson Smith & Wike, PLLC for year end June 30, 2012 (current year).**

Enclosed please find proposal from Anderson Smith & Wike to conduct audit for year end June 30, 2012 (current year) audit. The proposed contract/price is consistent (same) with prior years and Mr. Anderson's firm is local and they have performed very satisfactorily. It is recommended that the audit contract as presented be approved by Council.

- 10. Consideration of bid award/construction contract for the renovation of McKenzie Furniture Building to become the home of Discovery Place Kids-Rockingham.**

Bids for construction were opened and read aloud in Council Chambers on Tuesday, March 6, 2012 at 2:00 p.m. The architect is currently reviewing the bids and I have asked him to have a bid award recommendation by the Council Meeting. I am pleased to report that the apparent lowest responsible bidder has submitted a contract construction price within budget numbers. I will distribute these referenced documents prior to Council meeting should they become available.

11. Consideration of Approval of Adoption of a Policy for Mutual Assistance with Other Law Enforcement Agencies. (See Pages 14-15)

Due to recent change at Police Department it is requested that Council reauthorize Mutual Assistance Policy as enclosed to confer specific authority for mutual assistance to Interim Chief Billy Kelly.

ITEMS OF INTEREST:

1. Work on ThunderFest 2012 to celebrate NASCAR's return to The Rock continues. The Journal had an excellent article outlining events for the weekend of April 15, 2012. Enclosed **(separately)** please find material for your reference of that weekend's activities. **PLEASE FEEL FREE TO POST ANY OF THIS MATERIAL IN YOUR BUSINESS TO PROMOTE THESE EVENTS.**
2. Work on the proposed FY 2012-13 Budget will begin in earnest around the middle of April. If Mayor or Council has any specific items you would like for me to address as the budget document is being prepared, please let me know.
3. Work on rehabilitation of Scales Street to include new street resurfacing, new sidewalks and curb & gutter has been scheduled and will begin shortly.
4. Please mark you calendar for Friday, March 23, 2012 for the "Blast Off Celebration" for DPK-Rockingham. The event is scheduled to begin at 11:00 a.m. and will serve as a ground breaking ceremony.
5. On March 27, 2012 at 2:00 pm. Bids for the Ellerbe/Rockingham Wastewater Project will be opened at Ellerbe Town Hall. This is another critical infrastructure project that will greatly benefit Richmond County and could not have occurred without a lot of support from multiple partners (State, Federal, Richmond County, Golden Leaf, & Rural Center) and cooperation.

Rockingham, NC

City Council Agenda

SUPPORT DOCUMENTS

UNCOLLECTED TAXES

YEAR	AMOUNT	DATE: February 2012
2011	240,627.02	
2010	45,628.32	
2009	26,214.63	
2008	19,936.45	
2007	10,639.08	
2006	8,574.62	
2005	7,600.84	
2004	6,165.86	
2003	5,051.91	
2002	4,307.04	
2001	3,768.04	
	240,627.02	Total Current Year
	137,886.79	Total Past Years
	378,513.81	Total All Years

RESOLUTION
CONCERNING SMALL UNDERPAYMENTS AND OVERPAYMENTS
OF TAXES

WHEREAS, G.S 105-357(c) authorizes the governing body of a municipality to adopt a resolution permitting its Tax Collector to treat small underpayments of taxes as fully paid and to not refund small overpayments of taxes unless the taxpayer requests a refund before the end of the fiscal year in which the small overpayment is made; and

WHEREAS, the statute defines a "small underpayment" as a payment made, other than in person, that is no more than \$1.00 less than the taxes due on a tax receipt, and defines a "small overpayment" as a payment made, other than in person, that is no more than \$1.00 greater than the taxes due on a tax receipt; and

WHEREAS, the City of Rockingham City Council desires to adopt such a resolution;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Rockingham, that the Tax Collector, pursuant to G.S. 105-357(c), is permitted to treat small underpayments of taxes as fully paid and to not refund small overpayments of taxes unless the taxpayer requests a refund before the end of the fiscal year in which the small overpayment is made.

BE IT FURTHER RESOLVED, that the Tax Collector shall keep records of all underpayments and overpayments of taxes by receipt number and amount and shall report these payments of the City Council at the time of settlement as required by the North Carolina Machinery Act.

BE IT FURTHER RESOLVED, that this Resolution shall be effective immediately upon adoption, shall apply to taxes levied for all previous fiscal years, and shall continue in effect unless amended or repealed by resolution of the City of Rockingham City Council.

This the 13th day of March, 2012

ATTEST:

CITY OF ROCKINGHAM:

Gwendolyn Swinney, Clerk

Eugene B. McLaurin, II,
Mayor City of Rockingham

MEMORANDUM

To: Mayor Gene McLaurin and City Council Members

From: John Massey, Planning Director

Date: March 2, 2012

Re: NCDOT Supplemental Municipal Agreement – Franklin Street Landscape Enhancement

In October of 2011, the City Council approved a municipal agreement with the NCDOT for the installation of 33 trees and 29 sidewalk planter grates as a part of the E. Franklin Street Landscape Enhancement project. This agreement states that 100% of the project cost will be funded by NCDOT Enhancement Funds for an amount not to exceed \$50,000. Since the lowest bid exceeded this amount (\$56,061.98), a supplemental agreement between the City and NCDOT is necessary. The supplemental agreement increases the reimbursable project cost funded by NCDOT Enhancement Funds to an amount not to exceed \$65,000. A copy of the supplemental municipal agreement is included in the agenda packet for reference. City staff recommends the City Council approve the supplemental municipal agreement.

NORTH CAROLINA
RICHMOND COUNTY

SUPPLEMENTAL AGREEMENT

DATE: 2/20/2012

NORTH CAROLINA DEPARTMENT OF
TRANSPORTATION

TIP #: ER-2973H

AND

WBS ELEMENT: 3708.3.13

CITY OF ROCKINGHAM

CFDA #: 20.205

TOTAL SUPPLEMENTAL FUNDS [NCDOT PARTICIPATION] \$0

THIS AGREEMENT is made and entered into on the last date executed below, by and between the North Carolina Department of Transportation, an agency of the State of North Carolina, hereinafter referred to as the "Department", and the City of Rockingham, hereinafter referred to as the "Municipality."

WITNESSETH:

WHEREAS, the Department and City of Rockingham, on 11/10/2011, entered into a certain Locally Administered Project Agreement for the original scope: Landscape Enhancement Project for downtown Rockingham along US 1 (Franklin St). The project begins at US 1 (Lawrence St) along US 1 (Franklin St) northbound to Randolph St and will install thirty-three (33) crape myrtles; twenty-nine (29) of which will be placed in tree grates along the existing sidewalk, programmed under WBS Element 3708.3.13;

NOW THEREFORE, the parties wish to supplement the aforementioned Agreement whereby the following provisions are amended:

FUNDING

1. The Department's original participation was \$50,000. The Department agrees to reimburse the Municipality an additional \$15,000 of Enhancement funds. Subject to compliance by the Municipality with the provisions set forth in this Agreement, and the availability of federal funds, the Department shall participate in the actual costs of the construction not to exceed \$65,000. Costs which exceed this amount shall be borne by the Municipality.
 - A. The Municipality may bill the Department for costs as herein stated by submitting an invoice, in quadruplicate, to the Department's Division Engineer. Reimbursement to the Municipality shall

be made in one payment of actual costs not to exceed \$65,000 upon completion of the work and approval of the invoice by the Division Engineer and the Department's Financial Management Division.

TITLE VI

The Municipality shall comply with Title VI of the Civil Rights Act of 1964 (Title 49 CFR, Subtitle A, Part 21). Title VI prohibits discrimination on the basis of race, color, national origin, disability, gender, and age in all programs and activities of any recipient of Federal assistance.

Except as hereinabove provided, the Agreement heretofore executed by the Department and City of Rockingham on 11/10/2011, and this Supplemental Agreement on April 5, 2012, is ratified and affirmed as herein provided.

IN WITNESS WHEREOF, this Agreement has been executed, in duplicate, the day and year heretofore set out, on the part of the Department and the City of Rockingham by authority duly given.

ATTEST:

CITY OF ROCKINGHAM

BY: _____

BY: _____

TITLE: _____

TITLE: _____

DATE: _____

DATE: _____

NCGS 133-32 and Executive Order 24 prohibit the offer to, or acceptance by, any State Employee of any gift from anyone with a contract with the State, or from any person seeking to do business with the State. By execution of any response in this procurement, you attest, for your entire organization and its employees or agents, that you are not aware that any such gift has been offered, accepted, or promised by any employees of your organization.

Approved by _____ (Governing Board) of the City of Rockingham as attested to by the signature of _____, Clerk of the _____ (Governing Board) on _____ (Date)

This instrument has been pre-audited in the manner required by the Local Government Budget and Fiscal Control Act.

(SEAL)

(FINANCE OFFICER)

Federal Tax Identification Number

Remittance Address:

City of Rockingham
Monty Crump, City Manager
514 Rockingham Road
Rockingham, NC 28379

DEPARTMENT OF TRANSPORTATION

BY: _____
(STATE HIGHWAY ADMINISTRATOR)

DATE: _____

APPROVED BY BOARD OF TRANSPORTATION ITEM O: _____ (Date)

**NOTICE OF PUBLIC HEARING
CITY OF ROCKINGHAM – 2011 CDBG Funding**

DATE: **March 13, 2012**

TIME: **7:30 PM**

LOCATION: **CITY OF ROCKINGHAM CITY HALL
CITY COUNCIL CHAMBERS
514 ROCKINGHAM ROAD
ROCKINGHAM, NC**

The City of Rockingham will hold a public hearing on March 13, 2012 to receive citizen input for a Community Development Block Grant (CDBG) application for funding under the 2011 Infrastructure Hook-up Program. These funds can be used to tie low and moderate income households onto the public sewer installed with Golden LEAF funding.

All interested persons are encouraged to attend.

Please publish on Friday, March 2, 2012 as an ad approx. 2x3 in the non-legal section.
Send bill and affidavit to Sandra Ridley, 514 Rockingham Road.

RESOLUTION ADOPTING A POLICY FOR MUTUAL ASSISTANCE
WITH OTHER LAW ENFORCEMENT AGENCIES

WHEREAS, pursuant to North Carolina General Statutes § 160A-288, the governing body of a town may adopt appropriate guidelines for the purpose of mutual assistance with other municipal and county law enforcement agencies; and

WHEREAS, pursuant to said laws, the law enforcement assistance to be rendered authorizes lending officers to work temporarily with officers of the requesting agencies, including in an undercover capacity, and lending equipment and supplies; and

WHEREAS, it is deemed to be in the best interests of the citizens of the City of Rockingham to adopt a reasonable policy and guidelines whereby reciprocal law enforcement assistance can both be rendered to and obtained from other governmental jurisdictions; and

WHEREAS, such reciprocal assistance is necessary for effective law enforcement for the protection of the citizens of the City of Rockingham.

NOW, THEREFORE, BE IT RESOLVED THIS ____ DAY OF _____, 20____, by the City Council of the City of Rockingham, North Carolina, that:

1. The Chief of Police is hereby authorized to enter into mutual assistance arrangements with other municipal and county law enforcement agencies, provided that the head of the requesting law enforcement agency makes such request in writing;
2. The Chief of Police is hereby authorized to permit officers of the City of Rockingham Police Department to work temporarily with officers of the requesting agency, including in an undercover capacity, and the Chief of Police may lend such equipment and supplies to requesting agencies as he deems advisable;
3. All such requests and authorizations shall be in accordance with North Carolina General Statutes § 160A-288, as applicable;
4. While working with a requesting agency, an officer shall have the same jurisdiction, powers, rights, privileges and immunities (including those relating to the defense of civil actions and payment of judgments) as the officers of the requesting agency in addition to those the officer normally possesses; and
5. While on duty with the requesting agency, an officer shall be subject to the lawful operational commands of the officer's superior officers in the requesting agency, but the officer shall for personnel and administrative purposes, remain under the control of the officer's own agency, including for purposes of pay. An officer shall furthermore be

entitled to worker's compensation and the same benefits to the extent as though he were functioning within the normal scope of the officer's duties;

6. The Chief of Police is hereby authorized to enter into mutual assistance agreements with other law enforcement agencies in accordance with such reasonable arrangements, terms and conditions as may be agreed upon between the respective heads of the law enforcement agencies.

Adopted this ____ Day of _____, 20_____.

Mayor

ATTEST:

Town Clerk

**DEPARTMENTAL
ACTIVITY REPORTS
for
COUNCIL'S INFORMATION**

REVENUES AND EXPENDITURES
PERIOD ENDING FEBRUARY 29, 2012

<u>GENERAL FUND</u>	<u>CURRENT YTD</u>	<u>PRJOR YTD</u>	<u>FEBRUARY 2012</u>	<u>FENRUARY 2011</u>	<u>JANUARY 2012</u>
TOTAL REVENUES:	\$ 5,833,023.86	\$ 5,963,051.76	\$ 366,324.79	\$ 337,906.29	\$ 1,519,142.31
EXPENSES:					
Goven. Body	157,293.85	124,275.48	14,920.62	11,578.15	10,934.52
Administration	222,845.62	238,131.34	19,399.98	6,143.12	31,549.72
Finance	167,396.89	165,108.28	17,950.44	18,458.80	17,987.64
Planning & Inspections	205,926.56	181,487.90	19,439.49	22,018.77	19,457.11
Public Buildings	227,293.66	232,722.01	22,071.11	34,347.99	24,773.80
Police	1,601,752.14	1,522,872.79	166,545.35	167,637.06	191,923.07
Fire	649,898.87	634,848.15	66,846.27	69,878.51	77,951.36
Maint. Shop	70,785.73	69,595.75	7,767.77	7,585.93	8,686.16
Street	162,556.25	161,554.18	17,324.17	17,829.24	20,673.04
Powell Bill	395,454.08	121,954.93	12,325.60	15,388.90	12,943.70
Sanitation	722,522.41	956,517.27	77,457.23	70,898.76	104,975.24
Recreation	289,999.64	327,705.25	26,208.33	37,648.97	26,845.31
Cultural & Library	48,055.11	50,085.38	5,078.27	5,236.61	5,650.89
Cemetery	62,607.97	60,246.51	6,239.66	5,646.82	6,947.79
General & Admin.	262,939.30	264,221.85	33,314.23	39,340.13	31,884.52
Debt Service	385,406.81	392,465.18	0.00	-123,106.89	204,907.37
Total	\$ 5,632,734.89	\$ 5,503,792.25	\$ 513,888.52	\$ 406,530.87	\$ 798,091.24
ENTERPRISE FUND					
TOTAL REVENUES:	\$ 3,628,919.58	\$ 3,036,326.43	\$ 418,416.47	\$ 241,161.25	\$ 441,641.67
EXPENSES:					
Administration	998,585.52	842,409.34	31,212.85	41,625.12	704,413.40
W/S Maintenance	565,830.36	570,112.76	58,359.75	49,760.51	69,095.79
Water Plant	637,119.53	530,721.85	44,799.12	52,661.70	95,240.88
Waste Treatment	1,028,628.41	1,029,357.03	130,220.82	200,571.22	97,626.16
Debt Service	191,390.33	192,035.33	0.00	123,106.89	123,106.89
Total	\$ 3,421,554.15	\$ 3,164,636.31	\$ 264,592.54	\$ 467,725.44	\$ 1,089,483.12

FUEL CONSUMPTION AND EXPENDITURES
PERIOD ENDING FEBRUARY 29, 2012

	CURRENT YTD		PRIOR YTD		FEBRUARY 2012		FEBRUARY 2011		JANUARY 2012	
	Usage	Dollar Amts.	Usage	Dollar Amts.	Usage	Dollar Amts.	Usage	Dollar Amts.	Usage	Dollar Amts.
Administration	0.0	\$ 0.00	0.0	\$ 0.00	0.0	\$ 0.00	0.0	\$ 0.00	0.0	\$ 0.00
Planning & Inspections	381.0	1,098.72	338.8	751.37	44.9	135.46	35.1	88.80	33.4	96.17
Public Buildings	1,977.0	5,691.84	2,044.3	4,557.32	225.2	679.43	235.9	596.98	251.6	724.41
Police	21,817.9	62,774.10	19,919.8	44,552.81	2,558.4	7,718.69	2,385.9	6,036.33	2,708.2	7,797.45
Fire	3,211.6	9,677.35	3,080.5	7,157.65	293.9	923.00	375.5	1,000.17	370.6	1,143.69
Maint. Shop	375.0	1,083.17	373.7	840.19	53.1	160.20	54.2	137.13	51.7	148.85
Street	3,483.5	10,393.26	3,364.2	7,677.89	302.3	944.09	377.7	982.83	486.4	1,467.54
Power Bill	1,935.6	6,029.76	1,587.6	3,730.98	187.8	614.29	184.4	512.63	235.3	758.07
Sanitation	16,647.4	51,792.05	15,560.7	36,977.53	2,076.5	6,755.73	1,924.3	5,331.45	1,834.1	5,889.53
Plant & Rec.	2,006.2	5,799.39	1,695.2	3,751.80	200.8	606.68	195.3	496.21	219.9	634.91
Cleanery	740.4	2,130.98	633.2	1,386.39	43.8	132.14	56.9	143.96	32.5	93.57
Central & Admin.	0.0	0.00	0.0	0.00	0.0	0.00	0.0	0.00	0.0	0.00
Ent. Adm.	1,260.0	3,628.86	1,228.2	2,826.29	153.5	463.11	202.0	561.56	174.4	502.13
W/S Maint.	6,987.5	20,781.23	7,265.7	16,695.09	722.0	2,271.51	876.8	2,283.80	806.1	2,425.11
Water Plant	386.5	1,111.71	345.8	769.34	43.8	132.14	49.2	124.48	47.4	136.47
Waste Treatment	5,253.4	15,933.32	5,660.7	13,263.52	570.8	1,805.31	779.6	2,116.69	613.4	1,897.08
Total	66,463.1	\$ 197,925.74	63,098.4	\$ 144,938.17	7,476.8	\$ 23,341.78	7,732.8	\$ 20,413.02	7,865.0	\$ 23,714.98

To: Monty Crump, City Manager

From: Dave Davis, Recreation Director

Date: March 6, 2012

Subject: Activity Report

With spring right around the corner the following are just a few activities involving our department this month.

Spring Soccer – We got off to a good start the week-end of February 24th. However, this past week-end was a total wash out. All games have been rescheduled and we should be back on track by the first of next week.

March can be a challenging month but with a little cooperation from the weather we should be able to complete this season as scheduled.

Youth Baseball/Softball – Registration is currently under way and should be completed within the week. Although still a popular activity it is doubtful if it, or any program, will overtake the popularity generated by youth soccer.

Hinson Lake – As the spring and summer months approach activities and reservations for this facility increase substantially. Hinson Lake has, and will continue, to offer a nice diversification to our recreational offerings.

March is always a transitional month for our department. Weather will remain a variable, but through the years, our maintenance staff has employed various maintenance strategies to make the process as seamless as possible. We look forward to the months ahead.

February-12

We are pleased to submit the monthly fire report on the activities undertaken by the Rockingham Fire Department during the month of February 2012.

Total Alarms:	<u>44</u>	In Town:	<u>44</u>	Out of Town:	<u>0</u>
Turn In Alarms:	<u>2</u>	Silent Alarms:	<u>42</u>	Structure:	<u>1</u>
Wrecks:	<u>25</u>	Alarm Malf:	<u>3</u>	Good Intent:	<u>5</u>
Smoke/Odor:	<u>1</u>	Vehicle:	<u>0</u>	Grass/Brush:	<u>1</u>
Electrical:	<u>1</u>	Spill/Leak:	<u>1</u>	Power Line:	<u>2</u>
CO Detec:	<u>0</u>	Assist Ems:	<u>0</u>	Mutual Aid:	<u>0</u>
Trash:	<u>2</u>	Public Service:	<u>1</u>	Illegal Brun:	<u>1</u>

Hours Spent on Calls: 31 hours and 15 minutes

Total Property Exposed to Fire:	<u>\$21,000.00</u>
Total Property Damaged by Fire:	<u>\$11,000.00</u>
Total Property Save:	<u>\$10,000.00</u>

Inspections: 217

During the month of February full time members of the fire department averaged 53 training hours per person; part-paid members averaged 12 hours per person for the month.

Public Life & Safety:

~Installed 15 car seats sold 9 car seats

Respectfully Submitted,



Charles C. Gardner
Fire Chief




Rockingham Police Department



W.D. Kelly, Interim Chief

To: Monty Crump

From:  W. D. Kelly
Interim Chief of Police

Date: March 2, 2012
Ref: February Activity Report

On behalf of the Rockingham Police Department, I am pleased to submit this report for your consideration. The following activities have been undertaken by officers of the Rockingham Police Department.

Total Calls for the Month: 994

Animal Control Calls:	<u>31</u>
Alarm Calls:	<u>97</u>
Escorts:	<u>130</u>
Unlock Vehicles:	<u>135</u>

Charges Generating Arrest:

Felonies:	<u>38</u>
Misdemeanors:	<u>136</u>
Drug Violations:	<u>24</u>
Juvenile:	<u>10</u>
Warrants Served:	<u>153</u>
Citations:	<u>160</u>

Accidents Reported/Investigated:

Property Damage only:	<u>33</u>
Personal Injury:	<u>4</u>

Officer Hours Spent in Court:	<u>51</u>
Officer Training Hours Logged	<u>253</u>

Items of Interest: We are pleased to introduce 4 new officers to our roster. Officers D.R. Morton, M.D. Ricks, R.L. Brigman, and F.K. Smith.