

**TOWN OF LONG VIEW  
TOWN ALDERMEN MEETING  
September 11, 2006**

The Town of Long View Board of Aldermen met on Monday, September 11, 2006 at 7:30 p.m. in the Town Council Chambers of the Government Center in Long View, North Carolina.

**BOARD PRESENT:** The following members of the Board were present: Mayor Norman Cook, Alderman Ken Bumgarner, Alderman Vernon Moyer, Alderman John McDaris, Alderman Jackie Bowman and Alderman Randall Mays.

**BOARD MEMBERS NOT PRESENT:** The following members of the Board were not present: Alderman John McDaris.

**STAFF PRESENT:** The following members of staff were present: Town Administrator David Epley, Interim Town Clerk Stephanie Watson, Town Attorney Redmond Dill, Finance Director James Cozart, Fire Chief Eric Shepherd, Town Planner Charles Mullis, Police Major Jim Worrell, Police Officer Brian Collins, and Water Superintendent Rani Holland.

The following members of the staff were not present: Public Works Director David Draughn.

**OTHERS PRESENT:** David Clark and Centennial Planner Chuck Moseley were present.

**MEETING CALLED TO ORDER:** Mayor Norman Cook called the meeting to order and Alderman Ken Bumgarner gave the invocation.

**APPROVAL OF MINUTES:** Mayor Cook asked for approval of the minutes. Motion was made by Alderman Vernon Moyer, seconded by Alderman Ken Bumgarner to approve the regular August 14, 2006 Board Meeting Minutes and the August 14, 2006 Closed Session Minutes. The vote was unanimous.

**FALL LITTER SWEEP PROCLAMATION**

The Fall 2006 "Litter Sweep" Roadside Clean Up Campaign for all local governments in North Carolina has been proclaimed by Governor Mike Easley for September 16, 2006 – September 30, 2006.

Motion was made by Alderman Randall Mays and seconded by Alderman Ken Bumgarner to participate in the Litter Sweep Cleanup Campaign September 16, 2006 – September 30, 2006. The vote was unanimous.

# State of North Carolina



**MICHAEL F. EASLEY**  
GOVERNOR

**FALL LITTER SWEEP**

**2006**

**BY THE GOVERNOR OF THE STATE OF NORTH CAROLINA  
A PROCLAMATION**

WHEREAS, the North Carolina Department of Transportation organizes an annual fall statewide roadside cleanup to ensure clean and beautiful roads in North Carolina; and

WHEREAS, the cleanup will take place September 16 – 30, 2006, and encourages local governments and communities, civic and professional groups, businesses, churches, schools, families and individual citizens to participate by sponsoring and organizing local roadside cleanups; and

WHEREAS, Adopt-A-Highway volunteers, Department of Transportation employees, Department of Correction inmates and community service workers, local government agencies, community leaders, civic and community organizations, businesses, churches, schools, and environmentally concerned citizens conduct local cleanups during LITTER SWEEP and may receive certificates of appreciation for their participation; and

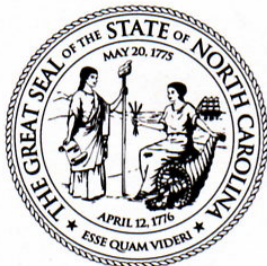
WHEREAS, the cleanup will celebrate the 18th Anniversary of the North Carolina Adopt-A-Highway program and its 6,000 volunteer groups that donate their labor and time year round to keep our roadsides clean; and

WHEREAS, the great natural beauty of our state and a clean environment are sources of great pride for all North Carolinians, attracting tourists and aiding in recruiting new industries; and

WHEREAS, the cleanup will increase awareness of the need for cleaner roadsides, emphasize the importance of not littering, and encourage recycling of solid wastes; and

WHEREAS, the cleanup will be a part of educating the children of this great state regarding the importance of a clean environment to the quality of life in North Carolina;

NOW, THEREFORE, I, MICHAEL F. EASLEY, Governor of the State of North Carolina, do hereby proclaim September 16 - 30, 2006, as "FALL LITTER SWEEP" time in North Carolina and encourage citizens in all 100 counties to take an active role in making their communities cleaner.



A handwritten signature in black ink that reads "Mike Easley".

MICHAEL F. EASLEY

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Great Seal of the State of North Carolina at the Capitol in Raleigh this sixth day of January in the year of our Lord two thousand and six, and of the Independence of the United States of America the two hundred and thirtieth.

**PLANNING BOARD REAPPOINTMENTS:** Town Planner Charles Mullis informed the Board that the term of office for Planning Board members Lee Little, Luther Rudisill, Anita Teague and Henry Thomas expired in July 2006.

These Planning Board members expressed an interest in being reappointed for another three year term.

Motion was made by Alderman Vernon Moyer, seconded by Alderman Randall Mays to reappoint Lee Little, Luther Rudisill, Anita Teague and Henry Thomas for another three year term on the Long View Planning and Board of Adjustments. The vote was unanimous.

**REQUEST FOR PUBLIC HEARING FOR 33<sup>RD</sup> STREET SW – 34<sup>TH</sup> STREET NW HIGHWAY CORRIDOR OVERLAY DISTRICT:** Town Planner Chuck Mullis requested authorization from the Board to hold a public hearing at the October 9, 2006 meeting to ask public input concerning the proposed adoption of the 33<sup>rd</sup> St SW – 34<sup>th</sup> St NW Highway Corridor Overlay District to the Town of Long View's Zoning Ordinance.

Motion was made by Alderman Randall Mays and seconded by Alderman Jackie Bowman to set October 9, 2006 at 7:30 p.m. as the public hearing date for the proposed adoption of the 33<sup>rd</sup> St SW – 34<sup>th</sup> St NW Highway Corridor Overlay District to the Town of Long View's Zoning Ordinance. The vote was unanimous.

**ORDINANCE NO. 02-07: BUDGET ORDINANCE AMENDMENT NO. 1:** Finance Director James Cozart informed the board that this ordinance is to increase the budget for the Town's share of the NC Forest Service Grant that the Long View Fire Department applied for and received. It is a 50/50 grant in the amount of \$3884.00 and the Town of Long View's share is \$1942.00.

Motion was made by Alderman Vernon Moyer and seconded by Alderman Randall Mays to approve Ordinance No. 02-07: Budget Ordinance Amendment No. 1. The vote was unanimous.

**ORDINANCE NO. 02-07**  
**BUDGET ORDINANCE AMENDMENT NO. 1**

BE IT ORDAINED by the Governing Board of the Town of Long View, that the following Amendment be made to the annual budget ordinance for the fiscal year ending June 30 2007:

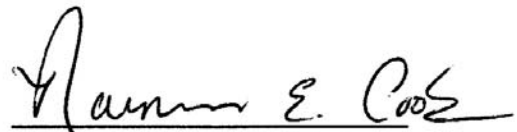
Section 1: To amend the General Fund budgeted amounts, the budget will be changed as follows:

<u>Department</u>	<u>Line Item</u>	<u>Increase</u>
Fire Department	10-530-8100	\$ 1,942.00
<b>Total General Fund Budget Amendment:</b>		<b>\$1,942.00</b>

**PURPOSE FOR AMENDMENT:**

The Long View Fire Department applied for and was awarded a 50-50 grant from the NC Forest Service to upgrade brush firefighting gear. The total award was \$3,884.00 with the town's portion being \$1,942.00.

Adopted this the 11<sup>th</sup> day of September, 2006.

  
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Mayor Norman E. Cook

Attest:

  
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Interim Town Clerk

### **FINANCE REPORT:**

Finance Director James Cozart informed the Board that in the General Fund the total Revenues were \$180,528.00 and the total Expenditures were \$389,150.00. Expenses exceed Revenues by \$208,621.00. He reported that some of the reasons were the Town's purchase of a Backhoe in July for Public Works and that the Town changed its insurance carrier and was required to pay for workers compensation and liability all up front.

In the Utility Fund, Expenditures were \$133,543.00 and Revenues were \$160,696.00. Revenues exceeded Expenditures by \$27,153.00.

### **ADMINISTRATOR'S REPORT:**

#### **Raw Water Pump Station Update**

Town Administrator David Epley informed the Board about the updates to the Raw Water Pump Station Project. The Town of Long View has received comments from the Public Water Supply Section of the Division of Environmental Health on the proposed project and our engineering firm has addressed those comments and is awaiting final approval.

Alderman Jackie Bowman said he would like to officially go on record for the Raw Water Pump Station and change his vote from option 1 to option 4. He stated several reasons for changing his decision. They were as follows: we have experienced several heavy rains and have not had a problem with flooding, the general location of the Raw Water Pump Station including the close proximity of Duke Power transition lines, and that the Town now has flood insurance on the property.

Alderman Ken Bumgarner said that he would keep his original vote.

Alderman Randall Mays said that he stays with his vote because the Town has already implemented a rate increase to finance this project and he believed that the Town was too far into the project to go back now.

#### **Western Ridge Stream Restoration Project Contract**

Town Administrator David Epley informed the Board that the Town received only one bid from J.W. Grading for \$53,500. He reported that the Division of Water Quality only requires one bid and he recommended that the Town of Long View award the project to J.W. Grading.

Motion was made by Ken Bumgarner and seconded by Jackie Bowman to award the Western Ridge Stream Restoration Project Contract to J.W. Grading for the bid amount of \$53,500. The vote was unanimous.

#### **Tailored Foam – Economic Development Grant Update**

Town Administrator David Epley informed the Board that George Sherrill has approved the Grant application but nothing has been signed. David Epley hopes to meet with George Sherrill and Sherry Long next week to finalize the process. He reported that the

Town was awarded approximately \$900,000 for new sewer lines and road improvements behind the Tailored Chemical Company.

Jackie Bowman asked about traffic flow when the project starts. David Epley said that they would work within the existing right of way if possible.

### **Other Small Projects Update**

**Tarmac** – Town Administrator David Epley informed the Board that the Tarmac located behind the Town of Long View Town Hall was completed.

**Location of Raw Water Lines** – Town Administrator David Epley informed the Board that on the week of the 18<sup>th</sup> of September the project to locate the Raw Water Lines with the Sub Surface Radar will begin.

**Centennial Shelter** – Town Administrator David Epley informed the Board that the Town of Long View's Centennial Coordinator Chuck Moseley was present. David noted that he and Chuck Moseley are still looking into alternatives for the Centennial Shelter and the goal would still be to have the shelter built by March 2007.

**Drexel Heritage** – Town Administrator David Epley informed the Board that he and Finance Director Jamie Cozart visited the Drexel Heritage plant. Drexel has moved 225 people from Morganton and hired 140 people and is planning to hire 85 more. David Epley reported that Drexel was willing to make some donations to help with the Centennial and were willing to refurbish Long View Town Hall's main lobby with furniture manufactured in town.

Mayor Norman Cook asked if Drexel Heritage and the Town of Long View have come to an agreement on the property that is currently being utilized by the Recreation Center and Town Administrator David Epley responded that an agreement has been made but nothing has been signed as of yet.

### **OTHER BUSINESS:**

There was no other business discussed.

### **CLOSED SESSION:**

Motion was made by Alderman Ken Bumgarner and seconded by Alderman Vernon Moyer to go into closed session to discuss a personnel issue at 7:55 p.m.

Motion was made by Alderman Randall Mays and seconded by Alderman Ken Bumgarner to adjourn closed session and to return to a regular session at 8:07 p.m.

### **ADJOURNMENT:**

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Alderman Jackie Bowman: Mr. Attorney. Redmond. What about 14<sup>th</sup> Avenue Dr. SW and how are we progressing with the right of way down there.

Attorney Redmond Dill: I can report to you on that. Based on the conversation that my self and the Town Administrator have had with the Board before, I sent a letter of our last proposal to the landowner. They contacted me today and I think a voluntary solution is not an option. My recommendation now is for the Board to consider authorizing by formal vote a condemnation preceding as required by the general statutes. I would go a step further and not ask to acquire a right of way across this property because of location problems but acquire a title to the strip of property and take the necessary legal action forthwith to do that.

Alderman Jackie Bowman: I move to do so to end this situation.

Attorney Redmond Dill: I believe further discussion and negotiation with the landowner would not get us anywhere.

David Clark: Why not? I am the landowner.

Attorney Redmond Dill: The response I got from the letter and what David got from that we don't get any counter proposal against the denial of general refusal.

David Clark: I...I...Sir. You are going to whitewall me. You have not heard it yet. I want that fire hydrant removed from my property. It is inside the property line. I guess you wasn't aware of that. Was you?

Mayor Norman Cook: Excuse me. Since it is in Redmond's hands now, you and he will have to sit down and talk about that privately.

David Clark: But... All I've got in response every time I've asked to have that fire hydrant removed is... no response.

Attorney Redmond Dill: Nobody said anything to me about a fire hydrant.

Mayor Norman Cook: I haven't heard about it either but if you want me...

David Clark: I've got pictures of the fire hydrant and it is inside my property line.

Town Administrator David Epley: He has mentioned a fire hydrant to me and I refused to move it.

Mayor Norman Cook: Okay. Any further discussion needs to be with Mr. Dill.

David Clark: I will do it.

Alderman Jackie Bowman: I make a motion that we do whatever legal action we have to do to satisfy this matter.

Alderman Ken Bumgarner: Second the motion.

Mayor Norman Cook: All in favor?

All Alderman: Aye.

Mayor Norman Cook: Any opposed?

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Alderman Jackie Bowman asked everyone to remember past Board member Jack White who is gravely ill.

Alderman Randall Mays wanted to thank Town Administrator David Epley, Water Plant Superintendent Rani Holland and Alderman Vernon Moyer for the representation on the Interbasin Transfer issue.

Alderman Randal Mays asked what the status of the sidewalk installation was and asked if the road committee had met and come up with a road list. Alderman Ken Bumgarner responded that they would be starting on that in the following weeks.

Alderman Randal Mays mentioned that it might be a good idea to get local businesses involved in the upcoming centennial celebration by asking them to donate money to build the Picnic Shelter. He then suggested that to recognize those that do participate, the Town could place a plaque of all of their names on the shelter. He also mentioned maybe allowing free advertising to all those who do participate. Centennial planner Chuck Moseley agreed.

Alderman Vernon Moyer discussed the events of September 11, 2001 and he asked if the police and fire departments would report at each meeting what they are doing to be prepared if such events occurred again and he also asked that they report on what they are doing to keep Long View's citizens safe in general.

There being no further business, motion was made by Alderman Ken Bumgarner, seconded by Alderman Vernon Moyer to adjourn the meeting at 8:15 p.m. The vote was unanimous.

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Stephanie C. Watson  
Interim Town Clerk

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Norman E. Cook  
Mayor