

**TOWN OF LONG VIEW
TOWN ALDERMEN MEETING
April 10, 2006**

The Town of Long View Board of Aldermen met on Monday, April 10, 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.

STAFF PRESENT: The following members of staff were present: Town Administrator David Epley, Town Clerk Frances Hildebran, Town Attorney Redmond Dill, Finance Director James Cozart, Fire Chief Eric Shepherd, Town Planner Charles Mullis, Public Works Director David Draughn, and Water Plant Superintendent Rani Holland.

OTHERS PRESENT: Phyllis Pennington, Shirley Lowman, David Clark, Judy Whaley, Margie Bell, Brent and Dorothy Friar, Linda Baker and others were present.

MEETING CALLED TO ORDER: Mayor Norman Cook called the meeting to order and Reverend C. L. Simmons of the Long View Church of God gave the invocation.

APPROVAL OF MINUTES: Mayor Cook asked for approval of the minutes. Motion was made by Alderman Mays, seconded by Alderman Bumgarner to approve the March 7, 2006 Special Called Meeting Minutes, the March 13, 2006 Regular Meeting and Closed Session Meeting Minutes and the March 20, 2006 Budget Retreat Minutes. The vote was unanimous.

PROCLAMATION – Child Abuse Prevention Month: The Children’s Protection Council asked the Board if they would consider issuing the following proclamation declaring April Child Abuse Prevention Month in the Town of Long View. Linda Baker of the Children’s Protection Council read the following proclamation.

CHILD ABUSE PREVENTION MONTH

Whereas, child abuse is a community problem and finding solutions depends on involvement among people throughout the community; and

Whereas, approximately 3 million children are reported as abused and neglected in this country every year; and

Whereas, more than 100,000 children are reported as abused and neglected in North Carolina each year; and

Whereas, Catawba County Social Services investigated 1,909 cases of alleged child abuse and neglect involving 3,788 children in 2005, and 22 percent of these children were found to be in need of protection; and

Whereas, 174 children were interviewed at the Children's Advocacy Center in 2005 for allegations of child sexual abuse; and

Whereas, 31 children were victims of child abuse homicide in North Carolina during the year 2004; and

Whereas, the effects of child abuse are felt by whole communities, and need to be addressed by the entire community; and

Whereas, effective child abuse prevention programs succeed because of partnerships created among social service agencies, schools, religious and civic organizations, law enforcement agencies, Child Advocacy Centers, and the business community; and

Whereas, all citizens should become more aware of the negative effects of child abuse and its prevention within the community, and become involved in supporting parents to raise their children in a safe nurturing environment.

NOW, THEREFORE, WE, Board of Aldermen, do hereby proclaim April 2006, as "**CHILD ABUSE PREVENTION MONTH**" in Long View, North Carolina, and call upon all citizens, community agencies, religious organizations, medical facilities, and businesses to increase their participation in our efforts to prevent child abuse, thereby strengthening the communities in which we live.

This the 10th day of April, 2006.

Mayor Norman Cook

Motion was made by Alderman Moyer seconded by Alderman Bowman to adopt the foregoing proclamation declaring April Child Abuse Prevention Month in the Town of Long View. The vote was unanimous.

LITTER SWEEP ROADSIDE CLEANUP – APRIL 17 – 30: To emphasize the importance of clean roads and a clean environment, Governor Easley issued a proclamation naming April 17 – 30, 2006 as LITTER SWEEP time in North Carolina.

Motion was made by Alderman Mays, seconded by Alderman McDaris to support the Governor's proclamation and promote clean up in the Town of Long View April 17 – 30, 2006.

PUBLIC HEARING FOR AMENDMENTS TO STATE'S NEW LAND USE PLANNING LAWS: Mayor Cook declared the Public Hearing open on the amendments to the State's New Land Use Planning Laws:

Town Planner Chuck Mullis briefly highlighted the proposed amendments to the Town of Long View's Zoning Ordinance. It was noted that the amendments were reviewed and approved by the Planning Board and were consistent with the new State Land Use Planning Laws. The following articles were recommended to be amended:

Article 11.4 (d) Planning Board Action prior to Board of Aldermen Review
Article 12.1.1 Composition
Article 12.4 (b) and (c) Meetings; Quorum and Vote Required
Article 12.11 Conflicts on Quasi-Judicial Matters
Article 13.3.5 Planning Board's Review /Recommendation
Article 13.8.1 Notice for Multiple Contiguous Properties
Article 13.8.2 Large Scale Rezoning
Article 13.9 Protest Petition; Vote Required, Form, Contents and Timing
Article 14.5.9 Conditions of Approval

Following the Town Planner's presentation Mayor Cook declared the Public Hearing closed. Motion was made by Alderman Bumgarner and seconded by Alderman Mays to approve the amendments as presented. The vote was unanimous. (The amendments are on pages 26 – 50 of these minutes.)

CATAWBA COUNTY SOLID WASTE MANAGEMENT PLAN UPDATE:
According to the NC General Statutes, the 10-year Solid Waste Management Plan for Catawba County and the municipalities within the County must be updated every three (3) years. The next update is due in June 2006.

Following a brief discussion motion was made by Alderman Mays, seconded by Alderman Bumgarner to approve the following Solid Waste Management Plan Update Resolution. The vote was unanimous.

**APPROVING THE CATAWBA COUNTY
SOLID WASTE MANAGEMENT PLAN UPDATE**

Whereas, better planning for solid waste will protect public health and the environment, provide for an improved solid waste management system, better utilize our natural resources, control the cost of solid waste management; and

Whereas, NCGS 130A-309.09A(b) requires each unit of local government, either individually or in cooperation with other units of local government, to develop a 3-year update to the 10-year Comprehensive Solid Waste Management Plan; and

Whereas, the Town of Long View was represented on the Catawba County Planning Advisory Committee and has been actively involved in the planning process;

Now, Therefore, Be it Resolved that the Town Board of Aldermen of the Town of Long View hereby approves the 3-year update to the 10-year comprehensive Solid Waste Management Plan.

Adopted this the 10th day of April, 2006.

Norman E. Cook, Mayor
Town of Long View

Attest:

Frances Hildebran
Town Clerk

RAW WATER PUMP STATION RENOVATIONS – Option Selection: The Town Administrator reminded the Board that the Raw Water Pump Station was discussed in depth at the Budget Retreat. He was requesting that formal action be taken to choose the renovation option.

Alderman Mays questioned why the increase in utility fees for Option One went from \$1.67 to \$2.10. He was informed by staff that at the Budget Retreat they did not have a ten year amortization schedule. It was noted that the figure was preliminary, and would be adjusted when the bids came in and the \$2.10 was a not to exceed figure.

The Local Government Commission application process and procedures were discussed. It was noted that a public hearing would need to be held after the bids come in.

Following further discussion, motion was made by Alderman Bowman, seconded by Alderman McDaris to approve Option One in the amount of \$481,600. The vote was Ayes; 4, Noes; 1 with Alderman Moyer casting the negative vote.

Motion was made by Alderman Moyer, seconded by Alderman Bumgarner to adopt the following resolution authorizing the filing of an application for approval of a financing agreement authorized by North Carolina General Statute 160A-20. The vote was unanimous.

**RESOLUTION AUTHORIZING THE FILING OF AN APPLICATION FOR
APPROVAL OF A FINANCING AGREEMENT AUTHORIZED BY
NORTH CAROLINA GENERAL STATUTE 160A-20**

Whereas, the Town of Long View, North Carolina desires to renovate its raw water pump station to better serve the citizens of Long View; and

Whereas, the Town of Long View desires to finance the Project by the use of an installment contract authorized under North Carolina General Statute 160A, Article 3, Section 20; and

Whereas, findings of fact by this governing body must be presented to enable the North Carolina Local Government Commission to make its findings of fact set forth in North Carolina General Statute 159, Article 8, Section 151 prior to approval of the proposed contract;

NOW, THEREFORE BE IT RESOLVED that the Board of Aldermen of Long View, North Carolina, meeting in regular session on the 10th day of April, 2006 make the following findings of fact:

1. The proposed contract is necessary or expedient because of the age of the current facility and because of the recent flooding.
2. The proposed contract is preferable to a bond issue for the same purpose because of the time sensitive nature of the needed renovations.
3. The sums to fall due under the contract are adequate and not excessive for the proposed purpose because the Town intends to put this job out for competitive bids.
4. The Town of Long View's debt management procedures and policies are good because the Local Government Commission and the citizens of Long View see to it.
5. The increase in utility fees necessary to meet the sums to fall due under the proposed contract will be \$2.10 per month and is not deemed to be excessive.
6. The Town of Long View is not in default in any of its debt service obligations.
7. The attorney for the Town of Long View has rendered an opinion that the proposed Project is authorized by law and is a purpose for which public funds may be expended pursuant to the Constitution and Laws of North Carolina.
8. The probable net revenues of the project to be financed will be sufficient to meet the sums to fall due under the proposed contract.

NOW, THEREFORE, BE IT FURTHER RESOLVED that the Town Administrator is hereby authorized to act on behalf of the Town of Long View in filing an application with the North Carolina Local Government Commission for approval of the project and the proposed financing contract and other actions not inconsistent with this resolution.

This resolution is effective upon its adoption this the 10th day of April, 2006.

The motion to adopt this resolution was made by Alderman Moyer, seconded by Alderman Bumgarner and passed by a vote of 5 to 0.

Mayor

Attest:

Clerk

This is to certify that this is a true and accurate copy of the Resolution Authorizing the Filing of an Application for Approval of a Financing Agreement Authorized by North Carolina General Statute 160A-20 adopted by the Long View Board of Aldermen on the 10th day of April, 2006.

Town Clerk

Date

PURCHASE OF DUMP TRUCK : The Public Works Director presented two bids for the purchase of a small V-8 Diesel, 4 wheel drive ton dump truck with a 12 foot dump bed and snowplow attachment.

Armstrong Ford	\$35,715
Everett Chevrolet	\$35,720

It was staff's recommendation that the bid be awarded to Armstrong Ford in the amount of \$35,715 for the purchase of a 2006 F-350 dump truck.

Motion was made by Alderman Bowman, seconded by Alderman Bumgarner to award the contract to Armstrong Ford. The vote was unanimous.

PURCHASE OF BACKHOE: The Public Works Director went to three main factories to observe mid-size backhoes in operation. He had the three machines brought to Long View to be operated by staff for a week. The backhoes had similar characteristics such as; operating weight, gross power, dig depth, bucket capacity and joystick controls. The three machines were John Deere 310SG, CAT 420D and the Volvo BL70. Following the demonstration and use by staff it was noted that the CAT 420D was the best machine. The cost was \$65,523.71 which included a trade-in allowance of \$10,000 for the old Ford 655C.

Following a brief discussion, motion was made by Alderman Bumgarner, seconded by Alderman Mays to award the contract to Carolina Cat for \$65,523.71 for the Caterpillar 420D Backhoe Loader. The vote was unanimous.

Motion was made by Alderman McDaris to declare the old Ford 655C backhoe surplus. Alderman Moyer seconded the motion and the vote was unanimous.

FINANCE REPORT: Finance Director James Cozart informed the Board that the budget was 67% complete as of February 28, 2006. In the General Fund the revenues

exceeded expenditures by \$244,137.77. In the Utility Fund the revenues exceeded expenditures by \$6,957.85 reported Mr. Cozart.

PROPERTY TAX REFUND: The Finance Director informed the Board that the Catawba County Tax Office notified him of a property tax refund in the amount of \$120.40 for Patricia Hoyle of 406 20th Street, SW. The reason for the refund request was because the tax office overcharged her for tax years 2001 – 2005.

Motion was made by Alderman Mays, seconded by Alderman Bumgarner to approve the Property Tax Refund for Patricia Hoyle in the amount of \$120.40. The vote was unanimous.

TOWN PLANNER'S REPORT: The Town Planner gave the Board an update on 33rd Street and 2nd Avenue. It was noted that 2nd Avenue was scheduled to be resurfaced in mid-summer.

Mr. Mullis informed the Board that he had spoken to John Tippett at the Western Piedmont Council of Governments regarding the widening and resurfacing of 33rd Street, SW. He was informed that this street was the top unfunded resurfacing project in Western North Carolina and was slated to begin sometime this year with Urban Funds.

Mr. Mullis also gave the Board an update on the Planned Commercial Development Overlay for 33rd Street. He had spoken with Jenny Faust and Woody Harton with the North Carolina Division of Community Assistance who assist local governments across the state with community development, economic development and smart growth management. They have agreed to come to Long View to meet with the Planning Board on May 18, 2006 at 6:30 p.m. to discuss the plans for this project.

ADMINISTRATOR'S REPORT – Surplus Vehicles: Mr. Epley informed the Board that bids were opened on March 24, 2006 at 9:00 a.m. for the vehicles declared surplus at the February Board Meeting. Following is a list of the bidders. It was noted that all cars were sold to the high bidders with the exception of Vehicle (1) which went to the second highest bidder because the high bidder withdrew his offer to purchase.

Vehicle 1 1994 Crown Victoria – VIN 2FALP71WXRX181617

Jack Killen	\$350.00
David Miller	\$101.00
Richard Armstrong	\$300.00
Carl Huffman	\$160.60
McKinney Metals	\$202.00

Vehicle 2 1993 Crown Victoria VIN 2FACP71W5PX179240

Richard Armstrong	\$300.00
Ronald Sigmon	\$ 5.00

McKinney Metals	\$205.00
Carl Huffman	\$152.60
Jack Killen	\$200.00
David Miller	\$101.00

Vehicle 3 1994 Crown Victoria VIN 2FALP71W1RX181618

McKinney Metals	\$222.00
Carl Huffman	\$158.60
Richard Armstrong	\$200.00
David Miller	\$101.00

Vehicle 4 1993 Crown Victoria VIN 2FACP71W9PX179239

Richard Armstrong	\$400.00
McKinney Metals	\$215.00
Carl Huffman	\$160.60
Edward Johnson	\$175.00
Brenda Austin	\$150.00
David Miller	\$101.00

Vehicle 5 1997 Crown Victoria VIN 2FALP71W8VX163367

Richard Armstrong	\$900.00
David Young	\$800.00
Tracy Leger	\$500.00
Ronald Sigmon	\$402.50
McKinney Metals	\$275.00
Carl Huffman	\$560.60
Steve Watts	\$175.00
Jack Killen	\$575.00
Brenda Austin	\$525.00

Vehicle 6 1997 Crown Victoria VIN 2FALP71W8VX163368

Richard Armstrong	\$800.00
Ronald Sigmon	\$200.00
Tracy Leger	\$350.00
Carl Huffman	\$560.60
McKinney Metals	\$285.00
Steve Watts	\$175.00
Brenda Austin	\$500.00
David Miller	\$201.00

LAW ENFORCEMENT ISSUE: Mr. Epley informed the Board that staff checked into the citizen concerns addressed at the March Board meeting and the Police Department were taking care of them and doing all they could within the law.

OTHER BUSINESS: Alderman Bowman thanked **staff for the excellent job** they were doing.

Alderman Moyer asked if the Board needed to approve the contract for Mr. Chuck Moseley to coordinate the Centennial. Motion was made by Alderman Moyer, seconded by Alderman Mays to approve the **Centennial Contract** with Mr. Moseley. The vote was unanimous.

Mr. Epley informed the Board that two contractors have looked at the **old swimming pool** and will be submitting a bid to have the pool filled in.

The Board asked what the status was on the **house used for fire training on Airport Road**. The Administrator informed the Board that he would check into it and report back at the next meeting.

Mayor Cook and the Board thanked the **Java Cup**, a new business in town, for providing coffee and pastries for the Board meeting.

ADJOURNMENT: There being no further business, motion was made by Alderman Bumgarner seconded by Alderman McDaris to adjourn the meeting at 8:35 p.m. The vote was unanimous.

Town Clerk

Mayor