

**TOWN OF LONG VIEW
TOWN ALDERMEN MEETING
August 14, 2006**

The Town of Long View Board of Aldermen met on Monday, August 14, 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 Vernon Moyer, Alderman John McDaris, Alderman Jackie Bowman and Alderman Randall Mays.

The following members of the Board were not present: Alderman Ken Bumgarner.

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, Public Works Director David Draughn, Police Major Jim Worrell, Police Officer Brian Collins, and Water Superintendent Rani Holland.

OTHERS PRESENT: Frances Hildebran, the former Town Clerk for the Town of Long View was present.

MEETING CALLED TO ORDER: Mayor Norman Cook called the meeting to order and Alderman Jackie Bowman gave the invocation.

APPROVAL OF MINUTES: Mayor Cook asked for approval of the minutes. Motion was made by Alderman Randall Mays, seconded by Alderman Jackie Bowman to approve the regular June 26, 2006 board meeting minutes. The vote was unanimous.

Swearing in of Interim Town Clerk: Town Administrator David Epley administered the following Oath of Office to the new Interim Town Clerk Stephanie Watson.

TOWN OF LONG VIEW

2404 FIRST AVENUE, SOUTH WEST
LONG VIEW, NORTH CAROLINA 28602
(828) 322-3921



OATH OF OFFICE

I, Stephanie C. Watson, do solemnly swear that I will support and maintain the Constitution and laws of the United States, and the Constitution and laws of North Carolina not inconsistent therewith, and that I will faithfully discharge the duties of my office as Interim Town Clerk of the Town of Long View, so help me God.

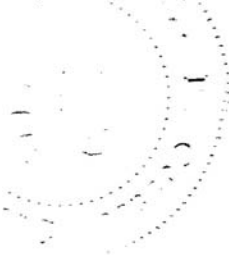
I, Stephanie C. Watson, do solemnly swear that I will support the Constitution of the United States; that I will be faithful and bear true allegiance to the State of North Carolina, and to the constitutional powers and authorities which are or may be established for government thereof; and that I will endeavor to support, maintain, and defend the Constitution of the said State, not inconsistent with the Constitution of the United States, to the best of my knowledge and ability, so help me God.

Signed this 14th day of August 2006.

Stephanie C. Watson
Interim Town Clerk

Sworn and subscribed before me this 14th day of August 2006.

(Notary Seal)



Notary Public

My Commission Expires:
April 25, 2009

Notary Commission Expires: _____

The Board of Aldermen welcomed Stephanie Watson.

Town Administrator wished to thank Frances Hildebran for all the work she has done at the Town of Long View and he wished her good luck at her future job. The alderman all seconded that.

Moratorium Extension: The Board of Aldermen held a public hearing to receive public input concerning a proposed extension of the moratorium currently in effect, to restrict residential development on 33rd Street SW from 1st Avenue SW to the interstate 40 interchange.

(1) Public Hearing – Town Planner, Charles Mullis

The Town of Long View's Planning Board would like to request the Board of Aldermen to extend the Moratorium on residential development for the 33rd St. SW corridor (1st Ave. SW to Sweet Bay Lane) that expired today, for additional 60 days beginning tomorrow on August 15, 2006 and ending October 13, 2006.

Before a decision can be made on the extension of this moratorium local governments are required by Section 5 of North Carolina Statute 814 under General Statute 160A-381e to expressly include at the time of adoption each of the following:

1) A clear statement of the problems and conditions necessitating the moratorium and what courses of action, alternative to a moratorium, were considered by the town and why those courses of action were not deemed adequate.

As it was stated previously, the problems and conditions necessitating this moratorium are that there are a few vacant lots on 33rd St SW that are currently zoned for residential purposes. These are areas the town would like to see developed commercially in the future.

Simply rezoning the vacant lots would not be adequate at this time and would lead to spot zoning which would be incompatible with the surrounding area. If the properties were of historic value, environmental importance or scenic value it would justify special zoning for the small area, but none of these circumstances apply to 33rd Street SW.

2) A clear statement of the development approvals subject to the moratorium and how a moratorium on those approvals will address the problems or conditions leading to the imposition of the moratorium.

The continuation of this moratorium would restrict residential development on vacant lots fronting 33rd St SW. It would also restrict additions, uplifts and accessories to the fronts of any current residentially zoned properties with structures already in place. The sides and rear of properties with structures presently on them for residential use would not be affected by this moratorium.

3) An express date for termination of the moratorium and a statement setting forth why that duration is reasonably necessary to address the problems or conditions leading to imposition of the moratorium.

Again the moratorium will cover every parcel of property fronting 33rd St SW from 1st Avenue SW to Sweet Bay Lane. It will become effective on Tuesday, August 15, 2006 and will expire after 60 days on Friday October 13, 2006. This duration is necessary to allow the Town's Planning Board to meet two more times during this period to continue construction of the commercial development overlay for the 33rd Street corridor.

4) A clear statement of the actions and the schedule for those actions proposed to be taken by the Town during the duration the moratorium to address the problems or conditions leading to imposition of the moratorium.

The Planning Board will continue to work with the North Carolina Division of Community Assistance to continue the construction of the commercial development overlay for the 33rd Street corridor.

If the moratorium is extended, this will give the Planning Board two more chances to meet while the moratorium is in effect. These meetings are scheduled for August 17th and September 21st of 2006.

Finally, this statute states that any renewing or extending of a development moratorium must expressly include, at the time of adoption, any new facts or conditions that warrant the extension.

The Planning Board met on July 20, 2006 with Mark Stafford who is a Division Operations Engineer with NCDOT. Mr. Stafford informed the Board that NCDOT will not accept an official corridor map at this time for 33rd Street. He stated that the project of widening the street called the NW loop number U-2528 in the Greater Hickory Metro Planning Organization Thoroughfare Plan is unfunded and too far into the future to accept an official NCDOT corridor map at this time.

Because of this new fact that has been brought to its attention, the Planning board would like to go forward in writing an ordinance called the Roadway Protection Overlay district. This new ordinance would increase the setbacks along the corridor as well as providing a variance procedure to relieve any structures if they should happen to fall inside the rear setback of the lots.

The ordinance would also deal with location and applicability as well as stating the purpose of it. Specifically it would also cover Signage, Access Management and Parking Areas, Building Design Standards, Building Orientation, Sidewalks, Screening and Buffering and any Prohibited Uses.

In conclusion, because of these new facts the Planning Board would like to request the Board of Aldermen to extend the moratorium on residential development for the 33rd Street SW corridor that area covering all of 33rd Street SW from 1st Avenue SW to Sweet Bay Lane for an additional 60 days beginning on August 15, 2006 and ending on October 13, 2006.

Charles Mullis, Town Planner asked if there were any questions. No questions were asked from the board or from the audience members and the mayor announced the closing of the public hearing.

(2) Resolution

Motion was made to approve the Resolution Extending a Moratorium for Residential Development on 33rd Street SW by Alderman Vernon Moyer and seconded by Alderman Jackie Bowman. The vote was unanimous.

TOWN OF LONG VIEW

**A RESOLUTION EXTENDING A MORATORIUM FOR RESIDENTIAL
DEVELOPMENT ON 33RD STREET SOUTHWEST**

WHEREAS Section 5 of S. 814 creates G.S. 160A-381(e) and G.S. 340(h) to explicitly recognize the authority of cities and counties to adopt temporary moratoria of reasonable duration and codifies the constitutional limitations on the use of moratoria.

WHEREAS a public hearing on the question of a moratorium on residential development for the 33rd Street Southwest Corridor was held by the Town of Long View Board of Alderman, after due notice and advertisement thereof, at a regular meeting on June 12, 2006: and

WHEREAS at said public hearing the Board of Alderman gave careful consideration to the question and determined that a moratorium on all residential development for the 33rd Street Corridor should be adopted for a period of 60 days beginning June 16, 2006 and ending August 14, 2006.

WHEREAS a public hearing on the question of an extension of a moratorium on residential development for the 33rd Street Southwest Corridor was held by the Town of Long View Board of Aldermen, after due notice and advertisement thereof, at a regular meeting on August 14, 2006; and

WHEREAS at said public hearing the Board of Aldermen gave careful consideration to the question and determined that a moratorium on all residential development for the 33rd Street Corridor should be extended for a period of 60 days beginning August 15, 2006 and ending October 13, 2006.

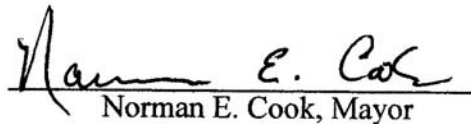
NOW THEREFORE BE IT RESOLVED by the Board of Alderman of the Town of Long View that:

Section 1. Effective August 15, 2006 through October 13, 2006 that no new residential development for the 33rd Street Corridor shall be approved.

Section 2. That during the moratorium period the Planning Board of the Town is charged to report a new ordinance or such amendments as it deems advisable for consideration by the Board of Aldermen.

Section 3. That this resolution shall be effective from its passage.

Dated the 14th day of August 2006.


Norman E. Cook, Mayor

Attest:


Stephanie Watson, Interim Clerk

BB & T Resolution on Financing Meter Trucks:

Finance Director Jamie Cozart presented a resolution of BB&T Governmental Finance to discuss the financing of two Ford Ranger trucks to be used for meter reading. The term of the financing loan will be 5 years at 4.28% interest with payments being made semiannually. The total loan will be \$33,400.00. This amount will pay for both trucks and DMV taxes and tag fees. The payment amount will be \$7,491.18 per year. Mr. Draughn, Public Works Director, will decrease his Utility budget by \$7,491.18 per year for 5 years in order to make the debt payments on the trucks.

Public Works Director David Draughn submitted a memo discussing the bid from Armstrong Ford for two 2007 Ford Rangers for use as meter trucks. He stated that Public Works looked at all the brands and prices and found no vehicles comparable to the Ford Ranger with regards to function and price. He also had prices on Toyota, Nissan, and Dodge trucks. The quote was \$16,207 for each truck. The trucks will be 4 liter V6 with automatic transmissions and 4X4.

A motion to approve the BB&T Resolution was made by Alderman Randall Mays and seconded by Alderman Jackie Bowman. The vote was unanimous.

Resolution Approving Financing Terms

WHEREAS: The Town of Long View ("Town") has previously determined to undertake a project for two Ford Ranger vehicles, and the Finance Officer has now presented a proposal for the financing of such Project (the "Project").

BE IT THEREFORE RESOLVED, as follows:

1. The Town hereby determines to finance the Project through Branch Banking and Trust Company ("BB&T"), in accordance with the proposal dated August 3, 2006. The amount financed shall not exceed \$33,400.00, the annual interest rate (in the absence of default or change in tax status) shall not exceed 4.28%, and the financing term shall not exceed five (5) years from closing.
2. All financing contracts and all related documents for the closing of the financing (the "Financing Documents") shall be consistent with the foregoing terms. All officers and employees of the Town are hereby authorized and directed to execute and deliver any Financing Documents, and to take all such further action as they may consider necessary or desirable, to carry out the financing of the Project as contemplated by the proposal and this resolution. The Financing Documents shall include a Financing Agreement and Deed of Trust and a Project Fund Agreement as BB&T may request.
3. The Finance Officer is hereby authorized and directed to hold executed copies of the Financing Documents until the conditions for the delivery of the Financing Documents have been completed to such officer's satisfaction. The Finance Officer is authorized to approve changes to any Financing Documents previously signed by Town officers or employees, provided that such changes shall not substantially alter the intent of such documents or certificates from the intent expressed in the forms executed by such officers. The Financing Documents shall be in such final forms as the Finance Officer shall approve, with the Finance Officer's release of any Financing Document for delivery constituting conclusive evidence of such officer's final approval of the Document's final form.
4. The Town shall not take or omit to take any action the taking or omission of which shall cause its interest payments on this financing to be includable in the gross income for federal income tax purposes of the registered owners of the interest payment obligations. The Town hereby designates its obligations to make principal and interest payments under the Financing Documents as "qualified tax-exempt obligations"

for the purpose of internal Revenue Code Section 265(b)(3).

5. All prior actions of Town officers in furtherance of the purposes of this resolution are hereby ratified, approved and confirmed. All other resolutions (or parts thereof) in conflict with this resolution are hereby repealed, to the extent of the conflict. This resolution shall take effect immediately.

Approved this 14th day of August, 2006.

By: Norman E. Cozart

Title: Mayor

By: Stephanie C. Watson

Title: Interim Town Clerk



Finance Report: Due to the annual audit of the Town of Long View's financial records during this time, Finance Director Jamie Cozart did not have a financial report to present at the August 14, 2006 meeting. The regular report will be continued at the September 11, 2006 meeting.

Administrator's Report:

(a) Small Projects Update

Western Ridge Stream Restoration Project – Town Administrator David Epley advised that the staff received only one bid and after discussing the bid price received it was determined that the bid was too high and are in the processing of re-bidding.

Drainage Project 19th Street SW Project – Town Administrator David Epley stated that as of now the Town has two or three contractors that are taking a look at the project. We hope to have bids by next months meeting.

Centennial Shelter that will be constructed at the Long View Recreation Center – Town Administrator David Epley stated that he had gathered some ideas from Alderman Vernon Moyer and Alderman Ken Bumgarner. They discussed the possibility of having something like an octagon shape structure with entrance way off of the parking lot that would enter just left of the existing bathrooms with

a covered walkway to the shelter and a covered walkway to the bathroom area. There is a similar shelter at the Crawdad Stadium that may be used as a model.

Plans are in the process to have a ceremony at the Centennial Picnic Shelter in March because it would celebrate the day in March when the Town of Long View officially turns a hundred years old.

Promotional wise, the Town has had some radio spots. Signs have also been placed around town including one in front of Town Hall and other signs placed at the entrance ways coming into town. Long View also has stickers that have been sent out with all our mail. This has sparked some interest and people have asked about the centennial. Plans are to continue with advertising.

Tarmac – Administrator David Epley stated that the tarmac project behind the Town Hall building should begin within a couple of weeks. He will update the board on this project at the next meeting.

Completion of some minor drainage work behind Long View Town Hall.

Town Administrator David Epley stated that there was some flooding that had been addressed around the Town's storage shed. He feels that the drainage improvements along with new guttering on the storage shed should alleviate flooding problems.

Location of Raw Water Lines – Town Administrator David Epley stated that the Town's Engineering Firm has located a company that is capable of tracing our raw water lines by using a Sub Surface Radar. He is in the process of obtaining a price to locate the raw water lines. He also stated that this will enable us to have a surveyor to establish a permanent easement for these lines.

(b) Economic Development Grant Update for Tailored Foam

Town Administrator David Epley stated that Sherry Long with the Western Piedmont Council of Governments has received all the information that was necessary to complete the Economic Development Grant Application. He stated that we should expect approval of the Grant project in the next couple of weeks. He also informed the Board that this project would be funded with 100% grant funds in the amount of approximately \$900,000.00.

Other Business:

Fire Chief Eric Shepherd stated that in April the Long View Fire Department applied for a 50/50 Fire Service Grant and received a letter two weeks ago saying that they were approved. The Town of Long View's share will be \$1,942.00 and the County Fire Service will put in an equal amount for a total of \$3884.00. It will be for upgrading forestry gear, shirts and pants. Mayor Norman Cook asked if we had budgeted \$1,942.00 and Finance Director Jamie Cozart replied that there would have to be an amendment.

Closed Session:

Motion was made by Alderman Vernon Moyer and seconded by Alderman John McDaris to go into closed session to discuss a possible property acquisition at 7:57 p.m.

Motion was made by Alderman Randall Mays and seconded by Alderman John McDaris to adjourn closed session and to return to a regular session at 8:04 p.m.

Adjournment:

Alderman Jackie Bowman wished thank Frances Hildebran for everything that she has done for the Town as Town Clerk and to congratulate Stephanie Watson for getting the position of Interim Town Clerk.

There being no further business, motion was made by Alderman Randall Mays, seconded by Alderman Jackie Bowman to adjourn the meeting at 8:07 p.m. The vote was unanimous.

Stephanie C. Watson
Interim Town Clerk

Norman E. Cook
Mayor