

**TOWN OF LONG VIEW  
TOWN ALDERMEN MEETING  
May 8, 2006**

The Town of Long View Board of Aldermen met on Monday, May 8, 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 Risk Manager Ronnie Sigmon, Town Planner Charles Mullis, and Public Works Director David Draughn.

**OTHERS PRESENT:** Mr. and Mrs. Jack White and Mr. Hauss Hudson were present for the meeting.

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

**APPROVAL OF MINUTES:** Mayor Cook asked for approval of the minutes. Motion was made by Alderman John McDaris seconded by Alderman Vernon Moyer to approve the April 10, 2006 minutes. The vote was unanimous.

**CLEAN AIR RESOLUTION:** The following Clean Air Resolution was presented for the Board's review and approval:

**CLEAN AIR RESOLUTION**

**Whereas,** clean air is vital to the health and well-being of all the North Carolina's citizens, especially our children and senior citizens;

**Whereas,** the natural beauty of our mountain, coastal, and forested landscapes is a source of pride and inspiration to the citizens of North Carolina and millions of other Americans who visit our state every year,

**Whereas,** the health of our agriculture, forestry, and tourism industries as well as our recreational and commercial fisheries are important to the economy of North Carolina;

**Whereas,** air pollution degrades our scenery, harms our health, compromises our commercial and recreational fisheries, and damages our forests, creeks and farms;

**Whereas**, in 2002, North Carolina's citizens, business leaders, electric utilities and elected officials established a clear, bipartisan, and nearly unanimous agreement to improve our air quality by passing the Clean Smokestacks Act;

**Whereas**, this legislation will, by 2013, limit the harmful effects of air pollution from our coal-fired power plants by reducing emissions of nitrogen oxides and sulfur dioxides by roughly 78% and 73% respectively;

**Whereas**, a large portion of North Carolina's air pollution originates from facilities operated by utilities in neighboring states that are not subject to our Clean Smokestacks Act;

**Whereas**, bills may soon be considered by Congress that would relax utilities' requirements to reduce pollution that were set forth in the 1990 amendments to the federal Clean Air Act and that would also undermine North Carolina's legal authority to seek reductions in pollution that originates in upwind states;

**Whereas**, relaxing the pollution standards for other states, particularly upwind states, only harms North Carolina's citizens, businesses and electric utilities and could jeopardize the progress our own state is making toward improving the quality of North Carolina's air;

**Whereas**, all North Carolinians, including our elected members of Congress, should work together to uphold our clean Smokestacks Act and reduce air pollution in our state;

**Therefore, Be It Resolved**, that the Town of Long View respectfully urges the honorable members of North Carolina's Congressional delegation to support the health, economy and environment of our town and state by working to reduce pollution that originates beyond our state's borders. We urge support for national legislation that would reduce pollution as quickly and to a similar extent as is required by our own Clean Smokestacks Act. Please oppose any legislation that would weaken pollution standards for neighboring states, as set forth in the Clean Air Act and its amendments of 1990, or that would undercut or delay North Carolina's authority to seek reductions in the portion of our pollution that originates in upwind states.

This the 8<sup>th</sup> day of May, 2006.

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Mayor

Attest:

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Town Clerk

Motion was made by Alderman Vernon Moyer and seconded by Alderman Randall Mays to approve the foregoing Clean Air Resolution. The vote was unanimous.

**2006 CLEAN WATER BOND RESOLUTION:** The following Clean Water Bond Resolution was presented for the Board's review and approval:

# 2006 Clean Water Bond Resolution

**WHEREAS** North Carolina's continued prosperity depends on protecting the state's water resources for current use and future generations, and

**WHEREAS** North Carolina is expected to grow by 3.5 million people to exceed 12 million by the year 2030, placing pressures on the state's water resources and local water providers, and

**WHEREAS** North Carolina's businesses, traditional and emerging industries all depend on reliable supplies of clean water, reasonable utility costs and an attractive natural environment, and

**WHEREAS** the 1998 Clean Water Bonds delivered significant benefits to North Carolina communities and citizens, supporting 1,103 projects in 97 counties, which

- helped create or retain 42,000 jobs
- corrected major regulatory violations in 97 communities
- addressed failing septic systems and contaminated wells in 59 counties
- resulted in 50 communities receiving sewer service for the first time,
- encouraged regional efficiencies, sound planning and conservation practices,

**WHEREAS** North Carolina's public water, sewer and storm water utilities will require investments totaling \$16.63 billion to keep pace with necessary improvements and population growth over the next 25 years, including \$6.85 billion in investments within the next five years;

**NOW THEREFORE BE IT RESOLVED** that the Town of Long View urges the North Carolina General Assembly to enact a \$1 billion bond bill in the 2006 session to fund construction and repair of urgently needed water, sewer and storm water facilities.

**BE IT FURTHER RESOLVED** that the Town of Long View calls upon the Governor and the General Assembly to activate the State Water Infrastructure Commission to address the state's long-term water infrastructure needs with a visionary plan for sustained funding of water, sewer and storm water system improvements.

This the 8<sup>th</sup> day of May, 2006.

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Mayor Norman E. Cook

Attest:

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Frances Hildebran, Town Clerk

Motion was made by Alderman Vernon Moyer, seconded by Alderman Bumgarner to approve the 2006 Clean Water Bond Resolution as presented. The vote was unanimous.

**RAW WATER PUMP STATION LOCAL GOVERNMENT COMMISSION**

**APPLICATION UPDATE:** The Town Administrator informed the Board that the Finance Director has sent a request for proposals for the raw water pump station loan to three banks. According to the Local Government Commission schedule the Town needs to advertise for bids on the project and hold a public hearing at which time the contract would be awarded. It was staff's recommendation that the Public Hearing be set for June 26, 2006 at 7:30 p.m. in the Council Chambers.

Following a brief discussion and a time of questions and answers motion was made by Alderman Bumgarner, seconded by Alderman McDaris to set June 26, 2006 at 7:30 p.m. as the date for the public hearing for the Raw Water Pump Station Local Government Commission Application. The vote was unanimous.

**SWIMMING POOL DEMOLITION – AWARD CONTRACT:** The Town Administrator informed the Board that the Public Works Director received three bids on the swimming pool demolition project and the low bidder was J.W. Grading from Granite Falls for \$13,800.

Alderman Bumgarner questioned if the 90% compaction of the soil was part of the bid specifications, because if it was not it needed to be to prevent future problems. Mr. Bumgarner also stated that a soil test needed to be included to make sure it was compacted correctly.

Following discussion and upon recommendation from Town Attorney Redmond Dill, it was suggested that all bids be rejected and the project be rebid to show that the compaction and testing were part of the bid price.

Motion was made by Alderman Mays, seconded by Alderman Bumgarner to reject all bids and staff was authorized to go back to bid and include the 90% compaction in the bid specifications. The vote was unanimous.

**MORATORIUM OF RESIDENTIAL DEVELOPMENT ON 33<sup>RD</sup> STREET, SW:**

Town Planner Chuck Mullis informed the Board that there were a few vacant lots on 33<sup>rd</sup> Street, SW zoned for residential purposes and it was his understanding that the Board wanted to see that area developed commercially. He requested authorization to call for a public hearing asking for a moratorium to temporarily restrict residential housing development on the vacant lots until staff has developed a planned zoning overlay of that area of town. Mr. Mullis noted that the moratorium would not apply to current structures.

The Town Planner did not know how long it would take to have the zoning overlay complete. The Planning Board has started the process. The moratorium could last three to six months with a possible extension.

Following a brief discussion motion was made by Alderman Moyer, seconded by Alderman Bowman to set June 12, 2006 at 7:30 p.m. as the public hearing date to hear input on setting a moratorium for construction on the vacant lots on 33<sup>rd</sup> Street, SW from I-40 to First Avenue. The vote was unanimous.

**FINANCE REPORT:** The Board was informed that staff has been working on the 2006 – 2007 budget. The Finance Report was not available this month and will be presented at the June meeting.

**ADMINISTRATOR’S REPORT – Budget Work Session – May 22, 2006:** The Town Administrator reminded the Board of the Budget Work Session on Monday, May 22, 2006 at 6:00 p.m. in the Conference Room. It was noted that he and the Finance Director were working on the Budget and the first draft would be delivered to the Board for their review prior to the meeting.

**CODE ENFORCEMENT – GRASS MOWING ORDINANCE:** Mr. Epley informed the Board that the Code Enforcement Officer was having a difficult time enforcing the grass mowing ordinance in some situations. Mr. Weeks was having trouble tracking down some property owners whose grass had exceeded the height requirements. It was noted that in about four or five cases he could not locate the property owners and written notification was returned to him undeliverable. The Code Enforcement Officer continually gets calls about weeds, but has exhausted every avenue. Mr. Epley informed the Board that the Town does not want to get in the grass mowing business; however they could hire a company to mow the properties in question and attach the cost of the mowing as a lien to the property. It was noted that the properties in question were vacant.

Following detailed discussion it was suggested that staff needed to meet with the Town Attorney to make sure they were going through the proper procedures and then hire someone to cut the grass.

Alderman Moyer stated that staff may need to look at the definition of noxious weeds, which are poisonous, to make sure the Town is within the law of mowing the weeds.

At this time motion was made by Alderman Moyer, seconded by Alderman Bumgarner to authorize the Code Enforcement Officer to hire a grass mowing service to cut the weeds after he confers with the Town Attorney and it was evident that the property was in violation of the grass mowing ordinance. The vote was unanimous.

**ADMINISTRATOR THANKED ALDERMEN BUMGARNER AND MCDARIS:** Mr. Epley thanked Alderman Ken Bumgarner and Alderman John McDaris for helping make a door in the records/storage room at Town Hall. It was noted that the work was done as an in-kind service and Mr. Bumgarner and Mr. McDaris did not receive pay for it.

**FINE SHEER UPDATE:** Mr. Epley informed the Board that the Fine Sheer building owners were looking to contract with J & W Grading to have the rest of the building demolished. If the owners do not hire the work done, then the Town would proceed with removing the condemned building. Alderman Moyer questioned if the building had asbestos in it. Staff did not know at this time if asbestos was present in the building.

**STOP LIGHT AT 6TH AVENUE and 33rd STREET SW:** Mrs. Jack White informed the Board that a stop light was needed at the intersection of 6th and 33rd Street, SW. She was informed that was a state maintained street and she would need to contact the Department of Transportation.

**ADJOURNMENT:** There being no further business, motion was made by Alderman Bumgarner, seconded by Alderman McDaris to adjourn the meeting at 8:05 P.M. The vote was unanimous.

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Town Clerk

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Mayor