



The Town of Long View Board of Aldermen met in the Council Chambers of Long View Town Hall on Monday, March 14, 2022 at 6:30 p.m. Due to social distancing guidelines regarding COVID-19, the meeting was held over Zoom software and attendees were both physically present and electronically present.

**BOARD MEMBERS PRESENT (Physically):** The following members of the Board were present: Mayor Marla Thompson, Mayor Pro Tempore / Alderman Randall Mays, Alderman Gary Lingerfelt, Alderman Dallas Tester, Alderman Thurman VanHorn.

**BOARD MEMBERS PRESENT (Electronically):** Alderman David Elder

**BOARD MEMBERS NOT PRESENT:** None

**STAFF MEMBERS PRESENT (Physically):** The following members of staff were present: Town Administrator David Draughn, Town Clerk Heather Minor, Finance Director James Cozart, Town Attorney Jimmy Summerlin, Town Planner Charles Mullis, Public Works Director Chris Eckard, Fire Chief James Brinkley, Police Chief TJ Bates, Deputy Fire Chief Tyler Keener, Rec Dept. Superintendent Alan Bumgarner.

**STAFF MEMBERS PRESENT (Electronically):** None.

**OTHERS PRESENT (Electronically):** Mr. Curtis Davis

**OTHERS PRESENT (Physically):** None

**MEETING CALLED TO ORDER:** Mayor Marla Thompson called the meeting to order at 6:30 p.m.

**Invocation:** Alderman Gary Lingerfelt

**APPROVAL OF MINUTES:** Motion was made by Mayor Pro Tempore/Alderman Randall Mays, seconded by Alderman Thurman VanHorn to approve the February 14, 2022 Regular Meeting Minutes. The vote to approve was unanimous.

**AYES:** Mayor Pro Tempore / Alderman Randall Mays  
Alderman David Elder  
Alderman Gary Lingerfelt  
Alderman Dallas Tester  
Alderman Thurman VanHorn

**NOES:** None

**AGENDA ITEMS**

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**Public Hearing regarding Ordinance No. 130.35 Amendment- Town Clerk Heather Minor**

Town Clerk Heather Minor stated per the motion that was made at the February 14<sup>th</sup> meeting, we are holding a public hearing regarding the potential adoption of the amendment to Town Ordinance 130.35, Firearms. Town Clerk Minor stated that if no public comments have been made, we would like to propose that the amendment be voted on at the April 11<sup>th</sup> meeting.

Mayor Thompson called to open the public hearing. A motion was made by Alderman Thurman VanHorn, seconded by Alderman Dallas Tester to open the Public Hearing. The vote to open the Public Hearing was unanimous.

- AYES:** Mayor Pro Tempore / Alderman Randall Mays  
Alderman David Elder  
Alderman Gary Lingerfelt  
Alderman Thurman VanHorn  
Alderman Dallas Tester
- NOES:** None

Mayor Thompson asked if there were any questions or concerns regarding the amendment of the forementioned ordinance. There were none.

Mayor Thompson called for a motion to close the public hearing. A motion was made by Alderman Thurman VanHorn, seconded by Alderman Gary Lingerfelt to close the Public Hearing. The vote to close the Public Hearing was Unanimous.

- AYES:** Mayor Pro Tempore / Alderman Randall Mays  
Alderman David Elder  
Alderman Gary Lingerfelt  
Alderman Thurman VanHorn  
Alderman Dallas Tester
- NOES:** None

Mayor Thompson stated that we will vote on the adoption of the amendment to ordinance 130.35 at the April 11<sup>th</sup> meeting.

**RFQ/Contract from McGill for Sweet Bay Lane Project (ARPA)- Town Administrator Draughn**

Town Administrator Draughn stated he has given the board the contract for engineering services on the Sweet Bay Lane Water and Sewer Line Project. Town Administrator Draughn stated that because the Treasury Guidance asked the town to follow state revolving fund loan guidelines, we submitted Requests for Qualifications (RFQ) to three (3) engineering firms. Town Administrator Draughn stated that we only received one RFQ back, which was from McGill and Associates. Town Administrator Draughn stated that he was recommending that we award them with the contract for engineering services. Town Administrator Draughn stated that this project would be paid for by ARPA Funds, money that we received from the federal government and half a million dollars has been secured by Senator Dean Proctor. Half of these funds are available now and the remaining half will be available in June 2022. Engineering services will be for design services, bidding and award phase, as well as construction phase. Town administration Draughn stated that the engineering estimate was received about 6 months ago. The project cost is estimated to be around \$1.3-\$1.4 million, depending on bidding, which includes the proposed engineering services. Town Administrator Draughn stated that the project would be for 7600 linear feet of 12-inch water line on Sweet Bay Lane and Old Shelby Road and 2100 feet of 8-inch sewer line partially on Sweet Bay Lane primarily on Old Shelby Road. Town Administrator Draughn stated that the timeline for this project is about 14 months, which is a conservative estimate, which will hopefully be completed quicker, depending on the design phase and permitting phase. Town Administrator Draughn stated that the contract presented for recommendation to The Board of Aldermen tonight is for all the forementioned engineering services from McGill and Associates for a total of \$183,300.

Mayor Thompson asked if anyone had any questions or concerns. Alderman Randall Mays stated that there is a section in the contract which states that McGill and Associates field agent will periodically observe the progress and quality of work. Alderman Mays asked how often is periodically? Town Administrator asked Public Works Director Chris Eckard to explain how that process works. Public Works Director Chris Eckard stated that typically the field agent will visit the work site twice a day, once in the morning and once in the afternoon to see how the morning is started and the day is finished. Public Works Director Chris Eckard stated that he will also be at the job site periodically throughout the day, as well. Mayor Thompson asked if anyone had anything else. No additional comments were made. Mayor Thompson called for a motion. Motion was made by Alderman Thurman VanHorn, seconded by Alderman Randall Mays to accept the RFQ/Contract from McGill and Associates as presented regarding the Sweet Bay Lane Project. The motion was then voted in favor of unanimously.

- AYES:** Mayor Pro Tempore / Alderman Randall Mays  
Alderman David Elder  
Alderman Gary Lingerfelt  
Alderman Thurman VanHorn  
Alderman Dallas Tester
- NOES:** None

**Finance Report General Fund and Utility Fund- Finance Director James Cozart**

- A. General Fund**- Finance Director James Cozart stated that as of February 28, 2022 with 67% of our budget year complete, our total revenues for the General Fund were \$3,675,292 with expenditures totaling \$3,161,100. Revenues exceeded expenses in the General Fund by \$514,193. Finance Director Cozart Stated at the end of February we had collected 85.5% of our budgeted revenues for the fiscal year and had expended 73.5 % of our budget.
  
- B. Utility Fund**- Finance Director James Cozart stated that as of February 28, 2022 with 67% of our budget year complete, revenues in the Utility Fund were \$2,126,767 with expenditures totaling \$1,182,763. Revenues exceeded expenses in the Utility Fund by \$944,005. Finance Director Cozart stated at the end of February we had collected 63% of our budget revenues and expended a little over 35% of our budget.

Alderman Randall Hays asked if we took away the ARPA (American Rescue Plan Act), we still would have about \$200,000? Finance Director Cozart advised that was correct. We would still be over by approximately \$200,000.

- C. Budget Amendment 14**- Finance Director James Cozart stated that he wanted to present Budget Amendment 14 for approval by the Board of Aldermen, Budget Ordinance 2-21-22 for the purpose of establishing a Utility Projects Fund, which would be Fund 33. Fund 33 would be for the money received for ARPA plus the state funds we will be receiving since this will be a multi-year project. Fund 33 will make it easier to roll the funds into the next budget year. Alderman Randall Mays made a motion to amend ordinance 14, seconded by Alderman Thurman VanHorn.

**AYES:** Mayor Pro Tempore / Alderman Randall Mays  
Alderman David Elder  
Alderman Gary Lingerfelt  
Alderman Thurman VanHorn  
Alderman Dallas Tester

**NOES:** None

- D. Budget Transfer no. 1**- Finance Director James Cozart stated that since we established Fund 33, he proposes budget transfer no. 1 to transfer the ARPA Funds that are currently in Fund 30 over to the new Fund 33. Mayor Thompson called for a motion. Alderman Thurman VanHorn made a motion to approve Budget Transfer no. 1, seconded by Alderman Gary Lingerfelt.

**AYES:** Mayor Pro Tempore / Alderman Randall Mays  
Alderman David Elder  
Alderman Gary Lingerfelt  
Alderman Thurman VanHorn  
Alderman Dallas Tester

**NOES:** None

**Call for Public Hearing for SB 300 Ordinance Amendments- Town Administrator Draughn**

Town Administrator Draughn stated that Senate Bill 300 (SB 300), the Police Reform Act that passed in September 2021 requires decriminalization of certain ordinances. Civil penalties would still apply to these ordinances. Town Administrator Draughn advised we are going through all our ordinances to ensure they comply with SB 300 and hope to present them at the April 11<sup>th</sup> meeting for consideration following the public hearing. That ordinances that carry a criminal charge are properly specified within that ordinance.

Mayor Thompson asked if there were any questions. There were none. Mayor Thompson called for a motion to hold a public hearing at the April 11<sup>th</sup> meeting. Alderman Thurman VanHorn for a motion, seconded by Alderman David Elder. The motion carried unanimously.

**AYES:** Mayor Pro Tempore / Alderman Randall Mays  
Alderman David Elder  
Alderman Gary Lingerfelt  
Alderman Thurman VanHorn  
Alderman Dallas Tester

**NOES:** None

### Administrator's Report—Town Administrator David Draughn

- a. **Medical Facility update**- Town Administrator Draughn stated that we would like to discuss the medical facility in closed session.
- b. **COVID Restrictions**- Town Administrator Draughn stated that effective April 1<sup>st</sup>, the Town would be lifting all COVID restrictions and return to normal operation at all Town owned facilities.

At this time, Town Administrator Draughn asked Police Chief TJ Bates to address a few things.

### Police Chief TJ Bates

- a. **National Night Out**- Chief Bates stated that National Night Out would be held on Tuesday, May 3<sup>rd</sup>, 2022 at the Rec Center from 5:00p.m. to 7:00p.m. and he hopes that everyone would be able to come. Chief Bates stated that Officer Eddie Marlowe is putting the National Night Out event together. Chief Bates stated if the Board knew of anyone specifically that they would like invited to this event, to please reach out to Officer Marlowe with their information.
- b. **Sweepstakes and Fish Games**- Chief Bates stated that the sweepstakes and fish games case was ruled on about a month ago through the Supreme Court in North Carolina labeling certain games, games of chance and not skill. Following this ruling, a lawsuit against Hickory PD and Conover PD forced Catawba County to leave these establishments open for business. Chief Bates stated a hearing had been held today. Judge Gregory Hayes lifted the restraining order regarding the lawsuit. Chief Bates stated that the Police Department would begin working on forming a plan of action. Chief Bates stated he did not feel that this would be a quick fix and that this has been years in the making. Chief Bates wants to make sure that the Police Department hits these establishments correctly and at the right time. Law Enforcement leaders in the county will be meeting and strategizing on how to proceed with notification to these establishments, as well.
- c. **Major Charlie Morris' Resignation**- Chief Bates informed the Board that Major Morris has been selected to be the Police Chief at the Town of Oak Island. An official resignation has not been given at this time, but Chief Bates expects it within the next couple of days. Chief Bates stated that Major Morris will likely work a two weeks' notice so that Major Morris can wrap up things with Long View Police Department. Chief Bates stated that the department was hoping to have Major Morris a little bit longer, however, he believes the Town of Oak Island is needing him quickly. Once an official resignation date has been given, Chief Bates will give that to Town Administrator Draughn. Chief Bates expressed that Major Morris will be missed and that the department is thankful for everything Major Morris has done for the department, but that Major Morris' long term career goal has been to be a Police Chief. Chief Bates stated that if the Board members get a chance, stop in and see Major Morris or reach out to him because he will be departing shortly.

At this time, Mayor Thompson called for a closed session regarding the medical center discussion. Closed session was entered into at 6:45p.m. Alderman Thurman VanHorn made a motion. Mayor Pro Tempore/Alderman Randall Mays asked what the closed session was for. Town Administrator Draughn stated that this was for the Medical Center discussion. Motion was seconded by Alderman Mayor Pro Tempore/Alderman Randall Mays. The motion to enter into closed session was voted on unanimously.

**AYES:** Mayor Pro Tempore / Alderman Randall Mays  
Alderman David Elder  
Alderman Gary Lingerfelt  
Alderman Thurman VanHorn  
Alderman Dallas Tester

**NOES:** None

Motion was made by Alderman Thurman VanHorn, seconded by Alderman Gary Lingerfelt to adjourn the Closed Session and return to the regular meeting at 6:54p.m. The vote was unanimous.

**AYES:** Mayor Pro Tempore / Alderman Randall Mays  
Alderman David Elder  
Alderman Gary Lingerfelt  
Alderman Thurman VanHorn  
Alderman Dallas Tester

**NOES:** None

**Other Business/Public Comment:**

Town Administrator Draughn stated that he and Chief Bates are going to meet with Anthony Starr from the Western Piedmont Counsel of Government on Friday, March 18, 2022 to get the processed started to find a new Deputy Chief for the police department.

**Board Member Closing Comments**

- Comments by Alderman David Elder (remote)  
Alderman Elder stated this was a very good meeting and he enjoyed reading the note regarding public works from Childress’ Nursery. Alderman Elder thanked everyone for their prayers for him, the people of the Ukraine and to continue to stay positive
  
- Comments by Alderman Thurman VanHorn  
No Comments
  
- Comments by Alderman Randall Mays  
No Comment
  
- Comments by Alderman Dallas Tester  
  
Alderman Tester stated he would like to thank The Lord for the opportunity to serve the citizens. Alderman Tester stated he wanted to tell Chief Bates that he appreciated him for helping the town land Major Morris and that he has been a big help helping the Town to move in the right direction, the officers love him and Major Morris will be missed.
  
- Comments by Alderman Gary Lingerfelt  
No Comment
  
- Comments by Mayor Marla Thompson  
No Comment

**ADJOURNMENT**

Motion was made by Alderman Thurman VanHorn, seconded by Alderman Gary Lingerfelt to adjourn the meeting at 6:58pm. The vote to adjourn was unanimous.

- AYES:** Mayor Pro Tempore / Alderman Randall Mays  
Alderman David Elder  
Alderman Gary Lingerfelt  
Alderman Thurman VanHorn  
Alderman Dallas Tester
- NOES:** None