



The Town of Long View Board of Aldermen met in the Council Chambers of Long View Town Hall on Monday, June 13, 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 David Elder, Alderman Gary Lingerfelt, Alderman Phyllis Pennington.

BOARD MEMBERS PRESENT (Electronically): None

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 Planner Charles Mullis, Public Works Director Chris Eckard, Fire Chief James Brinkley, Police Chief TJ Bates, Town Attorney Jimmy Summerlin

STAFF MEMBERS PRESENT (Electronically): None

OTHERS PRESENT (Electronically): None

OTHERS PRESENT (Physically): Doug Chapman, Teresa Mays

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

Invocation: Mayor Marla Thompson

APPROVAL OF MINUTES: Motion was made by Mayor Pro Tempore/Alderman Randall Mays, seconded by Alderman Gary Lingerfelt to approve the May 2, 2022 Special Meeting Minutes. The vote to approve was unanimous.

AYES: Mayor Pro Tempore / Alderman Randall Mays
Alderman David Elder
Alderman Gary Lingerfelt

NOES: None

APPROVAL OF MINUTES: Motion was made by Mayor Pro Tempore/Alderman Randall Mays, seconded by Alderman David Elder to approve the May 9, 2022 Regular Meeting Minutes. The vote to approve was unanimous.

AYES: Mayor Pro Tempore / Alderman Randall Mays
Alderman David Elder
Alderman Gary Lingerfelt

NOES: None

APPROVAL OF MINUTES: Motion was made by Alderman David Elder, seconded by Mayor Pro Tempore/Alderman Randall Mays to approve the May 2, 2022 Special Meeting Minutes. The vote to approve was unanimous.

AYES: Mayor Pro Tempore / Alderman Randall Mays
Alderman David Elder
Alderman Gary Lingerfelt

NOES: None

AGENDA ITEMS

Induction of Board Members

Town Attorney Jimmy Summerlin administered the oaths of office to Mayor Marla Thompson, Alderman Gary Lingerfelt of Ward 2, and Alderman Phyllis Pennington of Ward 5.

Appointment of Mayor Pro Tempore and Oath of office

Mayor Marla Thompson asked if there was a motion to appoint a Mayor Pro Tempore to office.

Alderman David Elder made a motion to nominate Randall Mays as the Mayor Pro Tempore. Alderman Gary Lingerfelt seconded this motion. The vote was unanimous.

AYES: Mayor Pro Tempore / Alderman Randall Mays
Alderman David Elder
Alderman Gary Lingerfelt
Alderman Phyllis Pennington

NOES: None

Appointment of WPCOG Policy Board Delegate and Alternate

Mayor Marla Thompson called for a motion for the WPCOG Policy Board Delegate. Mayor Pro Tempore/Alderman Randall Mays made a motion to appoint Mayor Marla Thompson as the WPCOG Policy Board Delegate. Alderman Gary Lingerfelt seconded the motion. The vote was unanimous.

AYES: Mayor Pro Tempore / Alderman Randall Mays
Alderman David Elder
Alderman Gary Lingerfelt
Alderman Phyllis Pennington

NOES: None

Mayor Marla Thompson stated that Alderman Phyllis Pennington stated she would like to be the alternate to the WPCOG Policy Board. Mayor Pro Tempore/Alderman Randall Mays made a motion to nominate Alderman Phyllis Pennington as the WPCOG Policy Board Alternate. Alderman Gary Lingerfelt seconded the motion. The vote was unanimous.

AYES: Mayor Pro Tempore / Alderman Randall Mays
Alderman David Elder
Alderman Gary Lingerfelt
Alderman Phyllis Pennington

NOES: None

Appointment of TAC Delegate

Mayor Marla Thompson called for a motion to nominate a WPCOG TAC Delegate. A motion was made to appoint Mayor Pro Tempore/Alderman Randall Mays by Alderman Gary Lingerfelt and seconded by Alderman David Elder. The vote was unanimous.

AYES: Mayor Pro Tempore / Alderman Randall Mays
Alderman David Elder
Alderman Gary Lingerfelt
Alderman Phyllis Pennington

NOES: None

Public Hearing to Discuss 2022/2023 Fiscal Year Budget- Town Administrator David Draughn

Town Administrator Draughn stated that the budget has been prepared consistent with the March 21, 2022 Board of Alderman budget retreat and in accordance with the North Carolina Local Budget and Fiscal Control Act. Town Administrator Draughn briefly reviewed the budget for a final time with the board and presented his Budget Message.

Mayor Marla Thompson called for a motion to open the public hearing to discuss the 2022/2023 Fiscal Year Budget. Motion was made by Alderman Gary Lingerfelt and seconded by Alderman David Elder. The vote was unanimous.

AYES: Mayor Pro Tempore / Alderman Randall Mays
Alderman David Elder
Alderman Gary Lingerfelt
Alderman Phyllis Pennington

NOES: None

There was no public comment.

Mayor Marla Thompson called for a motion to close the public hearing. Motion was made by Mayor Pro Tempore/Alderman Randall Mays and seconded by Alderman David Elder. The vote was unanimous.

AYES: Mayor Pro Tempore / Alderman Randall Mays
Alderman David Elder
Alderman Gary Lingerfelt
Alderman Phyllis Pennington

NOES: None

Adoption of 2022/2023 Fiscal Year Budget

Mayor Marla Thompson called for a motion to adopt the 2022/2023 Fiscal Year Budget as presented to the board. Motion was made by Alderman David Elder and seconded by Alderman Gary Lingerfelt. The vote was unanimous.

AYES: Mayor Pro Tempore / Alderman Randall Mays
Alderman David Elder
Alderman Gary Lingerfelt
Alderman Phyllis Pennington

NOES: None

Call for Public Hearing on Monday July 11, 2022 to discuss an amendment to Ordinance No. 1-11 Gaming Ordinance

Town Administrator Draughn stated we were just presenting this ordinance for review. The police department and state agencies are working together to enforce the rulings of the court. Town Attorney Jimmy Summerlin is reviewing the proposed draft. Town Administrator Draughn stated if any of the effected businesses tried to open in the future, it would be with the presented regulations.

Mayor Thompson asked if there were any questions. Mayor Pro Tempore/Alderman Randall Mays asked if the police department had a violation put in place that would completely shut these down or would they just receive a citation. Police Chief TJ Bates stated that the only way they will be able to be completely shut down is if they can prove illegal activity, anything else would be an ordinance violation that Code Enforcement Officer Chuck Mullis would enforce. Police Chief Bates stated that these organizations would have to be deemed a gambling house/casino before they would be completely shut down.

Mayor Thompson asked if there were any other questions. There were none. Mayor Thompson called for a motion to hold a Public Hearing at the July 11, 2022 meeting for the proposed ordinance amendment. Mayor Pro Tempore/Alderman Randall Mays made a motion to call for the public hearing at the July 11, 2022 meeting. Alderman Gary Lingerfelt seconded the motion. The vote was unanimous.

AYES: Mayor Pro Tempore / Alderman Randall Mays
Alderman David Elder
Alderman Gary Lingerfelt
Alderman Phyllis Pennington

NOES: None

Vote to Adopt Amendments made to Ordinances requiring Senate Bill 300 Compliance

Town Administrator Draughn stated a public hearing was held at the last regular meeting held on May 9, 2022. There were no questions regarding the ordinances amended to comply with Senate Bill 300. Town Administrator Draughn stated he would like to recommend we adopt the amended ordinances as presented.

Alderman David Elder made a motion to adopt the amended ordinances requiring Senate Bill 300 compliance. Alderman Gary Lingerfelt seconded the motion. The vote to adopt was unanimous.

AYES: Mayor Pro Tempore / Alderman Randall Mays
Alderman David Elder
Alderman Gary Lingerfelt
Alderman Phyllis Pennington

NOES: None

McGill and Associates Phase 1 Environmental Study- Mr. Doug Chapman

Town Administrator Draughn advised that Mr. Chapman with McGill and Associates was here to explain the Phase 1 Environmental Study to the board regarding 800 28th St. SW property that was bid on. The highest bid went to Ben Griffin who asked if a phase 1 environmental study had been completed on the property. When we advised him that study had not been done, he stated he would like to have it done, however Town Attorney Jimmy Summerlin was hesitant on us proceeding with the phase one which is why Mr. Chapman was here to explain the process.

Mr. Chapman with McGill and Associates stated that they have a team that specifically does these environmental studies. A phase one study is done to assess the likelihood of an environmental concern for the buyer. Their team would go through an online database and review the records of the property, what is the likelihood that there has been contamination. Next, a site visit will be conducted, which will question people that have knowledge of the previous infrastructure on the property. Mr. Chapman with McGill stated a phase 1 study is a very minor effort and the fee is around \$3200. If things are found, a phase 2 may be recommended to be done, which would be ground water testing/soil sampling to see if there truly is contamination. This one only be recommended based on the finding of evidence that it is warranted. Mr. Chapman stated they would not report the findings to the state unless there were some contaminants found.

Mayor Pro Tempore/Alderman Randall Mays asked if this was just an information gathering process for its past uses. Mr. Chapman stated that was correct.

Town Manager Draughn asked if the board would like to proceed with the phase one testing. Mayor Pro Tempore/Alderman Randall Mays stated that we had already had another potential buyer ask if an environmental study had been performed and now the bid that we have received has asked and would like to see that it's completed. Mayor Pro Tempore/ Alderman Mays stated that it seems like regardless of if we accept Mr. Griffin's offer/bid, we will have to have this study done to move forward. Town Administrator Draughn asked if this were something we could add to the cost of the selling of the property. Town Attorney Jimmy Summerlin stated that he feels like the buyer should have to cover the expense since he is who recommended it to begin with. Town Clerk Heather Minor advised that Mr. Griffin had offered to pay for the Phase 1 Environmental study.

Alderman Gary Lingerfelt asked Mr. Chapman if someone else did the study, it would not come out any differently than what McGill and Associates would find. Mr. Chapman stated that was correct, except for the level of opinion like with anything else, but the type of research would be the same.

Mayor Marla Thompson stated that since it initially will not cost the town any money and it seems like it must be done anyways, we should just proceed with allowing Mr. Griffin to have the phase one study done.

Mayor Pro Tempore/Alderman Randall Mays asked if contamination is found would the Town be required to go into a phase 2 testing. Mr. Chapman stated it would only be required if it was bad, then the state would require us to have a phase two test complete. Mr. Chapman stated this is very unlikely. We would have already seen signs of contamination on that property.

Mayor Marla Thompson asked what he meant by "bad." Mr. Chapman stated colored ooze coming out of the bank somewhere. He stated they saw a property that use to be a gas station that has been redeveloped and paved over. The soil under the driveway had so much gasoline in it you could start a lawn mower, but it was not something that had to be cleaned up. Mayor Pro Tempore/Alderman Randall Mays stated that it seemed like it would have to be something very detrimental to have to go further with a phase two test. The Board will have Town Clerk Minor to advise Mr. Griffin to proceed with the Phase 1 testing.

Catawba Valley Medical Group Letter of Intent for Dr. Gill's practice

Town Administrator Draughn stated that there is no action needed tonight, but enclosed is a copy of the LOI that was drafted by Town Attorney Jimmy Summerlin and accepted by Catawba Valley Medical Group following last week's special meeting regarding the lease of the building to CVMC. Town Administrator Draughn stated the lease would be ready to approve at the July meeting and there is an email requesting permission to begin repairs at their expense on July 25th. Mayor Pro Tempore/Alderman Randall Mays stated that the lease looks good and that they should be fine to proceed with the repairs on July 25th.

Finance Report- Finance Director James Cozart

Finance Director James Cozart stated that as of May 31st, 2022, the General Fund was 92% complete for the budget year and had revenues of \$4,489,695.72 and collected 102.6% of budgeted revenues for the year. Total expenditures in the General Fund were \$4,119,213.09 resulting in revenues exceeding expenses in the general fund by \$370,482.63. Finance Director Cozart stated he ran some estimates for June so some direction could be made about the Aviation Museum. Taking the State Revenue and last payroll into consideration, our general fund should finish the year somewhere between \$480,00-\$490,00 surplus. Our Utility Fund as of May 31, 2022 with 92% of the year complete, revenues were \$1,934,539.18 with expenses in the Utility fund totaling \$1,780,580.16 with our revenues exceeding expenditures by \$153,959.02. Looking forward to the end of June, that estimate is \$160,000 surplus.

Finance Director Cozart stated the next item for discussion was for the year end Budget Amendment 16 to budget ordinance 02-21-22 totaling \$73,444, the police department totaling \$21,444 to adjust the expense side of the budget for the grant that we received where we had to pay for the items we received in advanced. We are in the approved status on this grant and are just awaiting the funds. There was an \$18,000 expenditure for vehicle striping that the vendor did not bill us until June, but we did have some funds remaining in an equipment loan, so we need to adjust the expense side of the budget for that. The fire department had an amendment to the salary line item in the amount of \$17,000 due to a fire fighter resigning to take a position with the Town of Granite Falls who had accrued a large amount of compensation time that had to be paid out for. The Street department had an amendment for \$17,000 for the cost of additional clean up at the limb dump, since only one was factored into the budget.

Mayor Thompson asked if there were any questions. There were none.

Mayor Pro Tempore/Alderman Randall Mays made a motion to approve amendment sixteen and was seconded by Alderman David Elder. The motion was unanimous.

AYES: Mayor Pro Tempore / Alderman Randall Mays
Alderman David Elder
Alderman Gary Lingerfelt
Alderman Phyllis Pennington

NOES: None

Finance Director Cozart stated the next thing he has is Budget Transfer 3 to move some budget around with in the General Fund from Administration, Town Complex, and Medical Center budget that has budget left over to some other departments that were running a little short.

Mayor Thompson asked if there were any questions. There were none.

Alderman Gary Lingerfelt made a motion to approve the budget transfer and was seconded by Alderman David Elder. The motion was unanimous.

AYES: Mayor Pro Tempore / Alderman Randall Mays
Alderman David Elder
Alderman Gary Lingerfelt
Alderman Phyllis Pennington

NOES: None

Finance Director Cozart stated the final item he had to discuss was the Board's direction on the sponsorship of the Aviation Museum. Town Administrator Draughn stated that the Board has been provided with latest information that was received today from Mayor Thompson from a meeting she had attended. Mayor Thompson stated she attended the Board of Directors meeting and stated that Hickory is giving \$2,000,000 and the State is giving \$2,000,000 if it is approved in their budget. The museum hopes to break ground soon. Mayor Thompson and Mayor Pro Tempore/Alderman Randall Mays stated that they both recalled discussing a Platinum sponsorship from the Town in the amount of \$50,000. Mayor Pro Tempore/Alderman Randall Mays stated we have more than enough to cover that then when we originally discussed this sponsorship last month. Finance Director Cozart stated that whatever amount we go with, we will have to do an additional budget amendment this evening for the expense side of the General Fund.

Mayor Pro Tempore/Alderman Randall Mays stated that he would like to stay at the platinum level and would make a motion to that effect. Alderman Gary Lingerfelt seconded the motion. The motion was unanimously approved.

AYES: Mayor Pro Tempore / Alderman Randall Mays
Alderman David Elder
Alderman Gary Lingerfelt
Alderman Phyllis Pennington

NOES: None

Finance Director Cozart stated that he would like to present Budget Amendment 17 to the Budget Ordinance 02-21-22 to increase the Administration Budget to donate \$50,000 to the Aviation Museum. Mayor Pro Tempore/Alderman Randall Mays made a motion to approve Budget Amendment 17 and was seconded by Alderman Gary Lingerfelt.

AYES: Mayor Pro Tempore / Alderman Randall Mays
Alderman David Elder
Alderman Gary Lingerfelt
Alderman Phyllis Pennington

NOES: None

Other Business/Public Comment:

Town Administrator David Draughn stated that he would like to thank everyone for their participation in the 2022-2023 budget, particularly the Department Heads. It is tough to keep things rolling with inflation and labor issues, however, the department heads are managing it and it is a great thing. Mayor Pro Tempore/Alderman Randall Mays asked how our fuel status was. Public Works Director Chris Eckard stated we are at 69% on Fuel and 87% on diesel so we are good through July 1st.

Board Member Closing Comments

- Comments by Alderman David Elder

Alderman David Elder stated that he would like to remember the Ken Bumgarner Family and offer his condolences to them as Ken was a strong hold in the town for many years and will be missed by many.

- Comments by Alderman Randall Mays

Mayor Pro Tempore/Alderman Randall Mays stated that he echoed the words of Alderman Elder and was blessed to have worked with and known Ken Bumgarner for many years.

- Comments by Phyllis Pennington

Alderman Phyllis Pennington stated it was nice to be working with such nice and intelligent people.

- Comments by Alderman Gary Lingerfelt

No Comment

- Comments by Mayor Marla Thompson

Mayor Thompson wants to welcome Alderman Pennington and hopes that she enjoys everything with the Town.

ADJOURNMENT

Motion was made by Alderman David Elder, seconded by Mayor Pro Tempore/Alderman Randall Mays to adjourn the meeting at 7:17pm. The vote to adjourn was unanimous.

AYES: Mayor Pro Tempore / Alderman Randall Mays
Alderman David Elder
Alderman Gary Lingerfelt
Alderman Phyllis Pennington

NOES: None