

## REGULAR MEETING

The Town Council of the Town of La Grange, North Carolina met in Regular Session at the Town Hall on February 4, 2008, at 7 p.m. with the following present:

Mayor Woodard H. Gurley; Mayor Pro Tem Bobby Wooten; Council Members Larry Gladney, Elliott Sutton, George Koonce, Gregory Rouse and Clifton Harrison; Town Manager John P. Craft; Town Attorney, George Jenkins, Jr.; Town Clerk Nelda H. Johnson, CMC.

Absent: None

Guest: 4

### ITEMS 1, 2, 3: CALL TO ORDER, INVOCATION, WELCOME

Mayor Gurley called the meeting to order and asked Council Member Sutton to give the invocation. Mayor Gurley welcomed the guest present.

### ITEM 4: PUBLIC HEARINGS

None

### ITEM 5: PUBLIC COMMENT PERIOD

None

### ITEM 6: AMENDMENT(S) TO AND APPROVAL OF THE AGENDA

Motion was made by Mayor Pro Tem Wooten, seconded by Council Member Sutton to approve the original agenda with no amendments. Motion carried 6-0 in favor of motion.

### ITEM 7: CONSENT AGENDA

#### a. APPROVAL OF MINUTES

- i. January 7, 2008 Regular Session Minutes
- ii. January 22, 2008 Special Session Minutes

#### b. APPROVAL OF CLEAN WATER MANAGEMENT TRUST FUND DOCUMENTS

- i. Resolution Authorizing Formal Submittal of 2008 Clean Water Management Trust Fund Grant Application – (Head Works & Control Systems Upgrade) Copy of Resolution 2008-01-2006 hereto attached and filed in Resolution Book III.
- ii. Budget for 2008 Clean Water Management Trust Fund Grant Application – (Heat Works & Control Systems Upgrade) Copy hereto attached.

Motion was made by Council Member Gladney, seconded by Council Member Harrison to approve the Consent Agenda. Motion carried 6-0 in favor of motion.

### ITEM 8: NEW BUSINESS

#### ITEM 8A: CONSIDERATION OF POLE ATTACHMENT RATES

Manager Craft stated that the Town has an agreement and an understanding with Embarq and Suddenlink Communications by which they co-locate their facilities on some of the Town's utility poles. These companies actually attach their lines to the Town's poles and there is a charge per year per pole for their ability to be allowed this service. The agreement that is now in place was in the 1970's and is very aged and in dire need of being updated. The Town currently charges \$5.00 per pole attachment. It is now time to invoice these companies and Manager Craft stated that he is

recommending that the Council instruct him to renegotiate the terms of the pole attachment agreement that would establish a new agreement and new rate that is in line with other providers. Also, the agreement could include a clause that would allow the Town to increase the rates on an annual basis in relation to the consumer price index.

Motion was made by Council Member Gladney, seconded by Council Member Harrison to instruct Manager Craft to open negotiations with Embarq and Suddenlink Communications for a new agreement concerning their facilities attached to Town owned utility poles. Motion carried 6-0 in favor of motion.

#### **ITEM 8B: DISCUSSION RELATED TO DRAINAGE SYSTEM IMPROVEMENTS**

Manager Craft stated that he had budgeted funds to make improvements to the drainage system within the Eastwood Subdivision. Those improvements have been bid out and three bids were received and the low bid was \$9,800. This bid was considerably lower than the budgeted amount of \$55,000.

Monies will be available to consider some alternate projects. There are three allowable expenditures from Powell Bill funds: (1) Additional improvements to the storm drainage system within the Town (2) A limited amount of street paving or resurfacing (3) Install bikeway (a five foot wide sidewalk). State laws do dictate the ways in which municipalities can spend Powell Bill Funds.

Manager Craft also stated that no particular project had to be done to spend the monies and it could be saved in the reserve fund for a larger project in next year's budget.

Manager Craft stated that over the years complaints have come from citizens in the West Boundary Street and Joyner Street areas concerning water standing and the flooding of yards and gardens. Also, resurfacing of the streets is needed particularly East King Street. Unpaved Town streets are Ann Street and a section of Lincoln Street.

Discussion continued concerning additional projects that are needed that Powell Bill Funds could be used to fund.

Motion was made by Mayor Pro Tem Wooten, seconded by Council Member Gladney to commit the unused funds to storm drainage in the West Boundary Street area. Motion carried 6-0 in favor of motion.

#### **ITEM 8C: ORDER TAX COLLECTOR TO ADVERTISE 2007 TAX LIENS**

Manager Craft informed the Council that as required by NC General Statutes, the Tax Collector has to notify the Town of all uncollected property taxes for the prior year. The Council is required to order the Tax Collector to advertise the tax liens on all properties that have not paid their prior year taxes. Manager Craft stated that as of February 4, 2008, uncollected property taxes for the tax year 2007 were \$74,957.82 which represents about 12% of uncollected taxes.

Manager Craft informed the Council that he was concerned over the tax collection rate for the Town by the Lenoir County Tax Department and would like for the Town to consider bringing the tax billing and collection back to Town Hall in the future. A decision would have to be made before July in order to make the transition for the 2009 tax billing.

Motion was made by Council Member Koonce, seconded by Mayor Pro Tem Wooten to authorize the Lenoir County Tax Collector to advertise the 2007 tax liens on real property as required by North Carolina General Statutes. Motion carried 6-0 in favor of motion.

#### **ITEM 8D: CREATION OF RECREATION ADVISORY BOARD**

Manager Craft stated that he had mentioned in the past that it would be in order to create a Recreation Advisory Commission to advise the Council in matters related to

Recreational activities and issues. This Commission would involve a diverse segment of our citizens from different areas of our community to draw expertise information and ideas as far as what the public wants in a recreation program. Manager Craft stated that he recommend that two Council Members join with him in developing an ordinance that would create a Recreation Commission.

Manager Craft recommend that the Mayor appoint two Council Members to participate in the Town's development of this ordinance.

Mayor Gurley stated that he would like to appoint Mayor Pro Tem Wooten and Council Member Sutton to the Advisory Recreation Commission to assist Manager Craft in developing an ordinance that would set the guidelines within which to operate.

Council Member Gladney inquired as to the criteria included on an application that would be for the citizens.

Manager Craft stated that the application process would be a part of the Commission development but the final decision of the number of members and make-up would come from the entire Council.

## **ITEM 9: OLD BUSINESS**

### **ITEM 9A: OPTIONS RELATIVE TO THE RECREATION COMPLEX**

Manager Craft stated that the Town had received some rather high costs and numbers at the last meeting concerning the recreation project and since that time he had met with multiple contractors to get some budget figures for the improvements.

Manager Craft stated that he had some additional suggestions that he would like the Council to consider. One of the larger expenses for the recreation project was the electrical portion. Development of several smaller services would allow the Town to provide power to individual points as there would be advantages to having these electrical services strategically located.

Manager Craft stated that not only for this project, but for other projects (Load Management), he is recommending that the Town send someone on staff, Heith Harrison or himself to school to become certified as a licensed electrician. This would enable the Town to do all the work for the electrical side of the recreation park. The Town would hold the license and the qualified staff person would be the license holder.

Also, obtaining a General Contractor's License in the name of the Town would be extremely advantageous.

Manager Craft stated that he recommended to the Council to give approval for him to begin the process by contacting the appropriate State agencies in the electrical and general contracting fields.

Motion was made by Mayor Pro Tem Wooten, seconded by Council Member Gladney to allow Manager Craft to proceed as necessary for the Town to obtain an Electrical License and a General Contractor's License. Motion carried 6-0 in favor of motion.

## **ITEM 10: CLOSED SESSION**

Motion was made by Council Member Koonce, seconded by Council Member Sutton to go into Closed Session pursuant to N.C.G.S. 143-318.11 (a) (4) (5) (6) (7). Motion carried 6-0 in favor of motion.

**ITEM 11: ADJOURNMENT**

Motion was made by Council Member Harrison, seconded by Council Member Sutton to adjourn. Motion carried 6-0 in favor of motion.

---

Nelda H. Johnson, CMC, Town Clerk

---

Woodard H. Gurley, Mayor