

REGULAR MEETING

The Town Council of the Town of La Grange, North Carolina met in Regular Session at the Town Hall on May 5, 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: 9

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

Mayor Gurley called the meeting to order and asked Mayor Pro Tem to give the invocation. Mayor Gurley welcomed the guest.

ITEM 4: PUBLIC HEARINGS

ITEM 4A: PUBLIC HEARING NO. 1

PROPOSED AMENDMENTS TO TOWN CODE OF ORDINANCES; CHAPTER 2, ADMINISTRATION PROPOSED AMENDMENTS TO TOWN CODE OF ORDINANCES; CHAPTER 38, ZONING

Manager Craft stated that the purpose of the public hearing was to address two potential changes to the Code of Ordinances, Chapter 2; Administration and Chapter 38; Zoning.

The purpose of Chapter 2; Administration is to change the makeup of the Planning Board that would increase the membership of the Planning Board and establish a regular meeting date for the Planning Board.

The purpose of Chapter 38; Zoning is to change the makeup of the Board of Adjustment and move the Board of Adjustment duties to the Town Council.

Mayor Gurley called for comments from the public.

Margaret Cunningham, Chairman of the Planning and Zoning Board, spoke in favor of the proposed changes.

Eugene Shaw, member of the Board of Adjustment, spoke in favor of the proposed changes.

There being no further comments from the public, motion was made by Mayor Pro Tem Wooten, seconded by Council Member Gladney to close the public comment period. Motion carried 6-0 in favor of motion.

Motion was made by Council Member Gladney, seconded by Council Member Rouse to approve the changes to the Code of Ordinances in Chapter 2; Administration and Chapter 38; Zoning. Motion carried 6-0 in favor of motion. Copies hereto attached.

ITEM 4B: PUBLIC HEARING NO. 2

RECEIVE PUBLIC COMMENT RELATED TO THE TOWN'S INTENT TO SEEK USDA FUNDING FOR THE UPCOMING WELL PROJECT

Manager Craft stated that the purpose of this public hearing was to receive public comment relative to the Town's desire to seek USDA funding to fund half of the well project cost on which the Town is currently working.

Mayor Gurley called for comments from the public.

There being no comments from the public, motion was made by Mayor Pro Tem Wooten, seconded by Council Member Sutton to close the Public Hearing. Motion carried 6-0 in favor of motion.

ITEM 5: PUBLIC COMMENT PERIOD

None

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

Manager Craft recommended the approval of the original agenda with the following additions:

ITEM 8C: REQUEST TO ADDRESS COUNCIL – CHARLIE SMITH, EXECUTIVE DIRECTOR, LENOIR COUNTY BOYS & GIRLS CLUB

ITEM 8D: APPROVAL OF ANNEXATION RESOLUTION

ITEM 8E: SOLID WASTE MANAGEMENT

Motion was made by Council Member Harrison, seconded by Mayor Pro Tem Wooten to approve the original agenda with the three requested additions by Manager Craft. Motion carried 6-0 in favor of motion.

ITEM 7: CONSENT AGENDA

Approval of minutes:

- a. April 7, 2008 Regular Session
- b. April 7, 2008 Closed Session

Motion was made by Council Member Koonce, seconded by Council Member Harrison to approve the minutes of the April 7, 2008, Regular Session and the April 7, 2008, Closed Session. Motion carried 6-0 in favor of motion.

ITEM 8: NEW BUSINESS

ITEM 8A: DESIGNATION OF LIAISON TO WORK WITH THE ELECTRICITIES PUBLIC POWER GRASS ROOTS NETWORK

Manager Craft stated that the Council needed to designate a Council Member to be the liaison to work with the ElectriCities Public Power Grassroots Network.

Council Member Koonce volunteered to be the liaison and the Council unanimously approved his appointment.

ITEM 8B: ESTABLISH DATES FOR BUDGET WORKSHOPS

Manager Craft recommended that the Council hold Special Meetings at 6:00 pm on June 9, 2008, and June 10, 2008, to review the proposed budget for FY 2008-2009.

Manager Craft also recommended that the Council schedule a Public Hearing at 7:00 pm on June 11, 2008, to receive public comment and approval of the FY 2008-2009 budget.

Motion was made by Council Member Sutton, seconded by Mayor Pro Tem Wooten to approve Manager Craft's recommended dates for review of the proposed budget and the Public Hearing date for approval of the FY 2008-2009 budget. Motion carried 6-0 in favor of motion.

ITEM 8C: REQUEST TO ADDRESS COUNCIL – CHARLIE SMITH, EXECUTIVE DIRECTOR, LENOIR COUNTY BOYS & GIRLS CLUB

Mr. Smith stated that he had been invited by Council Member Gladney to speak to the Council about starting a Boys and Girls Club in La Grange.

Mr. Smith gave a very informative presentation stating that there are a number of items that should be addressed in the initial stages of planning. These normally cannot be completed by a single individual and require time and the involvement of a small, but dedicated group of community members. A Boys and Girls Club would belong to the community and the community should be in harmony with the chartered organization that provides the support for the activities and physical resources. It is recommended that a committee be formed to work with the executive director and the executive committee of the sponsoring organization. The following represents a short list of items that should be addressed by the committee prior to announcing the intent to form a unit:

- Determine the need for the programs and develop the need statement keeping in mind the mission and programs supported by the organization.
- Determine the location and any costs or usage agreements involved. Obtain a letter of commitment from the organization providing space including costs.
- Determine the age groups to be served in the space available. Some clubs serve different age groups on different days in order to serve the entire community. Space and interest suggested in a community survey will help determine the unit's composition. This is important when seeking donor support.
- Realize that it would cost approximately \$60,000 a year to operate a 5 day after school and summer operation for 60 youngsters. Start up money is reimbursable and is not up front funding. It also takes 6-14 months to receive the reimbursement. Multi year commitment from donors is key. Look at grant possibilities in collaboration with other agencies where there are service contract possibilities such as gang, substance abuse and other prevention programs where the unit can provide the programs.
- Maintain close contact with the chartered entity. All grants and other outside funds for the National Organization flows through them.
- Finally and most important is to address sustainability. You do not want to start a unit that has a questionable future.

Discussion followed among Mr. Smith, Council Members and Manager Craft. No action was taken.

ITEM 8D: APPROVAL OF ANNEXATION RESOLUTION

Manager Craft stated that A RESOLUTION IN SUPPORT OF SOUND, FAIR AND UNIFORM MUNICIPAL ANNEXATION STATUTES was supported by the NC League of Municipalities. The purpose of the resolution is that the Town Council of the Town of La Grange declares its opposition to a moratorium on lawful municipal annexation proceedings, and its support for the underlying sound basic principles of North Carolina's annexation statutes.

Motion was made by Mayor Pro Tem Wooten, seconded by Council Member Harrison to approve A RESOLUTION IN SUPPORT OF SOUND, FAIR AND UNIFORM MUNICIPAL ANNEXATION STATUTES. Motion carried 6-0 in favor of motion. Copy of Resolution No. 2008-05-207 hereto attached and filed in Resolution Book III.

ITEM 8E: SOLID WASTE MANAGEMENT

Manager Craft stated that he had been looking at possible changes on the way the Town collects yard waste. At about this same time, the Town received a letter from Al Hill, president and owner of Onslow Container Service, with whom the Town now contracts for household garbage and recycling services. In this letter, OCS has requested a 5% increase in fees associated with their contract and a second 5 year renewal. The current OCS contract was initially approved in November 1998 and

automatically renewed in November 2003 and the next automatic renewal will be in November 2008 if the Town does not give intent not to renew and sever the relationship.

Manager Craft gave an overview of the OCS services and costs on the original contract versus a new contract with the increase in charges.

The OCS original contract cost \$6.09 per customer per month for garbage and recyclable collection and later increased to \$6.54. The requested contract price would be increased to \$6.86 per customer per month.

The current OCS cost per year is \$92,714.40 and the requested cost per year would be about \$97,350.12. These figures do not include tipping fees that have to be paid to Lenoir County for use of the landfill. Under a new contract, OCS would replace older carts and provide one type of cart and will ensure an accurate count of carts.

OCS would offer yard waste collection at a cost of \$6.10 per cart added if only offered to customers requesting the service; \$5.30 if offered to every customer. OCS would provide an additional 95 gallon container of unique color to each residence. OCS would need to require that yard debris be placed in the container to be picked up, or charge a special fee for collection of debris not placed in the container.

Manager Craft stated that there are several benefits to having the yard waste collection contracted.

- Would provide a routine (weekly schedule) collection of yard waste.
- Would eliminate the placement of debris along streets and right-of-ways; and would significantly reduce the amount of grass, pine straw, etc. that enters storm drains.
- Improve the appearance of the Town.
- Would significantly reduce the Town equipment usage and wear and tear on the backhoe and dump trucks.
- Reduce municipal manpower requirement.

Manager Craft stated that there were issues with furniture, white goods, and debris not placed in 95 gallon containers and the Town would have to work out a solution/schedule for these items at no additional cost. During the leaf season, a schedule for the leaf truck would be provided to the Town's customers for leaves to be picked up at no additional cost.

At this time, Manager Craft offered the Council three possible choices on which to make a required decision.

1. Renew the OCS Contract with or without yard debris collection.
2. Request bids for provision of service with or without yard debris collection.
3. Bring Solid Waste Management back in-house.

Manager Craft provided the Council with detailed information concerning the cost if the decision was to bring solid waste management back in-house.

- In-house option to provide the service, the Town would need:
 - 2 refurbished 28 yard trucks
 - 1450 – 95 gallons household carts
 - 1300 – 95 gallon yard debris carts
 - 1300 – 35 gallon recyclable carts
 - Manpower
 - Operation and Maintenance funding which includes fuel, tires, maintenance and insurance

Manager Craft had calculated an annual cost comparison for the Town versus contracting out solid waste management services which included yard waste collection. The Town would realize a net benefit after the first six years.

Lengthy discussion was held between the Council and Manager Craft concerning the course of action for the Town's solid waste management services.

Motion was made by Council Member Rouse, seconded by Council Member Gladney to bring the solid waste collection back in-house with weekly household, recyclable and yard waste collection. Motion carried 5-1 in favor of motion. Council Member Harrison opposed.

ITEM 9: OLD BUSINESS

ITEM 9A: SELECTION OF MUNICIPAL SLOGAN & LOGO

Manager Craft stated that the selection of a municipal slogan (tag line) and logo first began with an initial marketing meeting and the consultants submitted a list of twenty-four potential slogans. That list was narrowed down to five by the Town Council and the public that was in attendance at the March 2008 council meeting. Citizens were sent out a ballot/survey that was on the April utility statements and those votes have now been tallied.

- Options on the ballot and results of the survey:
 1. "Come Grow with Us in The Garden Spot" – 43 votes – 20.2%
 2. "Come Grow in The Garden Spot" – 13 votes – 6.1%
 3. "Grow with Us in The Garden Spot" – 38 votes – 17.9%
 4. "Success Grows in The Garden Spot" – 22 votes – 10.3%
 5. "The Garden Spot; Close to Everything, Close to Perfect" – 29 votes – 13.6%
 6. Write in: "The Garden Spot" – 67 votes – 31.6%

Manager Craft stated that in addition to the 67 votes of the write in "The Garden Spot" a petition was received today prior to this meeting with 58 names in support of no change in the slogan and leave as is "The Garden Spot."

Council Member Gladney asked about the rights to use the slogan "The Garden Spot."

Manager Craft stated that he did not know of anyone who had a trademark on the slogan, "The Garden Spot."

Attorney Jenkins stated that in his opinion that since the name "The Garden Spot" was not a trademark name and had been use for at least a half century, it would be considered a free use exception.

Manager Craft acknowledged that Mr. Eugene Shaw was in the audience and stated that the name "The Garden Spot" originated from his ancestors and asked Mr. Shaw if he had any problem with the Town using "The Garden Spot" as its slogan and Mr. Shaw stated "no."

After discussion, motion was made by Council Member Harrison, seconded by Council Member Gladney to leave the slogan as is "The Garden Spot." Motion carried 6-0 in favor of motion.

Manager Craft stated that during the process of selecting a slogan, the marketing firm also has drawn a selection of six potential logos for the Town to consider. Manager Craft provided pictures and reviewed each logo.

Motion was made by Council Member Koonce, seconded by Council Member Gladney to select Logo #1. Motion carried 6-0 in favor of motion.

ITEM 9B: VOLTAGE REGULATION PROJECT

Manager Craft stated that the voltage regulation project and power outage on Friday, April 18 had been scheduled for about 1½ hours but actually took about 3 hours. Other than a slightly longer time period of power outage, the project went well and was

pleased with the work. Manager Craft commended the Town's Electric Department, Keith Thornton and Joey Arnette for their efforts in making the project successful.

ITEM 9C: AUTOMATED METER READING

Manager Craft stated that the Council had agreed in an earlier meeting to transition into Automated Meter Reading (AMR). Manager Craft stated that the system he had originally discussed with the Council is somewhat limited and there are other options available that can give much more information and service. Manager Craft reviewed with the Council additional AMR options:

- Meter Reading Frequency (Daily or Monthly)
- System Monitoring (None or Constant)
- Outage Notification
- Theft Detection
- Time of Use Billing Capability
- Pay as You Go Metering
- Automated Disconnect

Manager Craft stated that this technology is new and involved and would be the first application in North Carolina if the Council chose to pursue this system which is called the Hunt-Mesh Network. Manager Craft explained the basic mechanics of the system and the advantages.

Manager Craft also informed the Council that with the recent passing of Senate Bill #3 the Town would be mandated that if a customer chooses to install solar panels on their home and they actually generate more energy off these solar panels than they consume, what power they put back on our grid then the Town would have to buy back the energy and the Town would need to meter this energy.

Manager Craft stated that there were additional costs for these additional benefits and felt it was worthy of the Council's consideration.

Manager Craft stated that if it was the general consensus of the Council he would present at the FY 08-09 budget workshop the estimated cost of this system.

ITEM 9D: EASTWOOD DRAINAGE SYSTEM IMPROVEMENTS

Manager Craft stated that the Eastwood Drainage Project began about three weeks ago. The starting point was at Firetower Road and then moved down to Walters Drive. There is a problem with water holding east of Firetower Road and the contractor has been asked to clean out from Firetower Road to the branch. Walters Drive has been cleaned out and about half-way cross to Franklin Street. The right-of-way on Franklin Street has been cleared but the contractor has not started cleaning the drainage ditch.

ITEM 10: ADJOURNMENT

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

Nelda H. Johnson, CMC, Town Clerk

Woodard H. Gurley, Mayor