

REGULAR MEETING

The Town Council of the Town of La Grange, North Carolina met in Regular Session at the Town Hall on June 1, 2009, at 6 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: 8

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

Mayor Gurley called the meeting to order and asked Council Member Harrison to give the invocation. Mayor Gurley welcomed the guests.

ITEM 4: PUBLIC HEARINGS

None.

ITEM 5: BOARD OF ADJUSTMENT

None.

ITEM 6: PUBLIC COMMENT PERIOD

(1) Leroy Martin, 214 West Railroad Street, spoke stating that he wanted to protest on his behalf and on the behalf of the citizens of La Grange as they were being unfairly taken advantage of. Mr. Martin related that the tax notification that was received, re-evaluating property and increasing taxes, was very untimely; and, allowing fifteen days to protest but there are only five to six days due to the holiday and weekends that are in that count. Mr. Martin further stated that our taxes are increasing by a tremendous amount of money, as much as 40%, and suggested the Town send a Resolution to the County Commissioners protesting the rates and they were unfair.

Mayor Gurley responded that, he was not for sure, but he believed the Tax Department had extended the appeal time.

Council Member Harrison stated that a resolution might help but the individuals needed to rise up and call their County Commissioner on the Board.

Manager Craft stated that he was aware that there was a delay in receiving values for La Grange. The County tax rate at present is \$0.84/\$100 and they have already reduced the rate in their new budget down of \$0.81/\$100. The County Commissioners has directed their staff to try to reduce the tax rate further down to \$.79/\$100. The Town's current rate is \$.50/\$100 and the recommended budget would reduce the Town's tax rate down of \$.45/\$100.

(2) Thurston Letchworth, owner of Letchworth's Body Shop located at 403 East Washington Street, spoke stating that he was concerned about the right-of-way in front of his shop where the trees had blown over and the fact that he has already torn up two lawn mower blades. The right-of way has numerous holes and there is no way to cut the grass. Mr. Letchworth requested that the Town level off the right-of-way.

ITEM 7: AMENDMENT(S) TO AND APPROVAL OF AGENDA

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

9E: APPROVAL OF RESOLUTION AUTHORIZING FILING MAIN STREET GRANT APPLICATION

9F: ADOPTION OF RECORDS RETENTION SCHEDULE

9G: EXTENSION OF MORATORIUM ON MANUFACTURED HOME INSTALLATION

9H: APPROVAL OF RED FLAG POLICY TO PROTECT CUSTOMERS FROM IDENTITY THEFT

Motion was made by Council Member Gladney, seconded by Council Member Harrison to approve the printed agenda with the addition of the four items requested by Manager Craft. Motion carried 6-0 in favor of motion.

ITEM 8: CONSENT AGENDA

a. Approval of Minutes

1. May 4, 2009 Regular Session

Motion was made by Council Member Koonce, seconded by Council Member Harrison to approve the consent agenda. Motion carried 6-0 in favor of motion.

ITEM 9: NEW BUSINESS

ITEM 9A: APPROVAL OF LENOIR COUNTY SOLID WASTE PLAN RESOLUTION

Manager Craft stated that included within the agenda was a copy of the revised Lenoir County Solid Waste Plan. This is an adopted plan by the County for ten years and the State requires that this plan be updated at least every three years. The plan does make provisions to include the Town of La Grange. Manager Craft recommended approval and support of the plan as submitted.

Motion was made by Mayor Pro Tem Wooten, seconded by Council Member Harrison to approve the Lenoir County Solid Waste Plan Resolution. Motion carried 6-0 in favor of motion. Copy of Resolution 2009-06-228 hereto attached and copy of filed in Resolution Book IV; and, Lenoir County Solid Waste Plan filed in Clerk's office.

ITEM 9B: REMINDER OF SPECIAL COUNCIL MEETINGS

Manager Craft reminded the Council of the established two Special Town Council Meetings.

Monday, June 8, 2009, for review of proposed FY 09-10 Municipal Budget; Tuesday, June 9, 2009, to complete the review of the Municipal Budget; and, Public Hearing to receive public comment and possible adoption of the budget.

ITEM 9C: PRESENTATION REGARDING PROPOSED CLIMATE CHANGE LEGISLATION

Manager Craft gave a power point presentation on the pending Climate Change Legislation (Waxman-Markey Bill) that had been presented by ElectriCities staff at the NCEMPA Commissioners meeting on Wednesday, May 27, 2009. This legislation is being considered at the Federal Level and the presentation provided information regarding the potential cost increases in electric rates that lie ahead that would result if the climate change legislation passed.

ITEM 9D: APPROVAL OF ORDINANCE AMENDING THE FY 08-09 BUDGET

Manager Craft requested that this item be removed from the agenda as the item would be considered at a later time.

ITEM 9E: APPROVAL OF RESOLUTION AUTHORIZING FILING OF "MAIN STREET" PROGRAM GRANT APPLICATION

Manager Craft presented to the Council a copy of RESOLUTION AUTHORIZING FILING OF "MAIN STREET" PROGRAM GRANT APPLICATION from the Division of

Community Assistance. If the Town were to receive a grant, the potential cost would be about \$3,000. The purpose of this grant would be to help revitalize our downtown with a plan for new businesses, planned events and a plan to restore store fronts.

Motion was made by Council Member Gladney, seconded by Mayor Pro Tem Wooten to approve the resolution authorizing filing of "Main Street" Grant Application. Motion carried 6-0 in favor of motion. Copy of Resolution 2009-06-229 hereto attached and filed in Resolution Book IV.

ITEM 9F: ADOPTION OF NEW RECORDS RETENTION SCHEDULE

Nelda H. Johnson, Town Clerk, presented to the Council information concerning the adoption of a New Records Retention and Disposition Schedule as recommended by the North Carolina Department of Cultural Resources, Division of Archives and History Records Sections. The purpose of this schedule is to give counties and municipalities a standard guideline in which to legally dispose of records/documents.

Motion was made by Mayor Pro Tem Wooten, seconded by Council Member Sutton to adopt the Records Retention and Disposition Schedule as approved by the North Carolina Department of Cultural Resources on May 19, 2009. Motion carried 6-0 in favor of motion. Copy on file in Clerk's office.

ITEM 9G: EXTENSION OF MORATORIUM ON MANUFACTURED HOME INSTALLATION

Manager Craft stated that the time period on the moratorium of manufactured homes was nearing the end and at this time the review of the ordinance and legal changes was not completed.

Manager Craft stated that additional time was needed to properly prepare recommendation of action and asked for the moratorium to be extended for sixty (60) days.

Motion was made by Council Member Sutton, seconded by Council Member Harrison to extend the moratorium on manufactured homes for a period of sixty (60 days). Motion carried 6-0 in favor of motion.

ITEM 9H: APPROVAL OF RED FLAG POLICY

Manager Craft stated that the Red Flag Policy was an Identity Theft Prevention Program that was mandated by legislation that required all financial institutions or anyone that dealt with customer information and financial information that a policy be adopted on the way that information was handled and protected. This would especially apply to the Town's utility customers' information. The purpose of this policy is intended to protect customers from identity theft and Manager Craft stated that he recommended approval of the Policy.

Motion was made by Mayor Pro Tem Wooten, seconded by Council Member Gladney to approve the Identity Theft Program Policy. Motion carried 6-0 in favor of motion. Copy of Policy filed in Clerk's office.

ITEM 10: UNFINISHED BUSINESS

ITEM 10A: UPDATE OF AM INFRASTRUCTURE PROJECT

Manager Craft gave a brief update on the Town's AMI project stating that Substation Processing Unit (SPU) had been installed with communications tested; Transformer Coupler Unit (TCU) installed and Landis and Gyr has completed connections; transformer installed and energized; disconnect installed; beginning to communicate with deployed meters; July 15th target date to put completely into service and begin meter reading.

ITEM 11: CLOSED SESSION

Motion was made by Council Member Koonce, seconded by Council Member Harrison to go into Closed Session as authorized by North Carolina General Statute 143-318.11 (a) (4) (5) (6). Motion carried 6 -0 in favor of motion

ITEM 12: ADJOURNMENT

Motion was made by Council Member Gladney, 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