

REGULAR MEETING

The Town Council of the Town of La Grange, North Carolina met in Regular Session at the Town Hall on June 4, 2007, at 7:00 p.m. with the following present:

Mayor Woodard H. Gurley; Mayor Pro Tem Bobby R. Wooten; Council Members Larry Gladney, Walter Ellis, Jr., George Koonce, Elliott Sutton and Jeff Thomas; Town Manager, John P. Craft; Town Attorney, George Jenkins, Jr.; Nelda H. Johnson, CMC, Town Clerk.

Absent: None

Guest: 7

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

Mayor Gurley called the meeting to order and Mayor Pro Tem Wooten gave the invocation. Mayor Gurley welcomed the Council Members and guest.

ITEM 4: PUBLIC HEARING

a. REZONING REQUEST – RAY WHITTED FOR WHITTED ACRES SUBDIVISION

Manager Craft reviewed with the Council that Ray Whitted is planning to build a 144 lot subdivision on approximately 92 acres of land to be called Whitted Acres in a phased development on the property known as Lenoir County Parcel Number 26067 (Record #16448; NC PIN 3566-68-7667). The rezoning of this property is required to build the subdivision in its entirety. The property is currently in two zones. The first zone, AR (Agriculture Residential), the developer is requesting the rezoning of this property to R-18 to allow for slightly smaller lots to be created than would be required if the zoning remained AR. Should the rezoning be approved, the minimum lot width would be reduced to 95' (from 100') and the minimum lot size would be reduced to 18,000 square feet (from 20,000 square feet).

Second, Mr. Whitted is requesting that the single 2.3 acre lot which is currently zoned LI (Light Industrial) at the intersection of Aldridge Store and Fields Station Road be rezoned to HC (Highway Commercial) to facilitate one commercial lot for commercial use at that location.

The Planning and Zoning Board's recommendation to the Town Council is that the entire property which would include the 2.3 acre lot be rezoned to R-18, citing concern that a commercial lot may negatively impact the residential growth on the adjoining lots.

Mr. Whitted spoke concerning his request stating that there was concern that after houses were built and then a commercial business springs up on the corner and the residents not having any fore knowledge of the business. Mr. Whitted stated that he would like to have a clause in the covenant by-laws that the homeowners association and the Town would approve of the type of business that could be put on the property.

After continued discussion concerning Mr. Whitted's request, motion was made by Mayor Pro Tem Wooten, seconded by Council Member Thomas to close the public hearing. Motion carried 6-0 in favor of motion.

Motion was made by Council Member Sutton, seconded by Council Member Ellis to approve the Zoning Ordinance to rezone the entire property, including the 2.3 acres that is currently zoned LI, to R-18. Motion carried 6-0 in favor of motion. Copy of Ordinance Amending Chapter 38, Zoning of the Town of La Grange hereto attached.

ITEM 5: PUBLIC COMMENT PERIOD

None

ITEM 6: AMENDMENTS TO AND APPROVAL OF THE AGENDA

There were no amendments to the agenda.

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

ITEM 7: CONSENT AGENDA

a. APPROVAL OF MINUTES

i. May 7, 2007 Regular Session

ii. May 21, 2007 Special Session

b. APPROVAL OF RESOLUTION FIXING A DATE FOR A PUBLIC HEARING ON THE QUESTION OF ANNEXATION OF THE EAST CAROLINA FARM CREDIT PROPERTY. COPY OF RESOLUTION NO. 2007-06-192 HERETO ATTACHED AND FILED IN RESOLUTION BOOK III.

c. APPROVAL OF RESOLUTION APPOINTING MEMBERS TO THE PLANNING BOARD. COPY OF RESOLUTION NO. 2007-06-193. HERETO ATTACHED AND FILED IN RESOLUTION BOOK III.

d. APPROVAL OF RESOLUTION APPOINTING MEMBERS TO THE BOARD OF ADJUSTMENT. COPY OF RESOLUTION NOS. 2007-06-194, 2007-06-195, 2007-06-196 HERETO ATTACHED AND FILED IN RESOLUTION BOOK III.

e. AUTHORIZE THE TOWN ATTORNEY TO RELEASE THE LIEN AND PROMISSORY NOTE FOR LARRY & DELORES BIZZELL AT 403 EAST BOUNDARY STREET

f. APPROVAL OF ORDINANCE AMENDING THE FY 06-07 BUDGET ORDINANCE

Motion was made by Mayor Pro Tem Wooten, seconded by Council Member Gladney to approve the consent agenda upon one correction to be made to the May 21, 2007, Special Session minutes. Correction noted as follows:

Under ITEM 4: PUBLIC HEARINGS a. REZONING REQUEST – ALDO & MARIE WILLIS FOR MW ALLSTARS the minutes should have stated:

“Motion was made by Council Member Ellis, seconded by Council Member Gladney to return to the Special Session.”

Motion carried 6-0 in favor of motion.

ITEM 8: NEW BUSINESS

ITEM 8A: APPROVAL OF RESOLUTION REQUESTING THE MODIFICATION OF THE CURRENT HIGHWAY 70 CORRIDOR PLAN FOR THE LA GRANGE AREA

Manager Craft stated that at the May 7, 2007, Council Meeting he had discussed with the Council his feelings on the Highway 70 Corridor Plan proposed by the NC Department of Transportation and how the plan would adversely affect the access onto or off of Highway 70 for La Grange citizens and businesses on the east end of town. Manager Craft stated that he had drafted a resolution for consideration that would formally request changes to be considered and incorporated into the Highway 70 Corridor Plan.

Manager Craft stated that he would like to present this resolution to the Lenoir County Transportation Board and ask them to support our request; also, to the Lenoir County Commissioners for support of the request. If both of these bodies would agree then it would be presented to the Highway 70 Corridor Commission.

Motion was made by Council Member Ellis, seconded by Council Member Gladney for the adoption of RESOLUTION REQUESTING MODIFICATION TO THE PROPOSED

HIGHWAY 70 CORRIDOR PLAN FOR THE LA GRANGE AREA. Motion carried 6-0 in favor of motion. Copy of Resolution NO. 2007-06-197 hereto attached and filed in Resolution Book III.

ITEM 8B: INFORMATION ITEM – SPECIAL MEETING AND PUBLIC HEARING TO CONSIDER THE FY 2007-2008 MUNICIPAL BUDGET

Manager Craft reminded the Council of the Special Meeting on Monday, June 11, 2007, to discuss and review the FY 2007-2008 Municipal Budget. Also, a public hearing is scheduled on Wednesday, June 13, 2007, to receive public comment and to adopt the FY 2007-2008 Budget.

ITEM 8C: APPROVAL OF KERR-PHILPOTT SYSTEM – SOUTHEASTERN POWER LLC FUNDING AGREEMENT

Manager Craft discussed a proposed funding agreement from Leon Jouolmon, Assistant Administrator for Finance and Marketing for the Department of Administration Southeastern Power Agency, requesting our voluntary participation and approval in the Funding Agreement.

This agreement would divert a portion of the rates that we already pay to fund Corps of Engineers projects within the Kerr-Philpott System. The choice to approve this agreement will cost the Town nothing, but will ensure that we have a vote in choosing the membership of the Project Review Committee that will determine which project (improvements to the system) are approved. The Town will also be able to nominate a person for consideration for placement on this board.

Manager Craft stated that he had conferred with Cecil Rhodes, with Electricities, who indicated that the approval of the agreement would enable the Corps of Engineers to provide additional funds to work on the Kerr & Philpott Dams in the southern portion of Virginia from which we, Electricities, are able to get an extremely small portion of our electricity from.

The increased funding would help the Corps of Engineers maintain these generation facilities to continue its operations and improve these plants to increase their efficiency; while resulting in no additional cost of the Town.

Motion was made by Council Member Thomas, seconded by Council Member Gladney for APPROVAL OF KERR-PHILPOTT SYSTEM, SOUTHEASTERN POWER LLC FUNDING AGREEMENT. Motion carried 6-0 in favor of motion. Copy on file in Clerk's office.

ITEM 9: OLD BUSINESS

ITEM 9A: UPDATE ON COUNCIL CHAMBERS ADDITION – DISCUSSION RELATED TO SEATING OPTIONS

Manager Craft provided the Council with an update on the new Town Council chambers addition stating that construction was moving along very well at this time. Also, if construction continues to go well we may be able to have our August 6 meeting in the new facility. Manager Craft stated that he would like to decide on a potential date for a ribbon cutting.

After discussion, Sunday, August 5, 4 pm to 6 pm was tentatively set for a ribbon cutting and open house.

Manager Craft stated that the Council needed to make a final decision as to the interior furnishings, specifically the seating. The auditorium seats that were donated by the Lenoir County Board of Education that came from La Grange Elementary School are small (approximately 18 inches wide). These "auditorium style" seats will also provide adults very little arm and leg room. If these seats were to be installed and a decision

made later to replace these seats with a different type of seating, the flooring would have to be replaced.

Manager Craft provided the Council with information on options of several types and styles of chairs and ask for direction on how to proceed.

After discussion, it was the general consensus of the Council to allow Manager Craft to make the final decision on the selection of the chairs for the new Council chamber addition.

ITEM 9B: DISPOSITION OF 103 FLORIDA AVENUE

At the May 2007 Council meeting it was decided to reject Samuel Batts and Michael Hines' bid and offer to sell them the property for \$4,000. Manager Craft stated that after making that offer, Mr. Batts indicated that he wanted a little time to think about purchasing the property. As of this time, Manager Craft stated that he did not have a final answer.

Manager Craft informed the Council that he did have other interested persons in the property and with the Council's permission he will pursue selling the property after one final call to Samuel Batts. Permission was granted.

ITEM 9C: WASTEWATER TREATMENT PLANT & WATER SUPPLY SYSTEM IMPROVEMENTS – UPDATE ON THE RURAL CENTER GRANT TO FUND THE NEW WELL

Manager Craft discussed with the Council the potential for the Town to receive a grant up to \$300,000 from the Rural Center based on the job creations at the new Bojangles. He stated that he had been in contact with our engineering firm and it appears that the grant could be up to \$450,000.

Manager Craft told the Council that he needed a directive on which way to proceed with the grant because it would have implications for the Town in the future. As you know we have already talked about installing a deep well somewhere on the north side or west side of Town to eliminate some of the problems we are having feeding all our water supply with a 12' existing line from Little Baltimore. Also, as we are aware, the Town is faced with the problem of having to reduce our water supply or demand from the aquifer by 75% over the next 15 years. The Town made a wise decision to purchase water rights from the Town of Farmville which will carry the Town for a period of 23 years without additional needs.

Manager Craft further stated that while the Town has grant money possibilities, due to the job creations at the new Bojangles, the Town needs to explore the possibility of installing a shallow well at the same time while we have potential funding for half of the cost. The wells that we have now are 260' deep, if the Town were to drill into the Pee Dee aquifer around 90' deep, we could drill into that aquifer and pump water out. The reason that the Town did not look into it very hard before is because of the iron removal facility that would have to be installed. Since that time there have been some technological improvements to the filter system that makes it possible that we would be able to filter that water through a filter that would remove the iron. The question is how much iron is there and how much can those filters do. The only way to find out is to access that water bearing zone or aquifer and test the water quality and see if we can determine if the filter system works. If the filter system does work, then a well can be installed that is far less expensive because it is not as deep. By doing this, the Town would be able to meet our need for the first 25% of water reduction which begins August 2008 by drawing off the superficial well. State requirements are to acquire a piece of property, drill a test well on that site, and take a water sample and send it to Raleigh. From those tests, the State will tell us what has to be done to supply the water to the public.

The Town would have to take an option on a piece of property that would be at least 300' x 300' which is a little over two acres. Depending on negotiations, the option could

be around \$2,000 to \$3,000 to secure. We are probably looking at about two month's time to go through the process of a property option, drill the test well and test the water. These costs could be \$100,000 along with the engineering and permits.

The Town is on limited time to notify The Rural Center as to how much funding the Town is going to apply for as they will match dollar for dollar. The Town will have to spend our cost up front before The Rural Center distributes any matching monies. That is why the Town needs to make a decision on what level of improvements are needed.

Manager Craft further discussed with the Council that the well that had been drilled here at Town Hall for the purpose of irrigating the lawn, this well is in the water bearing zone proposed for the Pee Dee aquifer. Manager Craft is requesting to send two water samples for testing; one water sample from the well here at Town Hall; and, with the State's permission, a second water sample from the well that the State drilled at the Wastewater Treatment Plant. That would give the two water samples needed that come out of water bearing zones in the La Grange area. This would allow testing to see if it is possible and feasible to pursue a shallow well without having to spend money for property options, drilling a test well and related costs. The only cost would be the water tests for the two existing wells.

This would not guarantee that drilling a third well would work. These tests would allow us to learn if an iron filter system would work.

Lengthy discussion continued on the testing of water from the two sites, grant monies and matching monies from The Rural Center, as time is important on the Town letting The Rural Center know our wishes by June 26.

Motion was made by Council Member Koonce, seconded by Council Member Ellis to allow Manager Craft to pursue immediately water testing from the two wells sites for water quality and based on these results pursue additional funding to install wells within the Pee Dee aquifer. Motion carried 6-0 in favor of motion.

ITEM 10: CLOSED SESSION

Motion was made by Mayor Pro Tem Wooten, seconded by Council Member Thomas to go into Closed Session pursuant to N.C.G.S. 143-318.11(a) (6). Motion carried 6-0 in favor of motion.

Motion was made by Council Member Thomas, seconded by Council Member Gladney to return to Regular Session. Motion carried 6-0 in favor of motion.

ITEM 11: ANNOUNCEMENTS AND ADJOURNMENT

The Clerk read thank you notes directed to the Mayor and Council from Assistant Police Chief Jerry Davis on the death of his Mother and from Manager Craft on the death of his Grandmother.

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

Nelda H. Johnson, CMC, Town Clerk

Woodard H. Gurley, Mayor