

REGULAR MEETING

The Town Council of the Town of La Grange, North Carolina met in Regular Session at the Town Hall on August 2, 2010, at 6 p.m. with the following present:

Mayor Woodard H. Gurley; Mayor Pro Tem Bobby Wooten; Council Members Larry Gladney, Clifton Harrison, David S. Holmes, Veronica Lee and Gregory Rouse; Town Manager, John P. Craft; Town Attorney, George Jenkins, Jr.; Finance Director/Town Clerk, Kyle J. DeHaven

Guest: 6

Items 1, 2, 3: CALL TO ORDER, MOMENT OF SILENCE, WELCOME, SPECIAL PRESENTATION

Mayor Gurley called the meeting to order and asked for the moment of silence. Mayor Gurley gave a warm welcome to the visitors and citizens in attendance.

Mayor Gurley asked Town Manager Craft to recognize Mrs. Nelda Johnson for her exemplary service for her years of service and read a proclamation from the Town of La Grange stating such. Council Member Holmes then recognized Mrs. Johnson's services throughout his years with the fire department. He then presented her with a plaque recognizing her service to La Grange and the Fire Department. Mrs. Nelda Johnson then thanked the Mayor and Council, the Town Manager, and the Fire Department for the recognition and complimented the leadership of the town council, town manager, and the leaders in the fire department.

ITEM 4: PUBLIC HEARINGS

None

ITEM 5: BOARD OF ADJUSTMENTS

None

ITEM 6: PUBLIC COMMENT PERIOD

None

ITEM 7: APPROVAL OF THE AGENDA

Manager Craft recommended approval of the printed agenda with the addition of the following two items:

ITEM 9E: ANNUAL SETTLEMENT OF TAXES

ITEM 9F: DISCUSSION RELATED TO THE OPERATION OF GOLF CARTS ON THE CITY STREET

Motion was made by Council Member Wooten, seconded by Council Member Gladney to approve the printed agenda and the addition of the two items listed above. Motion carried 6-0 in favor of motion.

ITEM 8: APPROVAL OF CONSENT AGENDA

Manager Craft recommended approval of the June 7th, 2010 regular session minutes; June 10th, 2010 Recessed Session Minutes; and the June 28th, 2010 Special Session minutes. Manager Craft then recommended the approval of the Annual Contract with Wayne County for Fire Protection as part of the Consent Agenda.

Motion was made by Council Member Holmes, seconded by Council Member Gladney to approve the Items for Consent. Motion carried unanimously in favor of motion.

ITEM 9A: APPROVAL OF REVISED LAND LEASE; US CELLULAR

Manager Craft gave history of relationship with US Cellular; The Town of La Grange entered in to an agreement with US Cellular in September, 2007 to lease a portion of the wastewater treatment plant property to build a tower. The original agreement was \$900 a month lease fee upon commencement of construction with a one time \$900 option fee to begin construction. The \$900 monthly lease fee had scheduled increases in the lease payment based on the consumer price index. Near the end of the first contract, US Cellular approached the town seeking a 6 month extension which we would consider for an additional \$1800. They agreed. Original contract extended 6 additional months. Since that time, US Cellular has not constructed a cell tower and wishes to continue its option on the property for another year. After negotiation for the town, we would consider it for an additional \$1800 in option money and that they include the consumer price index increases missed over the previous 2 years while we have been waiting for them to construct it. They have agreed to these terms if the council agrees to them, too.

Manager Craft continued to explain that if the council saw fit to enter into this agreement, an \$1800 check would be mailed to the town, and when construction began, we would look back at the consumer price index increases from September 2007, to that current time to see what the monthly lease payment would be.

Manager Craft recommends approval of revised lease agreement, including extension of option.

Motion was made by Council Member Wooten , seconded by Council Member Harrison to approve revised lease agreement with US Cellular. Motion Carried unanimously in favor of motion.

ITEM 9B: CONSIDER EXPANSION TO EQUAL PAYMENT PLAN TO INCLUDE CHURCHES

Manager Craft explained the desire of churches to be included on an equal billing plan, already available to residential customers.

Manager Craft further explained that an equal payment plan is adding a customer's prior twelve months utility history consumption, and dividing it over an 11 month period with the 12 month as a settlement month. Usually in that twelfth month, the customer makes a smaller payment, if any.

Manager Craft goes on to explain that the current plan does not allow not non-residential customers to participate. But, with the wide swings of weather throughout the year, it may benefit churches to have the option of being part of this plan.

Manager Craft recommends if this plan is extended to include churches, that a minimum of 5 years history (60 months) be used in calculating these bills, with no more than 2 late payments and no disconnections in the past twelve months.

Motion to include churches in equal billing plan according to rules recommended by Town Manager Craft was made by Council Member Harrison, and seconded by Council Member Wooten. The motion carried unanimously in favor of the motion.

AGENDA ITEM 9C: APPROVAL OF ORDINANCE AMENDING THE FY 09-10 BUDGET

Manager Craft explained that a couple more budget amendments are needed to balance the remaining out of balance accounts on the 09/10 budget. These are to cover the cost of installation of surveillance system at the park to monitor the picnic shelter and playground, to over cost required to purchase additional recycle carts to comply with state landfill laws, to cover the cost of the purchase of land for the well project and engineering and design which will be reimbursed at a later date, and to cover the cost of installation of handrails at the wastewater treatment plant as required by OSHA.

Manager Craft recommended the aforementioned budget amendment be made to balance the ending FY 09-10 budget.

Motion to accept amendments to balance 09-10 budget made by Council Member Gladney, and seconded by Council Member Rouse. The motion carried unanimously in favor of the motion.

AGENDA ITEM 9D: FORMAL NAMING OF THE "HARVEY BUILDING"

Manager Craft explained the history of the Harvey building, how Mr. Harvey purchased the building for \$60,000 then immediately donated it to the town for a future Town Hall location. In time, views changed and the decision to build elsewhere prevailed. Since then, Mr. Harvey has been spoken to about the expansion of Lenoir Community College in that building to benefit the Town of La Grange. The building is now being used in the Main Street Solution Grant where Lenoir Community College will use it as a branch campus, bringing education to The Town of La Grange.

Manager Craft recommended that the building be formally named the Felix Harvey Building in honor of his donation.

Motion to formally name the building the Felix Harvey Building made by Council Member Gladney, Seconded by Council Member Holmes. The motion carried unanimously in favor of the motion.

AGENDA ITEM 9E: APPROVAL OF RESOLUTION ACCEPTING THE ANNUAL SETTLEMENT OF THE TAX COLLECTOR

Manager Craft explained a resolution of the annual tax settlement is available for approval according to NC General Statute. We have collected 92.5% of the current year's taxes.

Manager Craft then recommended the approval of accepting the resolution as written by Tax Collector Darrell Parrish.

Motion to accept the resolution as written by the county tax collector was made by Council Member Wooten, seconded by Council Member Rouse. The motion carried unanimously in favor of the motion.

AGENDA ITEM 9F: DISCUSSION RELATING TO POSSIBILITY OF ALLOWING GOLF CARTS TO OPERATE ON CITY STREETS

Manager Craft spoke of Council Member Rouse at an earlier meeting, allowing golf carts to operate on city streets. Manager Craft explained the different ways that towns across the state are handling this popular dilemma now faced by town's in North Carolina.

Attorney Jenkins and Officer Davis assisted Manager Craft in the explanation of what a street legal golf cart are; the vehicle must have brake lights, turn signals, windshield wipers, and registered how the council votes to have it registered. Attorney Jenkins explicated that it cannot be capable of exceeding a speed of 20 mph and cannot be operated on a street where the posted speed limit is greater than 35 mph, or operated by an individual under 16 years of age.

Discussion from council included the need of insurance on the vehicle and limits of territory they can travel.

Manager Craft explained the need to seek permission to research this issue in more depth for the council. Manager Craft asked for a consensus to research this in more depth.

Consensus to research this issue in greater depth carried 4 – 2, Gladney and Harrison against.

AGENDA ITEM 10A: UPDATE REGARDING THE DEMOLITION OF 108 W RAILROAD ST.

Manager Craft gave the floor to Mr. Heith Harrison to explain the progress he has seen at the said property.

Mr. Harrison explained that communication lines have been open between he and the property owner. He did however state that the property owner lack parts of the property being painted and a window needing installed in the rear. The time constraint the owner has agreed to is to have the front complete by the Garden Spot Festival, with a board covering the back window from the elements.

Mr. Mayor then congratulated the property owner on his progress and encouraged him to complete the work in the time frame he had agreed.

AGENDA ITEM 10B: UPDATE ON SPRAYGROUND & PARTF

Manager Craft explained the spray ground has been opened since July 2, 2010. He explained the pros and cons that have been associated with the spray ground since its inception. The area has not been stained in a beige color as of yet, but is planned in the next week.

Manager Craft talked of a ribbon cutting as some point with council approval and sought opinion and ideas in reference to a ribbon cutting. Mayor Gurley suggested that upon completion of the entire project may be an appropriate time for a ribbon cutting, Manager Craft agreed. No other comments for or against a ribbon cutting were suggested causing Manager Craft to believe that no ribbon cutting was wanted.

Manager Craft then spoke of the PARTF grant that was not awarded to the town in the May funding cycle, and that we are automatically considered for funding during the July cycle.

With no further comment, Manager Craft then spoke of the force main being laid, and the drying beds being laid at the wastewater treatment plant. The clarifier foundation is being built as we speak. A new pump station is needed to complete the project, and is

anticipated to arrive in 45 days pre-assembled. We anticipate the completion date to be January 7th 2011 for the entire project in which we are ahead of schedule and under budget.

Manager Craft then recommended the close of the regular meeting to be followed by a Closed Session meeting authorized by General State 143-318.11 (a) (6) (7) (8)

Motion to end the regular session as recommended made by Council Member Wooten, and seconded by Council Member Lee. The Motion carried unanimously in favor of the motion.

Kyle J. DeHaven, Town Clerk

Woodard H. Gurley, Mayor