

REGULAR MEETING

The Town Council of the Town of La Grange, North Carolina met in Regular Session at the Town Hall on September 13, 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.; Town Clerk, Kyle J. DeHaven.

Absent: 0

Guest: 15

ITEMS 1, 2, 3: CALL TO ORDER, MOMENT OF SILENCE, WELCOME

ITEM 4: PUBLIC HEARINGS

A.) Lake Pines Drive Rezoning

Manager Craft explained the need to rezone 4 properties. Parcel number 16542 - R10, 16543 – AR, 37298 – R10, 37299 – R18 all needed to be zoned R-18. Manager Craft further explained that the rezoning issue was advertised in the Weekly Gazette, Notices were mailed to the adjoining property owners, the Planning Board received public comment with no opposition, and that owners of the affected property support the rezoning.

Manager Craft then stated he and the staff recommend rezoning the aforementioned parcel R – 18 residential.

Mayor Gurley Proceeded to open the Public Hearing

No comments from the Public or the Council were received.

Motion to Rezone parcel number 16542, 16543, and 37298 to R – 18 residential made by Council Member Wooten, second by Council Member Lee. Motion carried unanimously.

B.) 108 & 110 W. Washington St. Rezoning

Manager Craft explained the Planning Board had unanimously recommended rezoning both of these properties to R – 10. They had voted this way because of the harm they were causing surrounding properties, and the environmental damage they were causing.

Manager Craft further explained that the owners of 110 W. Washington St. supported the rezoning of their property to R- 10 or R – 12, while the owners of W. Washington St. wished their property remain DD (Downtown District). In an effort to remain DD, The owner of 108 W. Washington St. agreed to install screening adjacent to 110 W. Washington St. to lessen negative impact if 110 W. Washington St. is rezoned residential.

Manager Craft then explained that if 108 W. Washington St. were residentially zoned, the property owner could continue using the property as a vehicle repair shop until such time that the cost to repair the structure exceeded 50% of the value of the structure. He then explained that if it continued to be DD, the property could continue to be used as it had been, and that Mr. Lang, had proposed operating the parcel as a farmers market in the near future, not a vehicle repair shop.

Manager Craft then explained the alternative for 110 W. Washington St. that if it were rezoned, residential, the property would have to be rebuilt for residential

use. If the property is not rezoned, the property would continue as a non-conforming use and could be rebuilt unless the cost to repair the property exceeded 50% of its value or the nonconforming use ceased for more than 6 months.

Manger Craft then recommended the rezoning of 110 W. Washington St. to R – 12, to prevent manufactured homes from being installed, and tabling action on 108 W. Washington St. until the November 1, 2010 Council meeting to determine the best course of action for that property. If it is determined that 108 W. Washington St. be residentially zoned, it be zoned R – 12.

Mayor Gurley proceeded to open the Public Hearing

Laura Lang-Tribula of 4720 Shelley Dr., La Grange, spoke against the idea of changing the zoning of the property and spoke well of recent improvements to the property. The current tenants last day is 9-15-2010 and will be the last tenant to operate as a garage. She and her father have been brainstorming for what to do with the property to benefit both the town and themselves. They are looking into the property becoming a farmers market. They are looking for a stable, functional business that can operate year round.

Sid Myers of 110 W. Washington St. spoke well of the recent improvements to 108 W. Washington, but did mention a better good neighbor policy needed to be upheld. He spoke of the downward spiral the property had taken over the years and was disappointed it took this long for a change to occur. He again applauded the recent improvements and hoped for the positive continued change.

Motion to close the public hearing made by Council Member Clifton Harrison, seconded by Council Member David Holmes

Motion to rezone 110 W. Washington St. to R-12 as recommended by town staff was made by Council Member Bobby Wooten, seconded by Council Member Larry Gladney. Motion carried unanimously.

Motion to table action on 108 W. Washington St. until the November meeting was made by Council Member Wooten, seconded by Council Member Gladney. Motion carried unanimously.

ITEM 5: BOARD OF ADJUSTMENTS

Variance recommended by Town staff for Rightsell Property, Lake Pines Farm Subdivision

Manager Craft explained that when the original Lake Pines Subdivision was created, they planned for its expansion by leaving 60' accesses which at the time was ample for the town. At the time, there was no subdivision ordinance requiring a 66' access, which is the DOT standard. Since going from a 66' access to a 60' access will cause a bottleneck, we recommend allowing the variance of 6' in this circumstance.

Motion to grant variance from 66' to 60' in Rightsell Property, Lake Pines Farms subdivision was made by Council Member Larry Gladney, seconded by Council Member Lee. Motion Carried Unanimously.

ITEM 6: PUBLIC COMMENT PERIOD

None

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

Manager Craft recommended the approval of the Agenda with the deletion of agenda item 9C

Motion was made by Council Member Gladney, seconded by Council Member Lee to approve the printed agenda with the deletion of item 9C. Motion carried 6-0 in favor of motion.

ITEM 8: CONSENT AGENDA

Manager Craft recommended the approval of August 2nd, 2010 Regular Session Minutes, Rescheduling of the October Council meeting from the 4th to the 11th, and amendment of the Water Shortage Response Plan.

Motion was made by Council Member Gladney, seconded by Council Member Rouse to approve the consent agendas. Motion carried unanimously in favor of motion.

ITEM 9A: APPROVAL OF SUBDIVISION PLAT: RIGHTSSELL PROPERTY

Manager Craft explained that the Planning board had recently recommended the approval of the final plat of the Rightsell subdivisions plat. With the plats being larger than 10 acres, they are exempt from paving requirements stated in the General Statutes.

Motion made to approve the subdivision plat as recommended by town staff made by Council Member Gladney, seconded by Council Member Harrison. Motion carried in favor unanimously.

ITEM 9B: APPROVAL OF PLANS, SCHEDULE, AND BUDGET FOR WELL CONSTRUCTION PROJECT

Manager Craft explained the town is in the process of building two new wells drawing from the Black Creek aquifer. They are between 100' -110'. These wells are necessary for compliance with the Central Coastal Plain Capacity Use Regulation. One well is located off North Caswell St. on property we recently acquired from Bob Mooring, and the other is off Ed Herring Road which we are exercising an option to purchase from Peter Taylor Heirs.

Manager Craft further explained that we need approval of the specifications which we have provided for your review and is recommended by town staff, the approval of a tentative schedule for timeline of construction, and the budget, which is \$700,000 which half is funded by NC Rural Center Economic Development Grant, and the other half is a USDA Loan. Manager Craft then introduced Jeff Thompsom, an engineer with Hobbs Upchrch & Associates, who is present to further explain the study and answer any questions.

Jeff Thompson further reiterated what Manager Craft had explained, then explained that these wells are more productive than originally anticipated. These wells' water quality is not as good as we anticipated, but we have found an economic process to purify this water through our test wells. Mr. Thompson then explained that USDA funding requires the town to formally adopt the plans prior to accepting bids for work.

Motion to approve plans as recommended by Manager Craft was made by Council Member Wooten, seconded by Council Member Harrison. Motion carried unanimously.

ITEM 9D: EXTENSION OF EXTRATERRITORIAL JURSDICTION; ACCELERATION OF CONSTRUCTION OF PHASE 2 OF GOLDSBORO BYPASS

Manager Craft explained that at a recent meeting he and the Mayor attended with DOT, they were considering the possible acceleration of the construction of the second phase of the Goldsboro Bypass. The construction could potentially begin in 2011 and be completed in 2015 if the proper steps are taken. Acceleration of this project will positively affect the town by bringing development around the interchange, which will spill into surrounding areas with feeder businesses.

Manager Craft further explained the need to extend the ETJ is due to NCDOT requiring environmental protection through developmental impact minimization.

Manager Craft then explained how to extend the ETJ, and recommended that the Council must direct the Mayor and Manager begin the process to extend the ETJ and present this to the Lenoir County Board of Commissioners. The Lenoir County Manger is in support of this extension and the acceleration of the Goldsboro Bypass. The date which it would be heard by the Lenoir County Board of Commissioners is September 20, 2010.

Manager Craft went on to explain that the Town of La Grange wants to comply with the regulations set before them, although we are not intending to go beyond minimums requirements for impervious surface limits and stream buffers. The town would be required to provide building inspections and planning services to the added areas as well as enforce subdivision regulations.

Manager Craft recommends taking the necessary steps to extend the ETJ to accelerate construction of Phase 2 of the Goldsboro bypass to improve economic development opportunities, improve the mobility of citizens, and to receive an interstate designation for Highway 70 if at all possible.

Motion to take recommended steps to extend ETJ to accelerate Phase 2 of the Goldsboro Bypass was made by Council Member Wooten, seconded by Council Member Gladney. Motion carried unanimously.

ITEM 10A: UPDATE ON SPRAYGROUND & PARTF

Manager Craft updated the Council about the spray ground and its constant use and positive feedback from the community. He then spoke of future upkeep needed to keep the park operational and finishing touches for the area.

Manager Craft spoke of the PARTF grant that was not funded for either cycle of this current year. He then spoke of the need to discuss future opportunities to pursue this grant at a later date.

ITEM 10B: UPDATE ON WWTP IMPROVEMENTS

Manager Craft told the Council of the installation of the pump station, and that the force main is 95% complete, as well as clarifier number 4 being formed with backfilling beginning next week.

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) to approve previous closed session minutes.

Motion to adjourn regular session was made by Council Member Wooten, seconded by Council Member Holmes. Motion carried unanimously.

ITEM 11A: CLOSED SESSION

Motion to approve closed session minutes from August 2, 2010 was made by Council Member Gladney, seconded by Council Member Lee. Motion carried unanimously.

Motion to close closed session was made by Council Member Wooten, seconded by Council Member Gladney. Motion carried unanimously.

ITEM 12: ADJOURNMENT

Motion to adjourn September 13, 2010 meeting was made by Council Member Holmes, seconded by Council Member Lee. Motion carried unanimously.