

**TOWN OF LONG VIEW  
BOARD OF ALDERMEN MEETING  
MARCH 12, 2018**

The Town of Long View Board of Aldermen met on Monday, March 12, 2018 at 7:30 p.m. in the Town Council Chambers of the Government Center in Long View, North Carolina.

**BOARD MEMBERS PRESENT:** The following members of the Board were present: Mayor Marla G. Thompson, Mayor Pro Tem/Alderman Randall Mays, Alderman David Elder, Alderman Gary Lingerfelt, Alderman Dallas Tester, and Alderman Thurman VanHorn.

**STAFF PRESENT:** The following members of staff were present: Town Administrator David Draughn, Town Clerk Stephanie Watson, Finance Director James Cozart, Town Planner Charles Mullis, Public Works Director Chris Eckard, Fire Chief James Brinkley, Police Chief Michael Winters, Major Justin Roberts, Officer Christopher Huffman.

**OTHERS PRESENT:** The following people were present: Phyllis Pennington, Wanda and Grady Coffin, Mark Hefner, and Billy Rice.

**MEETING CALLED TO ORDER:** Mayor Marla Thompson called the meeting to order and Alderman Gary Lingerfelt gave the invocation.

**APPROVAL OF MINUTES:** Mayor Marla Thompson asked for approval of the minutes.

Motion was made by Alderman Thurman VanHorn, seconded by Alderman David Elder to approve the February 12, 2018 Regular Meeting Minutes. The vote to approve was unanimous.

**CALL FOR A PUBLIC HEARING DURING THE MONDAY, APRIL 9, 2018 BOARD OF ALDERMEN MEETING TO DISCUSS THE RE-ZONING OF PROPERTY AT 2533 8<sup>TH</sup> AVE NW – TOWN PLANNER CHARLES MULLIS**

Town Planner Charles Mullis stated that the Town of Long View Planning Department has received an Application for Re-zoning from Glenn R. Winkler, Jr. to rezone the property at 2533 8<sup>th</sup> Ave NW from the ED (Economic Development) District to the R-2 (Residential) District. He requested a motion from the Board of Aldermen to call for a public hearing for next month's regularly scheduled meeting, to be held on Monday, April 9, 2018 in order to receive public input concerning the proposed re-zoning of the property at 2533 8<sup>th</sup> Ave NW.

Mr. Mullis informed those present that the Planning Board would meet this Thursday at 6:30 p.m. to look over this in detail and will have a recommendation to present at next month's Board of Aldermen Meeting.

Motion was made by Alderman Randall Mays, seconded by Alderman Thurman VanHorn to call for a public hearing on Monday, April 9, 2018 in order to receive public input concerning the proposed re-zoning of the property at 2533 8<sup>th</sup> Ave NW. The vote to approve was unanimous.

**CATAWBA COUNTY LANDFILL CONTRACT – TOWN ADMINISTRATOR DAVID DRAUGHN**

Town Administrator David Draughn informed the Board that he had received from Catawba County Manager Mick Berry a letter and the Agreement for Disposal of Household and Commercial Waste. The Agreement has already been approved by the Catawba County Board of Commissioners. The current agreement ends June 30, 2018 and it called for tipping fee increases based on CPI annually. Up to this point, the County has chosen to absorb those fees instead of passing it on. The new contract will automatically increase tipping fees based on the CPI or 2%, whichever is highest, as of July 1<sup>st</sup>. The County is doing this because the current landfill is close to being full and they will have to expand soon. This has been discussed and the Town believes this to be a reasonable request. The only other option for the Town would be to use another landfill.

Alderman Randall Mays asked how the Town would budget for this. Would 2% be the max?

Mr. Draughn stated that 2% would be the max. Right now, the tipping fee is \$35.00. The new fee would add about \$0.70 per ton. The Town has been low in that line item, so there should be no need to change it right now. The only thing the Town pays tipping fees for is the Thursday junk route. He stated that they would run the numbers to check again by the May budget workshop.

Motion was made by Alderman David Elder, seconded by Alderman Thurman VanHorn to accept the Agreement for Disposal of Household and Commercial Waste. The vote to approve was unanimous.

**STATE OF NORTH CAROLINA  
COUNTY OF CATAWBA**

**AGREEMENT FOR  
DISPOSAL OF HOUSEHOLD  
AND COMMERCIAL WASTE**

**THIS AGREEMENT** made the \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_ between **CATAWBA COUNTY**, a body politic, corporate in nature, or governmental agency existing by virtue of the laws of the State of North Carolina, having a mailing address of Post Office Box 389, Newton, North Carolina 28658, (hereinafter referred to as "County"); and the **TOWN OF LONG VIEW**, a North Carolina Municipal Corporation having a mailing address of 2401 1<sup>st</sup> Avenue SW, Long View, NC 28602, (hereinafter referred to as "Municipality"), and;

**WHEREAS**, County and Municipality have the authority pursuant to North Carolina General Statute §153A-445(a)(1) and Article 20, Part 1 of Chapter 160A to take the actions contemplated under this Agreement; and

**WHEREAS**, County currently owns and operates landfills, and is engaged in the enterprise of managing, operating, and maintaining the landfills and managing Municipal Solid Waste, construction and demolition waste, yard waste, household hazardous waste, and waste recyclables, including the disposal of such wastes, within County boundaries; and

**WHEREAS**, Municipality is responsible for the collection of solid waste and recyclables within its municipal jurisdiction; and

**WHEREAS**, County has historically accepted, managed, and disposed of municipal solid waste collected within the Municipality's municipal jurisdiction; and

**NOW THEREFORE**, the parties agree as follows:

1. Municipality agrees to bring all household and commercial waste it collects within its municipal limits, with no guarantee on the amount of tonnage, to the Catawba County landfill. The initial term of this Agreement shall be July 1, 2018 through June 30, 2028. The Agreement shall automatically renew for one additional five (5) year term unless either party notifies the other party in writing sixty (60) days prior to the expiration of the initial term that it does not want to renew the Agreement.
2. Agreement specifically does not include recyclable materials collected separately either by Municipality or by contractor on behalf of Municipality. This includes standard recyclables. Both entities agree to explore projects/opportunities which will increase the overall recycling in the community and or reduce the cost of recycling (joint composting facility etc).
3. Should Municipality deliver yard waste to County's landfill (trees, root balls, limbs, branches, leaves, grass clippings, etc.), County agrees these materials may be comingled provided comingled yard waste does not interfere with County's ability to maintain compliance with Federal, State, and Local laws, regulations, and permits. Municipality

agrees all such materials will be either unbagged or in biodegradable bags. County agrees to accept and grind all yard waste received from Municipality. County agrees to not charge Municipality any fees for yard waste Municipality delivers to County's yard waste site or to the Landfill. County further agrees to allow Municipality to obtain up to, but not more than 50% by weight of the mulch created from the ground yard waste for marketing to Municipality's customers and beautification of Municipality's properties and to not charge Municipality any fees for the mulch.

4. County guarantees current tipping fees for Municipal Solid Waste (MSW) will not increase in any one year by more than two (2) percent or the Consumer Price Index (CPI), whichever is greater. The fee change shall be based on the one year change in the CPI for All Urban Consumers (CPI-U): U.S. city average, by expenditure category (Water and sewer and trash collection services), as published for the month of December of the preceding year. The tipping fee may be adjusted annually effective July 1 each year. County agrees that as of the effective date of this Agreement, the total disposal fee is \$35.00 per ton.
5. County guarantees the Construction and Demolition (C&D) landfill tipping fee will not increase in any one year by more than \$1 per ton until the C&D landfill closes, which is anticipated to occur in 2023. The tipping fee may be adjusted annually effective July 1 each year. County agrees that as of the effective date of this Agreement, the total disposal fee is \$24.00 per ton.
6. County reserves the right to increase tipping fees outside the constraints of this contract in the event Federal, State, or Local laws or regulations governing the handling and disposing of MSW or C&D wastes require changes in design, operations, or management of the County's landfills including, but not limited to, increased taxation, permitting, and mitigation.
7. County agrees to aggressively pursue policies which are beneficial to Municipality's strategic objectives, i.e. the economic development fee waiver program of C&D charges for vacant building demolition waste as approved by the Catawba Economic Development Corporation Board of Directors.
8. To the extent allowed by law, County and Municipality shall indemnify, defend and hold harmless each other, their elected officials, agents, representatives and employees from any and all costs, expenses or liabilities including costs, expenses or liabilities to third parties and attorney's fees.
9. All notices required shall be deemed to have been properly served when delivered via Certified United States Mail, Postage Prepaid, Return Receipt Requested to the following:

County  
County of Catawba  
Post Office Box 389  
Newton, North Carolina 28658  
Attention: County Manager

Municipality  
Town of Long View  
2401 1<sup>st</sup> Avenue SW  
Long View, NC 28602  
Attention: Town Administrator

10. This Agreement constitutes the entire understanding between the parties and supersedes any prior agreements, whether oral or written, related to the matters contained within this Agreement. Any change or modification of this Agreement must be in writing signed by both parties.

11. This Agreement shall be governed by and interpreted in accordance with the laws of the State of North Carolina.

**IN WITNESS WHEREOF**, the parties have executed this agreement on the day and year first above written.

COUNTY OF CATAWBA, NORTH CAROLINA

By: \_\_\_\_\_  
C. Randall Isenhower, Chair

(SEAL)  
Attest:

By: \_\_\_\_\_  
Clerk to the Board

TOWN OF LONG VIEW, NORTH CAROLINA

By: \_\_\_\_\_  
Marla Thompson, Mayor

(SEAL)  
Attest:

By: \_\_\_\_\_  
Stephanie Watson, Town Clerk

**INSTRUMENT** has been preaudited in the manner required by the Local Government Budget and Fiscal Control Act as amended.

Date: \_\_\_\_\_

\_\_\_\_\_  
Robert Miracle, Chief Financial Officer

APPROVED AS TO FORM

Date: \_\_\_\_\_

\_\_\_\_\_  
Debra Bechtel, County Attorney

**INSTRUMENT** has been preaudited in the manner required by the Local Government Budget and Fiscal Control Act as amended.

Date: \_\_\_\_\_

\_\_\_\_\_  
James Cozart, Finance Director

APPROVED AS TO FORM

Date: \_\_\_\_\_

\_\_\_\_\_  
Jimmy R. Summerlin, Jr., Town Attorney

**SENIOR CENTER DISCUSSION – TOWN ADMINISTRATOR DAVID DRAUGHN/MAYOR MARLA THOMPSON**

Mayor Marla Thompson stated that she had been in contact with Pastor Art Randall of the Long View Seventh Adventist Church to discuss some things that can be done for the senior citizens of Long View. Prior to this discussion, she had met with volunteers about doing some activities with local senior citizens. Pastor Randall's church would like to offer a warm meal to senior citizens one day a week, on Wednesday from 10:00 a.m. until 2:00 p.m. There will activities to do for them. She has spoken with law enforcement and the fire department about teaching classes.

The church would prepare the food at their facility and would deliver the food to the Recreation Center around lunch time. There will be volunteers. Ms. Pennington has stated that she would be able to be over the volunteers to help out. The volunteers would be responsible for cleaning up and making sure everything in put back up before they leave.

Mayor Thompson stated that the request was to waive the fees for the Recreation Center Rental so that the Town can do a Senior Citizen Program.

Alderman Randall Mays asked if the church was providing the meal at no cost to citizens.

Mayor Thompson stated that senior citizens would not be charged. Pastor Randall was planning to speak with other churches and businesses in the area to see if they would offer donations or take a turn preparing a meal. The church would prepare the meal, bring it to the Recreation Center and handle cleanup.

Alderman Elder asked if there has been any discussion regarding providing transportation to the Recreation Center.

Mayor Thompson stated that they are working on transportation. She has spoken with volunteers about them offering a ride to senior citizens.

Alderman Elder asked if there was a call-in center to request transportation.

Mayor Thompson stated that the call-in center has not been discussed yet. On the first day of the Senior Meal, seniors will be asked to register so that there will be contact information. It is a work in progress so there will be a few things to work out.

Alderman Mays asked if this idea was something that has been requested by citizens or is it something that the Pastor came up with.

Mayor Thompson stated that she had several people ask about the Town doing something for the senior citizens. Originally there was no talk about food but there was talk about having activities and giving opportunities to socialize. The Pastor approached her with the intent to do something for the senior citizens and suggested doing the food.

Mayor Thompson stated that the minimum age would be 55 years old as that is what is considered senior citizen.

Alderman Elder stated that he liked it.

Alderman Lingerfelt stated that he felt it was a good idea.

Alderman VanHorn stated that it was good anytime you can help your seniors. It would be closer for them than going to Hildebran. Some of the seniors will go to the Hildebran center and they have asked him if it is something that the Town has thought about doing at the Recreation Center. It is something to take a look at.

Mayor Thompson stated that she had been approached with this and so has Alderman VanHorn, so they have discussed this before. It will take time to get it started. Volunteers will be needed. Mr. Pennington has been great to help with it.

Alderman Tester stated that this would be something close to his heart. He likes it.

Motion was made by Alderman Thurman VanHorn, seconded by Alderman Gary Lingerfelt to approve the reservation and fee waiver for the weekly Senior Meal and Activity Program that is to begin April 2018. The vote to approve was unanimous.

#### **FINANCE REPORT – FINANCE DIRECTOR JAMES COZART**

##### **General Fund**

Finance Director James Cozart stated that in the General Fund at February 28<sup>th</sup>, with 67% of the fiscal year complete, revenues were \$2,778,652.01. The Town had collected 77.01% of its budgeted revenues for the year.

Expenditures at February 28<sup>th</sup> were \$2,241,960.99.

Revenue exceeded expenditures in the General Fund by \$536,691.02.

##### **Utility Fund**

In the Utility Fund, with 67% of the budget year complete, revenues were \$1,290,228.61. The Town has collected 66.77% of budgeted revenues.

Expenditures were \$1,222,572.77.

Revenues exceeded expenses by \$67,655.84.

#### **ADMINISTRATOR'S REPORT – TOWN ADMINISTRATOR DAVID DRAUGHN**

##### **Festival Update**

Town Administrator David Draughn informed the Board that at the next Board of Aldermen Meeting there would be a detailed festival update.

##### **Pre-Construction Meeting**

Town Administrator David Draughn informed the Board that they had the Pre-construction Meeting last week for the Shuford Area Water and Sewer Replacement Project. The begin date of April 29<sup>th</sup> was decided on with the contractor Two Brothers. The contract time will be 240 calendar days for substantial completion and 270 calendar days for final completion with liquidated damages set at \$1,000 per day beyond the final completion dates.



All the terms of the contract have been met so far and all inspections have been set up.

**Police Appreciation Day on Friday, April 20, 2018 at the Long View Recreation Center**

Town Administrator David Draughn informed the Board that the Town has been asked to host a Police/Fire/EMS Appreciation Day. He asked Officer Christopher Huffman, who is working with the community college to organize the event, to speak a little about it.

Officer Huffman stated that he has partnered with CVCC's President of Criminal Justice Club. The intent is to do a spinoff of Police Night Out in the community. It will have EMS and Fire Departments added to it. Carolina Medical Center and the Forest Service will bring in helicopters. There will be a DJ and a Magician. Currently they are working with a local church to bring in inflatables. The plan is to also give out approximately 500 free hot dogs, chips, and drinks in the community.

He spoke with the Lieutenant at Conover and typically they have over 1,200 people show up for their Police Night Out. Police Night Out typically falls in August or October. The goal is to draw more people to this area by having it on a different date. It is a free community event to help out the community.

The event will be held at the Long View Recreation Center on April 20<sup>th</sup> from 4:00 p.m. until 7:00 p.m. The goal is to have every Burke and Catawba County Police and Fire agency represented.

There was a brief discussion about the date of the event.

Alderman VanHorn asked if this event could be posted to the Town's webpage and Facebook page.

Ms. Stephanie Watson stated that it could be posted.

**OTHER BUSINESS**

A resident on Old Shelby Road/33<sup>rd</sup> St SW stated that there had been a traffic increase down that road. There have been a lot of trucks coming down that road because of the access to I-40. The trucks have a better access to the Airport Road and 321 to the Hickory access, which would save a lot of wear and tear on that road. The state-maintained road has begun to take damage. The edges of the road are beginning to break off. There are muddy ditches on both sides. A lot of the transfer trucks have been speeding up the road and riding the ditches. There are ditches about 6 or 8 inches deep. It will eventually cause major accidents when someone rides off into the ditch. The main problem seems to be that there is no shoulder on the road. There is a lot of traffic down that road. He asked why a section of the road could be set up as a non-truck route. Other roads are in a lot better shape than 33<sup>rd</sup> St SW. The road is starting to deteriorate and it is getting dangerous. The worst area is from Caldwell TV to the bridge.

The same resident asked why the Town was allowed to let the arcade/gambling games on Hwy 70. Is there anything that can be done to get those out of Town?

Alderman Tester stated that there were some of the Board that are already talking about this matter.

Alderman Randall Mays stated that the gaming industry is ahead of the North Carolina legislature. Every time the NC legislature makes a change, the gaming industry makes enough of a change to get them past the law. That is the way it has been. They know the ins and out and have deep pockets.

The resident stated that the gaming is very concerning to citizens. The gamers have a choice but it is like any other addiction, if you take it away, you don't have a problem.

Alderman Tester spoke briefly about the calls the Police Department receives from those gaming places.

Alderman Randall Mays spoke about 33<sup>rd</sup> St SW. Originally, when the intersection was put in, it was a two-phase project. The second phase has been on the boards for a long time and the last projection he heard was 2019. When the State redid the regulations, things changed. It is a Department of Transportation project and complaints need to be addressed to them.

The resident stated that he had called the DOT three times. Right now, it is no big deal but it is getting to the point where it will become a major problem. He has added rocks to sections of the road so it will not cave off.

Another resident asked about the noise ordinance in the Town.

Town Planner Charles Mullis stated that the Town does have a noise ordinance but he couldn't recall what the decibel level had to be to be in violation. During the daylight hours, it is hard to violate the noise ordinance. During night time hours, it is not as hard to do. The Police Department handles most of those cases because they usually occur at night.

Police Chief Michael Winters stated that if a person can hear the noise from 50 feet away, it would be in violation.

The resident stated that one of his neighbors has the loud base type music. He did not know which neighbor but he would find out and let the Police know. It happens a lot in the evenings and it vibrates the windows in his house.

The second resident also spoke about 33<sup>rd</sup> St SW. There are areas of the road where the white line has disappeared. It has damaged people's tires.

#### **ADJOURNMENT**

Alderman David Elder stated that he felt that the Senior Citizen Program would be a big plus. It could be something for the Town to build on.

Alderman Dallas Tester stated that he knew this was not church but he wanted to go on the record for thanking God. God is good.

Mayor Marla Thompson wished everyone a safe ride home. She thanked everyone for coming.

There being no further business, motion was made by Alderman Thurman VanHorn, seconded by Alderman David Elder to adjourn the meeting at 8:03 p.m. The vote to approve was unanimous.

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Stephanie C. Watson  
Town Clerk, CMC, NCCMC

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Marla G. Thompson  
Mayor