



**TOWN OF LONG VIEW
BOARD OF ALDERMEN
REGULAR MEETING MINUTES
MONDAY, APRIL 12, 2021 AT 6:30 PM**

The Town of Long View Board of Aldermen met in the Council Chambers of Long View Town Hall on Monday, April 12, 2021 at 6:30 p.m. Due to social distancing guidelines regarding COVID-19, the meeting was held over Zoom software and attendees were both physically present and electronically present.

BOARD MEMBERS PRESENT (Physically): The following members of the Board were present: Mayor Marla Thompson, Mayor Pro Tempore / Alderman Randall Mays, Alderman Gary Lingerfelt, Alderman Dallas Tester, and Alderman Thurman VanHorn.

BOARD MEMBERS PRESENT (Electronically): The following members of the Board participated electronically: Alderman David Elder.

STAFF MEMBERS PRESENT (Physically): The following members of staff were present: Town Administrator David Draughn, Town Clerk Stephanie Watson, Town Attorney Jimmy Summerlin, Jr., Finance Director James Cozart, Town Planner Charles Mullis, Public Works Director Chris Eckard, Fire Chief James Brinkley, Police Chief T.J. Bates, Deputy Fire Chief Tyler Keener, and Deputy Police Chief Charles Morris.

STAFF MEMBERS PRESENT (Electronically): The following member of staff participated electronically: No others present.

OTHERS PRESENT (Electronically): The following people were present over Zoom: Adrienne Opdyke, Executive Director of the Children's Advocacy and Protection Center.

OTHERS PRESENT (Physically): The following people were present physically: No others present.

MEETING CALLED TO ORDER: Mayor Marla Thompson called the meeting to order, and Alderman Randall Mays gave the invocation.

APPROVAL OF MINUTES: Motion was made by Alderman Randall Mays, seconded by Alderman Gary Lingerfelt to approve the March 8, 2021 Regular Meeting Minutes and March 22, 2021 Special Meeting Minutes. The vote to approve was unanimous.

AYES:	Mayor Pro Tempore / Alderman Randall Mays Alderman David Elder Alderman Gary Lingerfelt Alderman Dallas Tester Alderman Thurman VanHorn
NOES:	None

**ADOPTION OF THE CHILD ABUSE PREVENTION MONTH PROCLAMATION – ADRIENNE OPDYKE,
EXECUTIVE DIRECTOR OF THE CHILDREN'S ADVOCACY AND PROTECTION CENTER**

Adrienne Opdyke thanked the Board for letting her be a part of the meeting and for including the Child Abuse Prevention Month Proclamation as part of the agenda. The message behind the 2021 campaign is "To Be a Connection" as we all know that connections with children can change the course of their lives. This is something that each of us can do. She appreciated everyone for sharing this with the community, for bringing awareness, and for being committed to children.

Motion was made by Alderman Thurman Vanhorn, seconded by Alderman Gary Lingerfelt to adopt the Child Abuse Prevention Month Proclamation. The vote to approve was unanimous.

AYES:	Mayor Pro Tempore / Alderman Randall Mays
	Alderman David Elder
	Alderman Gary Lingerfelt
	Alderman Dallas Tester
	Alderman Thurman VanHorn
NOES:	None

Alderman Randall Mays wished to thank Adrienne Opdyke for all the work that she does to prevent child abuse in the community.

Long View

PROCLAMATION

- Whereas,** children are vital to our city's future success, prosperity and quality of life as well as being our most vulnerable assets;
- Whereas,** all children deserve to have the safe, stable, nurturing homes and communities they need to foster their healthy growth and development;
- Whereas,** child abuse and neglect is a community responsibility affecting both the current and future quality of life of a community;
- Whereas,** communities that provide parents with the social support, knowledge of parenting and child development and concrete resources they need to cope with stress and nurture their children ensure all children grow to their full potential;
- Whereas,** effective child abuse prevention strategies succeed because of partnerships created among citizens, human service agencies, schools, faith communities, health care providers, civic organizations, law enforcement agencies, and the business community;

NOW, THEREFORE, I, MARLA THOMPSON, MAYOR OF THE TOWN OF LONG VIEW, NORTH CAROLINA, DO HEREBY PROCLAIM THE MONTH OF APRIL 2021 AS

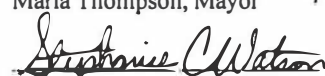
CHILD ABUSE PREVENTION MONTH

In the Town of Long View and call upon all citizens, community agencies, faith groups, medical facilities, elected leaders and businesses to increase their participation in efforts to support families, thereby preventing child abuse and strengthening the community in which we live.

Dated this 12th Day of April, 2021.




Marla Thompson, Mayor


Stephanie Watson, Town Clerk

DISCUSSION OF RESOLUTION OPPOSING BILL 288 – TOWN ADMINISTRATOR DAVID DRAUGHN

Town Administrator David Draughn explained to the Board that Senate Bill 288 was introduced by Burke County Senator Warren Daniel. The essence of the Bill would be to move municipal elections in Burke County from odd number years to even number years. This would also include School Board Elections. We were told that Long View is going to be included in this Bill but as of the current meeting date, it has not happened yet. This is an overreach, in his opinion, by one member of the General Assembly.

The arguments to keep municipal elections in the odd numbered years are: (1) keeping municipal elections and issues to the forefront and (2) keeping municipal elections less partisan.

Mr. Draughn and Mayor Thompson attended a press conference with all the other Mayors in Burke County when this originally came out and they voiced their opposition to the Bill.

All Towns in Burke County have decided to do a resolution to oppose this Bill. They have spoken with Jay Adams. Warren Woods talked to Senator Proctor in Catawba County. If the Board adopts this resolution tonight, he and Mayor Thompson will draft a letter on the Board's behalf and send it to Senator Warren Daniel, Senator Dean Proctor, Representative Hugh Blackwell, and Representative Jay Adams.

This Bill has not been filed anywhere else in North Carolina except Burke County.

Alderman Mays stated that he opposed the Bill because it would be too confusing to Long View citizens that live in the Burke County area. It would cause a lot of issues.

Alderman Tester stated that he felt the reasons for the Bill were nefarious and he was not for it. He felt that there was not a good reason to do it.

Motion was made by Alderman Dallas Tester, seconded by Alderman Thurman VanHorn to adopt the Resolution Opposing Senate Bill 288. The vote to approve was unanimous.

AYES:	Mayor Pro Tempore / Alderman Randall Mays
	Alderman David Elder
	Alderman Gary Lingerfelt
	Alderman Dallas Tester
	Alderman Thurman VanHorn
NOES:	None



TOWN OF LONG VIEW

2404 1st AVENUE SOUTHWEST
LONG VIEW, NC 28602
TELEPHONE: (828) 322-3921 FAX: (828) 578-6637

RESOLUTION OPPOSING SENATE BILL 288

WHEREAS, the Town of Long View has become aware, through telephone contacts from individuals not in the legislature, that a "local bill", designated Senate Bill 288, has been filed in the North Carolina General Assembly by Senator Warren Daniel, who represents all of Burke County; and

WHEREAS, Senate Bill 288 would amend the Charter of the Town of Long View and the Charters of most other municipalities in Burke County, and it would amend the statutory authority of the Burke County Board of Education, by moving local elections of those municipalities and elections for the Burke County Board of Education from odd-numbered years to even-numbered years, beginning in 2024; and

WHEREAS, neither before nor after filing the bill has Senator Daniel contacted any elected officials of the Town of Long View to seek their opinions or input about the bill; and

WHEREAS, the Town Council is not aware of any public outcry or demand for a change in local election dates, whether through open meeting comments, correspondence, newspaper or radio reports, social media platforms or otherwise; and

WHEREAS, although Sen. Daniel represents a district that includes not only Burke County, but also Avery and Caldwell Counties, no bill has been filed to change the election schedule in any towns in those other two counties; and

WHEREAS, elections for the Town Council have been held during odd-numbered years for at least 40 years, and there have been no problems related to the conduct of those elections resulting from those elections having been held in odd-numbered years; and

WHEREAS, if non-partisan local elections were moved to even-numbered years, the inevitable result would be for the candidates for local offices to become overshadowed by partisan State and Federal election contests; and

WHEREAS, if local elections were moved to even-numbered years, candidates for those offices would face significantly higher costs when purchasing advertising and materials to support their campaigns because of the much greater demand for advertising and materials generated by the many better funded candidates for State and Federal offices; and

WHEREAS, the Town Council recognizes that it is already difficult to persuade qualified and capable people to run for local office, and the Town Council is concerned that moving Town elections to even-numbered years, concurrent with partisan State and Federal elections, would tend to discourage citizens from running for Town offices; and

WHEREAS, those individuals elected to Town offices in 2019 and 2021 were elected to 4-year terms of office; and

WHEREAS, Senate Bill 288 would automatically extend the terms of those elected officials for one year in order to move to even-numbered year elections, so that the voters of the Town of Long View would be forced to accept that those elected officials would serve terms longer than the people voted for; and

WHEREAS, the members of the Town Council believe that no local bill that directly and significantly changes the Town of Long View's municipal elections should be adopted unless and until that bill gains support from this elected body; and

WHEREAS, this Town Council has never formally discussed moving the Town of Long View's elections to even-numbered years, and the Town of Long View has not requested such a move; and

WHEREAS, the Town Council desires that the Town of Long View's elections remain in odd-numbered years, and that the terms of elected officials currently serving remain at the four years to which those officials were elected.

NOW, THEREFORE, for the reasons stated above, the Town Council of the Town of Long View in the strongest terms opposes Senate Bill 288 and urges the General Assembly to reject this bill.

Adopted, this 12th day of April, 2021.


Marla G. Thompson, Mayor

ATTEST:


Stephanie C. Watson, Town Clerk

DISCUSSION OF AMENDMENT TO CHAPTER 72 TRAFFIC SCHEDULES: NO TRUCK ROUTES OF THE CODE OF ORDINANCES – TOWN ADMINISTRATOR DAVID DRAUGHN AND POLICE CHIEF T.J. BATES

Police Chief T.J. Bates introduced to the Board an Amendment to Chapter 72 Traffic Schedules of the Long View Code of Ordinances. There have been issues in the past year involving collisions between 18 wheelers and Town owned fire hydrants. As part of the process, the Town has identified the need to change the signs from “No Thru Trucks” to “No Trucks”. Enforcing the “No Thru Trucks” routes has been a problem if the truck is making deliveries in the area. The department is not having success enforcing the “No Thru Trucks” routes in the court system. It needs to be labeled “No Trucks”. The department will look at other routes going forward but the requested route change needs to happen during tonight’s meeting if possible. The Public Works Director is looking at other routes as well and the Town has a good plan to move forward with these changes.

Town Administrator David Draughn informed the Board that currently this particular street from 28th Street to 30th Street Place is “No Trucks”. We have had trucks coming off 27th. GPS has really changed some of this. The Town wants to make the whole street “No Trucks”.

Alderman Lingerfelt asked for clarification that they will have a specific route to use and not use those streets. Chief Bates stated that he was correct.

Mr. Draughn stated that the Police Chief will work on other routes and clean up the ordinance’s language to bring before the Board at a later time. This street needs to be handled quickly as there has been a lot of traffic accidents in the last year.

Chief Bates stated that there have been three in that area in the last year. On only two of the incidents, the Police Department has been able to identify the truck drivers that hit the hydrants and that is only because the truck was damage badly. Most times the truck cannot be identified because they leave the scene.

Alderman Mays asked if the department would come back with something for the definition of what a truck is to replace the current one in the Code of Ordinances. Chief Bates stated that they would look at the weight limit when developing the definition to place in the ordinance. That would be brought before the Board at a later time.

Alderman VanHorn stated that they could do one for GVWR over 10,000 pounds. Chief Bates stated that they were looking at that weight. The department is fortunate that they have an officer that is also a truck driver on his days off from the department. That officer has been assigned to take care of this duty moving forward.

Motion was made by Alderman Thurman VanHorn, seconded by Alderman Dallas Tester to adopt the Amendment to Chapter 72: Traffic Schedules of the Code of Ordinances. The vote to approve was unanimous.

AYES: Mayor Pro Tempore / Alderman Randall Mays
Alderman David Elder
Alderman Gary Lingerfelt
Alderman Dallas Tester
Alderman Thurman VanHorn

NOES: None

April 12, 2021 Board of Aldermen Meeting Minutes

**AN ORDINANCE TO AMEND CHAPTER 72, TRAFFIC SCHEDULES OF THE CODE OF
ORDINANCES OF THE TOWN OF LONG VIEW, NORTH CAROLINA**

WHEREAS, SCHEDULE II. TRUCKS ROUTES shall be updated to include:

(B) The following streets will be designated as "No Trucks Street" routes:

- **1st Ave NW from 27th St NW to 30th St Pl NW**

WHEREAS, the following route will be removed from the list of "No Thru Trucks" routes:

- **1st Ave NW from 28th St NW to house number 3043 1st Ave NW**

WHEREAS, the North Carolina General Statute 160A-77(b) permits the amendments provided herein.

**NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE
TOWN OF LONG VIEW THAT** the section of the Code of Ordinances, Chapter 72 Traffic Schedules
shall now include:

II. Truck Routes

SCHEDULE II. TRUCK ROUTES

(A) The following streets will be designated as "No Thru Trucks" routes:

<i>Description</i>
27 th St SW from 2 nd Ave SW to 5 th Ave SW
2 nd Ave SW from 37 th St SW to 36 th St SW
23 rd St SW 13 th Ave SW to 15 th Ave SW
36 th St SW from 1 st Ave SW to 2 nd Ave SW
1 st Ave NW from house number 1921 1 st Ave NW to house number 1851 1 st Ave NW
19 th St NW from 1 st Ave NW to house number 164 19 th St NW
30 th St NW from 40 30 th St NW to 1 st Ave NW
3 rd Ave NW from 27 th St NW to 25 th St NW
5 th Ave NW from 26 th St NW to 23 th St NW
5 th Ave NW from 23 rd St NW to 20 th St NW
4 th Ave NW from 23 rd St NW to 25 th St NW
4 th Ave NW from 23 rd St NW to 20 th St NW
3 rd Ave NW from 19 th St NW to 20 th St NW
3 rd Ave NW from 23 rd St NW to 20 th St NW
2 nd Ave SW from 33 rd St SW to 29 th St Pl SW

4 th Ave SW from 26 th St SW to 29 th St SW
28 th St NW from a point 607 feet North of the railroad tracks to the intersection with 1 st Ave NW
19 th St SW from 8 th Ave SW to 3 rd Ave SW
31 st St SW from 1 st Ave SW to 30 th St SW
30 th St SW from 2 nd Ave SW South to 31 st St SW
Main Avenue NW from 34 th Street NW to Cape Hickory Road

(B) The following streets will be designated as "No Trucks Street" routes:

Description
1 st Ave NW from 28 th St NW to house number 3043 1 st Ave NW

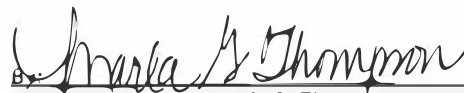
Penalty, see § 70.99

This ordinance amendment shall be effective upon adoption.

Adopted on motion of Alderman Thurman VanHorn, seconded by Alderman Dallas Tester, and approved on a vote of ____ in favor and ____ against.

This the 12th day of April, 2021.

Town of Long View


Marla G. Thompson
Mayor

ATTEST:


Stephanie C. Watson
Town Clerk, CMC

COUNTRY PLACE WATER LINE ACCEPTANCE AND MAINTENANCE EASEMENT – TOWN ADMINISTRATOR DAVID DRAUGHN

Town Administrator David Draughn stated that Public Works Director Chris Eckard was contacted by Michael Blackman regarding water availability for the area known as Country Place which is located off Airport Rhodhiss Road. When Mr. Draughn came to Long View back in 2003, when this originally started, a road was cut in and a tap was done onto the Town's line that the Town oversaw. Years later, the property owner came in and got a design done by Westand Associates, put the water line in, and the Town somehow put their name on the permit application for construction. He was not familiar with this and did not know it had happened. The Town did not oversee it.

The owner recently inquired about the water. Mr. Eckard researched and found the information. Mr. Draughn, Mr. Eckard, Mr. Summerlin, Jr., and Doug Chapman met with the owners to discuss how to go forward. The line was designed properly, permitted properly, put in, and tested at the time. Since then, the area has been sitting dormant. Because the Town's name is on the permit, the Town decided to do its own testing of the area before bringing it to the Board for acceptance. The Public Works Department crews went out over a four-day period and cut the lines on and off. They also did pressure tests to make sure there are no leaks. On the main road is a six-inch line, and on the secondary road is a two-inch line. They found no leaks. They also checked hydrants and had a water testing lab come in and do a chlorine residual and the results came back good. In the meantime, Town Attorney Summerlin, Jr. has worked with the owner about getting a maintenance easement.

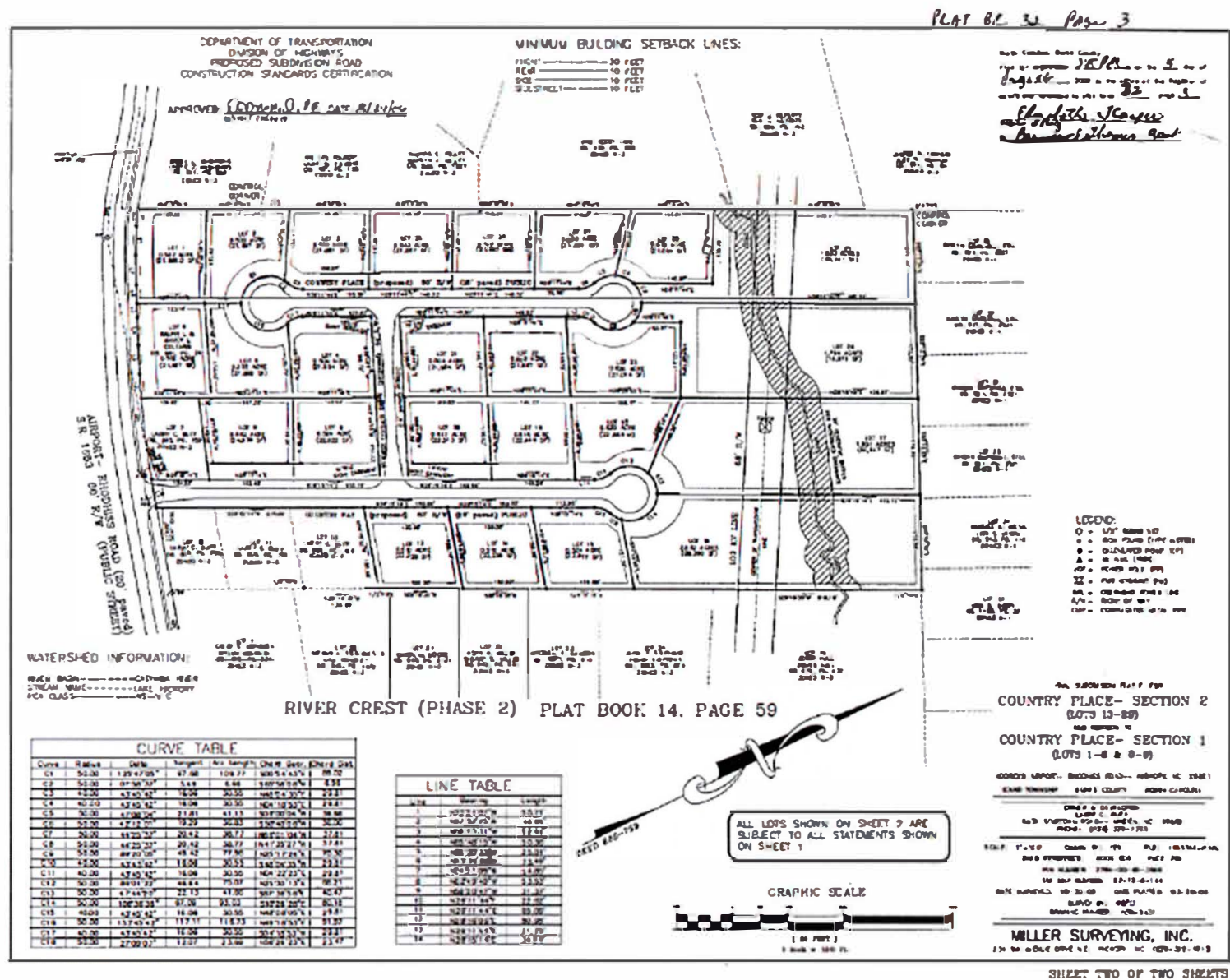
Attorney Summerlin, Jr. stated that he had the original easement on hand, and it is ready to be recorded.

Mr. Draughn requested that the Board vote to accept this waterline into the Town's system for ownership and maintenance. There are no taps currently being done. They are currently working on selling the lots. When it comes time to do taps, they will be charged a tap fee.

Mayor Thompson asked for confirmation that this is basically a new neighborhood. Mr. Draughn stated that she was correct. It is a new development and new water line.

Motion was made by Alderman Randall Mays, seconded by Alderman Thurman VanHorn to accept the Country Place's water lines into the Town's system and to accept maintenance easement for the same area. The vote to approve was unanimous.

AYES:	Mayor Pro Tempore / Alderman Randall Mays Alderman David Elder Alderman Gary Lingerfelt Alderman Dallas Tester Alderman Thurman VanHorn
NOES:	None





**State of North Carolina
Department of Environmental Quality**

Applicant Certification Form

In accordance with 15A NCAC 18C .0303 (c), a signed applicant certification must be submitted to the Department, stating that the Operation and Maintenance (O&M) Plan and the Emergency Management Plan requirements have been satisfied and that the system will have a certified operator as required by Section .1300. No construction, alteration, or expansion of a community or non-transient, non-community public water system shall be placed into final service or made available for human consumption until the applicant has submitted the certification and has received Final Approval from the Department.

Certification must be provided by the following individual or their duly authorized representative:

1. For a corporation, limited liability company, home owner association or non-profit organization: *a president, vice president, secretary, or treasurer.*
2. For a partnership or sole proprietorship: *by a general partner or the proprietor.*
3. For a municipality, State, Federal or other agency: *by either a principal executive officer or ranking elected official.*

By the signature below I certify, under penalty of law:

1. The following actions have been completed for the construction, alteration, or expansion of the water system, as defined in the project documents:
 - I, or personnel under my direct supervision, have completed an O&M Plan and an Emergency Management Plan in accordance with 15A NCAC 18C .0307(d) and (e). Based on my evaluation of the plans, or my inquiry of the person or persons directly responsible for preparing the O&M Plan and Emergency Management Plan, the information contained in the plans is, to the best of my knowledge and belief, true, accurate, and complete.
2. The following actions will be completed before the construction, alteration, or expansion of the water system, as defined in the project documents, is placed into final service or made available for human consumption:
 - In accordance with 15A NCAC 18C .0307(d), the O&M Plan will be made accessible to the operator on duty at all times and available to the Department upon request.
 - In accordance with 15A NCAC 18C .0307(e), the Emergency Management Plan will be made accessible to the system operator on duty at all times and available to the Department upon request.
 - In accordance with 15A NCAC 18C .0303(c), the system will have a certified operator as required by 15A NCAC 18 C. 1300.

Signature: [Signature] Name(Print): CHARLIS ECKHARD
 Title: PUBLIC WORKS DIRECTOR Date: 11/28/18
 Project Name: COUNTRY FARM System Name: TOWN OF LONGVIEW
 Serial No: 04-00918 Water Sys ID: 0118025



ROY COOPER
Governor
MICHAEL S. REGAN
Secretary
LINDA CULPEPPER
Interim Director

February 01, 2018

LONGVIEW, TOWN OF
ATTN: NORMAN E COOK
PO BOX 2404
LONGVIEW, NC 28602

Re: Final Approval
Final Approval Date: February 01, 2018
COUNTRY PLACE STD SECTION 2
Serial No.: 04-00918
Water System Name: LONGVIEW, TOWN OF
Water System No.: NC0118025
Catawba County

Dear Sir/Madam:

The Department received an Engineer's Certification statement and an Applicant's Certification concerning the above referenced project. The Engineer's Certification verifies that the construction of the referenced project has been completed in accordance with the engineering plans and specifications approved under Department Serial Number 04-00918. The Applicant's Certification verifies that an Operation and Maintenance Plan and Emergency Management Plan have been completed and are accessible to the operator at all times and available to the department upon request and that the system will have a certified operator as required by 15A NCAC 18C .1300.

The Department has determined that the requirements specified in 15A NCAC 18C .0303(a) and (c) have been met, and therefore, issues this Final Approval in accordance with Rule .0309(a).

Please contact us at (919) 707-9100 if you have any questions or need additional information.

Sincerely,

Robert W. Midgette, P.E., Operations Branch Head
Public Water Supply Section
Division of Water Resources

cc: CLINTON COOK, P.E., Regional Engineer
Catawba County Health Department
WEST CONSULTANTS



Water Resources
NEW BRUNSWICK, NEW JERSEY

Project Detail

03/15/2021

Serial No: 04-00918 **Received:** 6/8/2004 **Project Type:** DISTRIBUTION EXTENSION
Water System No.: NCD118025 **County:** CATAWBA
Water System Name: LONGVIEW, TOWN OF
Description: COUNTRY PLACE S/D SECTION 2

Contacts

Applicant Name: Norman E Cook **Engineer Name:**
Reviewer Name: Chohan, Siraj (former employee, contact shashi.bhatta@ncdenn.gov)

Events

<u>Event</u>	<u>Event Date</u>	<u>Comments</u>
applicant's certification	02/01/2018	app cert
final approval	02/01/2018	tk
engineer's certification	06/20/2006	S156
approval mailed	07/13/2004	
authorization to construct	07/07/2004	SINC
project approval	07/06/2004	

STATE OF NORTH CAROLINA
DEPARTMENT OF ENVIRONMENT
AND NATURAL RESOURCES

Division of Environmental Health
Public Water Supply Section

Michael F. Easley, Governor
William G. Ross Jr., Secretary
Terry L. Pierce, Director
Jessica G. Miles, Section Chief

RECEIVED
Mooresville Regional Office

JUL 15 2004

RECEIVED
Public Water Supply
July 8, 2004



Mr. Norman E. Cook
Town of Long View
Post Office Box 2404
Long View, North Carolina 28602

Re: Water Main Extension
Town of Long View Water System to serve
County Place, Section 2 Subdivision
PWSID # 01-18-025, Catawba/Burke County

Dear Mr. Cook:

Enclosed please find one copy of the "Application for Approval..." together with one copy of the referenced plans with outline specifications bearing the Division of Environmental Health stamp of approval for the referenced project. These plans with outline specifications are approved under Division of Environmental Health serial number 04-00918, dated July 6, 2004.

Plans with outline specifications prepared by Benjamin B. Thomas, P.E., call for the installation of approximately 915 feet of 6-inch and 1,253 feet of 2-inch water mains, valves, hydrants and other appurtenances along Country Place and Country Way to provide service to County Place, Section 2 Subdivision. The proposed 6-inch water mains shall connect to an existing 12-inch waterline on Airport-Rhodhiss Road (SR 1653).

Please note that an "Authorization to Construct" requires both this approval of Engineering Plans and submittal of a complete Water System Management Plan. No construction shall be undertaken, and no contract for construction, alteration, or installations shall be entered into until the Department issues an Authorization to Construct letter in accordance with 15A NCAC 18C .0305(a).

These plans and specifications in the foregoing application are approved insofar as the protection of public health is concerned as provided in the rules, standards and criteria adopted under the authority of Chapter 130A-317 of the General Statutes. This approval does not constitute a warranty of the design, construction or future operation of the water system.

One copy of each enclosed document is being forwarded to our Mooresville Regional Office. The third copy is being retained in our permanent files.

If we can be of further service, please call on us at (919) 733-2460.

Sincerely,

Terry L. Pierce, P.E.
Lead Engineer, Plan Review
Technical Services Branch

TCC/SMC/ub

Enclosures: Approval Documents

cc: Britt Setzer, Regional Engineer
Catawba/Burke County Health Department
Benjamin B. Thomas, P.E.

1634 Mail Service Center, Raleigh, North Carolina 27699-1634 ▲ Telephone: 919-733-2321
Main Fax: 919-715-0374 ▲ Lab Forms Fax: 919-715-6637 ▲ Internet: <http://ncdenr.hq.water.state.nc.us/>
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STATE OF NORTH CAROLINA

**DEED OF CONVEYANCE
AND EASEMENT**

COUNTY OF BURKE

This Easement Agreement (this "Agreement") is made and entered into the 30th day of March, 2021, by and between **LARRY C. BUFF and wife, JUDY BUFF** (collectively "Buff"), citizens and residents of Catawba County, North Carolina, whose address is 6431 Startown Road, Maiden, NC 28650, and **MRH LAND HOLDINGS II, LLC ("MRH")**, a North Carolina limited liability company, whose address is P.O. Box 481452, Charlotte, NC 28269 (Buff and MRH are collectively referred to herein as the "Grantors") and the **TOWN OF LONG VIEW**, a North Carolina municipal corporation, whose mailing address is 2404 1st Avenue SW, Long View, NC 28602 (referred to herein as the "Grantee").

THAT WHEREAS, Grantors are the current and/or former owners of certain real property located in Burke County, North Carolina, commonly known as the "Country Place" subdivision as more fully described and depicted on that certain plat recorded in Plat Book 32, Page 3 of the Burke County Registry (the "Plat"), which Plat is hereby referred to for greater certainty of description (the "Property"); and

WHEREAS, Buff has constructed and installed certain water lines, hydrants, valves, and other components (the "Water System") within the Property for the purposes of connecting to the municipal water supply provided by Grantee from Airport-Rhodhiss Road, said Water System being installed underneath and adjacent to the roadways of Country Way, Summer Terrace Drive, and Country Place, as depicted on the Plat; and

WHEREAS, the Board of Aldermen for the Grantee has determined that it is in the public interest to accept the ownership, operation, maintenance, repair and upkeep of the said Water System to serve the public in the vicinity of the Property and Grantor desires Grantee to so accept the ownership, operation, maintenance, repair and upkeep of the said Water System.

NOW, THEREFORE, for and in consideration of the sum of TEN and 00/100th DOLLARS and other valuable consideration paid to the Grantor by the Grantee, the receipt and legal sufficiency of which are hereby acknowledged, Grantor does hereby grant, bargain, sell and convey unto the said Grantee, its successors and assigns, all rights, title and interests in and to the Water System, and all components thereof, and does hereby further grant, bargain, sell and convey unto the said Grantee a perpetual right and easement to install, construct, repair, replace, and maintain the Water System, all components thereof, and any water "taps" as necessary to provide service to the various lots comprising the Property, together with the attendant customary uses, including drainage and utilities, over, under, through, across, along and upon all that certain lot, tract, or parcel of land of the Grantor situated in Burke County, North Carolina, and more particularly described as follows, to-wit:

BEING ALL AND THE ENTIRETY OF THE 50' RIGHT OF WAYS AND CUL-DE-SACS THEREIN FOR COUNTRY WAY, SUMMER TERRACE DRIVE, AND COUNTRY PLACE, AND THE WESTERN CORNER OF LOT NO. 9 AND THE EASTERN CORNER OF LOT NO. 21 (WHERE HYDRANTS ARE INSTALLED) AS DEPICTED AND DESCRIBED ON THAT CERTAIN PLAT RECORDED IN PLAT BOOK 32, PAGE 3, BURKE COUNTY REGISTRY, REFERENCE TO WHICH IS HEREBY MADE FOR A MORE COMPLETE DESCRIPTION, ALL AS FURTHER DESCRIBED, SHOWN AND DEPICTED ON THAT CERTAIN SITE PLAN PREPARED BY WEST CONSULTANTS PLLC ENTITLED TOWN OF LONGVIEW WATERLINE PROJECT FOR COUNTRY PLACE - SECTION 2, BURKE COUNTY, NORTH CAROLINA, PROJECT NO. 03294, DATED DECEMBER 2003, REVISED JANUARY 2004 AND APRIL 2004.

The Grantor acknowledges that Grantee is acquiring this easement for the purpose of owning and operating the Water System within the described easement, and specifically grants unto the Grantee the right to construct such structures or make the improvements on that grade according to such plans and specifications, as will, in the Grantee's opinion, best serve the public purpose. The payment of the purchase price for the easement conveyed shall be considered full compensation for the easement, and for any diminution in value that may result to the remaining property by virtue of proximity to the project, grade alignment, utility installation, or the alteration of drainage patterns and facilities.

The said grant shall include the right of ingress and egress over the easement on the land of the Grantor for the purpose of constructing, maintaining, repairing and enlarging said utilities or removing any obstruction in the easement interfering with the enjoyment of this line and, in general, any rights and privileges which may be necessary for the permanent maintenance of said utility; provided, however, that nothing herein contained shall directly or indirectly be construed as authorizing the Grantee or its successors or assigns to injure, damage or remove any structure upon said land, and the Grantor herein expressly retains for himself, his heirs and assigns, the right to construct and maintain any and all buildings he may desire upon the said premises, provided the utility line is protected in the manner required by the Town Engineer.

Deed of Conveyance and Easement, Page 2 of 4

YMBT 263 612.1

Should one or more of the Grantors be a legal entity other than a natural person, the party executing this instrument on behalf of such entity represents and warrants and it shall be conclusively presumed that the person signing on behalf of that party has been duly and legally authorized to so sign and there shall be no necessity for a seal or attestation.

TO HAVE AND TO HOLD the same, together with all the rights and appurtenances belonging thereto, unto the Grantee, its successors and assigns forever, and Grantor is hereby bound, together with all heirs, executors, administrators, or successors, to warrant and forever defend the easement granted herein unto the Grantee, its successors and assigns, against every person lawfully claiming the easement or any part thereof.

IN TESTIMONY WHEREOF, the said Grantor has hereunto set his hand and seal the day and year first above written.

Larry C. Buff (SEAL)
Larry C. Buff C. Bu

Judy Buff (SEAL)
Judy Buff

STATE OF NORTH CAROLINA
COUNTY OF Catawba

I, Lillie P. Smith, a Notary Public of Catawba County, North Carolina, do hereby certify that Larry C. Buff and wife, Judy Buff, personally appeared before me this day and acknowledged the foregoing instrument.

Witness my hand and seal this 29 day of March, 2021.



Lillie P. Smith
Notary Public

Signatures continue on the following page.

Deed of Conveyance and Easement, Page 3 of 4

YMBT 263612.1

MRH LAND HOLDINGS II, LLC

By: [Signature] (SEAL)

Print Name: Bruce Board

Print Title: Manager

STATE OF NORTH CAROLINA
COUNTY OF Mecklenburg

I, Harry E. London, a Notary Public of Mecklenburg County, North Carolina, do hereby certify that Bruce Board, personally appeared before me this day and acknowledged the foregoing instrument in his/her capacity as the Manager of MRH Land Holdings II, LLC.

Witness my hand and seal this 30th day of March, 2021.

(SEAL)



[Signature]
Notary Public

My Commission Expires: 03-05-2023

BUDGET AMENDMENTS – FINANCE DIRECTOR JAMES COZART

Budget Amendment No. 10

Finance Director James Cozart presented to the Board Budget Ordinance Amendment No. 10 of Budget Ordinance 02-20-21. The amendment is to increase the Police Department Donations line item by \$850 and to increase Fund Balance by \$850. A gentleman wrote a check to the department for a donation to purchase a bullet proof vest for the Police Department.

Police Chief T.J. Bates stated that the gentleman came to the Major with the donation. The department will probably use it to get the upcoming new hire a vest.

Motion was made by Alderman Thurman VanHorn, seconded by Alderman Dallas Tester to adopt Budget Ordinance Amendment No. 10. The vote to approve was unanimous.

AYES:	Mayor Pro Tempore / Alderman Randall Mays Alderman David Elder Alderman Gary Lingerfelt Alderman Dallas Tester Alderman Thurman VanHorn
NOES:	None

**ORDINANCE NO. 02-20-21
BUDGET ORDINANCE AMENDMENT NO. 10**

BE IT ORDAINED by the Governing Board of the Town of Long View, that the following Amendment be made to the annual budget ordinance for the fiscal year ending June 30 2021:

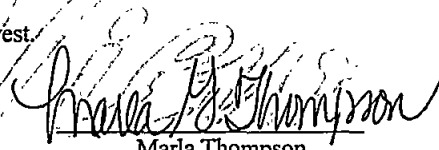
Section 1: To amend the General Fund budgeted amounts, the budget will be changed as follows:

	<u>Line Item</u>	<u>Increase</u>
Police Dept. Donations	10-510-8600	\$850.00

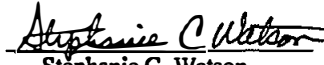
	<u>Line Item</u>	<u>Increase</u>
Fund Balance	10-399-0000	\$850.00

PURPOSE FOR AMENDMENT:

Donation received for the purchase of a bulletproof vest.


Marla Thompson
Mayor

Attest:


Stephanie C. Watson
Town Clerk

Approved by Board of Aldermen on April 12, 2021
Date

TOWN OF LONG VIEW

13734

Dan Snyder 2555 12th Ave SW

Donation

Date: 3-19-2021

DESCRIPTION	ACCOUNT #	AMOUNT
Fund 10		
Leaf Bags	10-335-0000	
NC Sales Tax	10-134-0000	
Catawba Co Sales Tax	10-134-1800	
Zoning Permit/Service Charge	10-354-0000	
Privilege Licenses	10-325-0000	
Rec Center Rental	10-365-0100	
Rec Center Key Deposit	10-228-0000	
Insurance Reimbursement	10-420-0600	
Miscellaneous Revenue <i>Police Donation</i>	10-335-0000	850.00
Recycling Revenue	10-338-0000	
Officer Fees	10-351-0000	
Medical Center Lease	10-370-0000	
T-Mobile	10-371-0000	
	10- - -	
	10- - -	
	10- - -	
Fund 30		
Water Deposit	30-236-0000	
Water Tap	30-373-0100	
Sewer Tap	30-373-0200	
Miscellaneous Revenue	30-335-0000	
Insurance Reimbursement	30-720-0600	
	30- - -	
	30- - -	
	30- - -	
10-236-0000		

TOTAL:

850.00

Completed By:

A. Walden

MO # 299 29948878

Budget Amendment No. 11

Finance Director James Cozart presented to the Board Budget Ordinance Amendment No. 11 of Budget Ordinance 02-20-21. The total amount of this amendment is \$208,030.

This amendment is for the items presented during the budget retreat that the Town decided to purchase in the current fiscal year.

Motion was made by Alderman Randall Mays, seconded by Alderman Thurman VanHorn to adopt Budget Ordinance Amendment No. 11. The vote to approve was unanimous.

AYES:	Mayor Pro Tempore / Alderman Randall Mays Alderman David Elder Alderman Gary Lingerfelt Alderman Dallas Tester Alderman Thurman VanHorn
NOES:	None

**ORDINANCE NO. 02-20-21
BUDGET ORDINANCE AMENDMENT NO. 11**

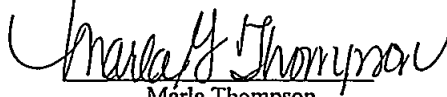
BE IT ORDAINED by the Governing Board of the Town of Long View, that the following Amendment be made to the annual budget ordinance for the fiscal year ending June 30 2021:

Section 1: To amend the General Fund, Utility Fund, and Powell Bill Fund budgeted amounts, the budget will be changed as follows:

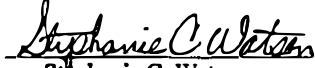
	<u>Line Item</u>	<u>Increase</u>
Rescue Equipment – Fire Dept	10-530-9200	\$12,000.00
Capital Outlay – Fire Dept	10-530-7400	\$14,000.00
Departmental Supplies – Fire Dept	10-530-3300	\$2,850.00
Capital Outlay – Police Dept	10-510-7400	\$47,334.00
Contracted Services – Police Dept	10-510-4500	\$7,599.00
Departmental Supplies – Admin Dept	10-420-3300	\$2,500.00
Contracted Services – Admin Dept	10-420-4500	\$4,407.00
Capital Outlay – Admin Dept	10-420-7400	\$23,163.00
Capital Outlay – Powell Bill Dept	23-570-7400	\$17,250.00
Capital Outlay – Utility Dept	30-720-7400	\$52,185.00
Capital Outlay – Street Dept	10-560-7400	\$19,742.00
Miscellaneous Expense – Risk Mgmt	10-710-5700	\$5,000.00
	<u>Line Item</u>	<u>Increase</u>
Fund Balance	10-399-0000	\$138,595.00
Fund Balance	30-399-0000	\$52,185.00
Fund Balance	23-399-0000	\$17,250.00

PURPOSE FOR AMENDMENT:

Purchase of items requested in FY '21-'22 budget in the current year due to budget surplus.


Marla Thompson
Mayor

Attest:


Stephanie C. Watson
Town Clerk

Approved by Board of Aldermen on April 12, 2021
Date

**Town of Long View
Budget Amendment 11 Listing**

<u>DEPARTMENT</u>	<u>ITEM DESCRIPTION</u>	<u>COST</u>
FIRE	WATER RESCUE EQUIPMENT	\$12,000.00
	LUCAS DEVICE	\$14,000.00
	IPAD'S	\$2,850.00
POLICE	1 VEHICLE	\$47,334.00
	SMITH ROGERS ATTORNEYS	\$7,599.00
ADMINISTRATION	2 COMPUTERS	\$2,500.00
	POWER DMS SOFTWARE	\$4,407.00
	DOOR LOCK SYSTEM	\$23,163.00
POWELL BILL	TANDEM ROLLER	\$17,250.00
UTILITY DEPT	SERVICE TRUCK	\$52,185.00
STREET DEPT	TRACTOR	\$19,742.00
RISK MANAGEMENT	GYM EQUIPMENT	\$5,000.00
	GRAND TOTAL	<u>\$208,030.00</u>

ADMINISTRATOR'S REPORT – TOWN ADMINISTRATOR DAVID DRAUGHN

COVID Discussion

Town Administrator David Draughn stated that during the next meeting, the Town will bring information about the virus trends and the Board will need to discuss when to open the Town Hall lobby and the Recreation Center.

Town Elections

Town Administrator David Draughn had a meeting with Warren Wood of the City of Hickory last week. The Town still does not have any information about the Census being delayed. It is not going to be released until September. The Town is in a holding pattern. He called Amanda Duncan with Board of Elections and she informed him that the Town can't act until the General Assembly does something. They are supposed to decide something this month. It is unknown if the Town will have elections based on the Census 2010 or if the Town will need to delay its elections a year. The situation is very politicized. There may be a way that the Town can have the elections without moving them if the Town can prove that the Wards haven't changed more than 5%. The Town Planner has gotten some information together about housing numbers and the Town might be able to use that. Right now, the Town must wait until its hear back from Amanda Duncan.

Flower Beds at Town Hall

Town Administrator David Draughn thanked the Public Works Department for the work they did on the flower beds in front of Town Hall. They look better and there will be less to do to maintain them.

Alderman Mays asked about removing the crape myrtle by the sign. Public Works Director Chris Eckard stated that they would get to it.

Open Door Baptist Church

Police Chief T.J. Bates stated that Open Door Baptist Church is doing a lot of community outreach within the Town. This past Saturday he had the opportunity to go with them on a trash pickup. There were about 15 people out there helping and in two hours, they picked up about 60 bags of trash. It was a great thing watching people come together. The church plans to do this two or three more times this year, so the department will try to help them identify some areas that may need it worse than others.

Chief Bates spoke with their Pastor and the Pastor informed him that if any Board member has any constituents that need something like trees needing cut down or installation of handicap ramps/stairs to encourage them to contact the church or Officer Eddie Marlowe. What they did Saturday was great for the community.

Town Administrator David Draughn stated that the church has also told the Town that they want to get involved with Senior Day Out when it begins again.

Chief Bates stated that the church is already doing an event on Saturday mornings where they help to feed seniors in the community.

Mr. Draughn asked the Board to contact Officer Marlowe if they have anything.

OTHER BUSINESS

There was no other business.

CLOSED SESSION TO DISCUSS A LEGAL MATTER

Motion was made by Alderman Randall Mays, seconded by Alderman Thurman VanHorn to enter into a Closed Session at 7:00 p.m. to discuss a legal matter. The vote to approve was unanimous.

AYES: Mayor Pro Tempore / Alderman Randall Mays
Alderman David Elder
Alderman Gary Lingerfelt
Alderman Dallas Tester
Alderman Thurman VanHorn
NOES: None

Motion was made by Alderman Thurman VanHorn, seconded by Alderman Gary Lingerfelt to adjourn the Closed Session and return to the regular meeting at 7:03 p.m. The vote to approve was unanimous.

AYES: Mayor Pro Tempore / Alderman Randall Mays
Alderman David Elder
Alderman Gary Lingerfelt
Alderman Dallas Tester
Alderman Thurman VanHorn
NOES: None

CLOSING COMMENTS BY THE BOARD OF ALDERMEN

Comments by Alderman Thurman VanHorn

Alderman VanHorn wished to send praise and thanks to all the departments for their day-to-day work during the current situation while having to budget to take care of their employees and to budget toward taking care of the Town. The Board appreciates all that the employees do. It is greatly noticed.

Comments by Alderman Randall Mays

Alderman Mays wished to thank the Administration and Department Heads for being able to work through, be conservative, and being able to do what needs to be done with the funding that was allocated. The Town was able to save enough money to get some good purchases made within this year's budget. He thanked them for their hard work.

Comments by Alderman David Elder

Alderman Elder wished to thank Town Clerk Stephanie Watson for finding a way for him to be present during the meeting.

He wished to thank all the Town's departments and other public servants that make the Town a great place to live.

Comments by Alderman Dallas Tester

Alderman Tester stated that he wished to thank the Lord for the opportunity to serve his constituents and the Town.

He added that all the departments are doing an incredible job.

Comments by Aldermen Gary Lingerfelt

Alderman Lingerfelt wished to second what Alderman Elder stated. Every personnel thing that the Board has done has improved this Town. It makes it better to live here and he appreciates everything that everybody does.

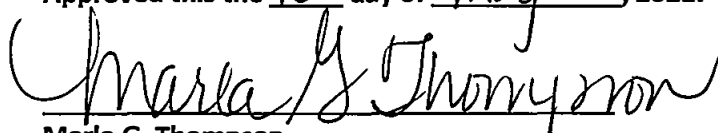
ADJOURNMENT

Motion was made by Alderman Thurman VanHorn, seconded by Alderman Gary Lingerfelt to adjourn the meeting at 7:06 p.m. The vote to approve was unanimous.

AYES: Mayor Pro Tempore / Alderman Randall Mays
Alderman David Elder
Alderman Gary Lingerfelt
Alderman Dallas Tester
Alderman Thurman VanHorn

NOES: None

Approved this the 10th day of May, 2021.



Marla G. Thompson
Mayor

ATTEST:



Stephanie C. Watson
Town Clerk, CMC, NCCMC