

**TOWN OF LONG VIEW
BOARD OF ALDERMEN
MEETING MINUTES
AUGUST 10, 2020**

The Town of Long View Board of Aldermen met in the Council Chambers of Long View Town Hall on Monday, August 10, 2020 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, and Alderman Thurman VanHorn.

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

BOARD MEMBERS NOT PRESENT: Alderman Dallas Tester.

STAFF MEMBERS PRESENT (Physically): The following members of staff were present throughout the entire meeting: Town Administrator David Draughn, Town Clerk Stephanie Watson, and Town Attorney Jimmy Summerlin, Jr.

In order to maintain social distancing due to COVID-19, other staff members physically joined the meeting only when called to speak. They were as follows: Town Planner Charles Mullis, Police Chief TJ Bates, Public Works Chris Eckard, Fire Chief James Brinkley, Sergeant/Community Policing Eddie Marlowe, and Deputy Finance Director Crystal Buchanan.

OTHERS PRESENT (Electronically): No others were present.

MEETING CALLED TO ORDER: Mayor Marla Thompson called the meeting to order. Alderman Thurman VanHorn gave the invocation.

APPROVAL OF MINUTES: Motion was made by Alderman Randall Mays, seconded by Alderman Thurman VanHorn to approve the June 22, 2020 Special Meeting Minutes. The vote to approve was unanimous.

AYES: Mayor Pro Tempore / Alderman Randall Mays
Alderman David Elder
Alderman Gary Lingerfelt
Alderman Thurman VanHorn
NOES: None
NOT PRESENT: Alderman Dallas Tester

**AGREEMENT BETWEEN THE TOWN OF LONG VIEW AND BURKE COUNTY FOR THE USE OF
CORONAVIRUS RELIEF FUNDS UNDER S.L. 2020-4 – TOWN ADMINISTRATOR DAVID DRAUGHN**

Town Administrator David Draughn stated that the Resolution of Agreement between Long View and Burke County is in reference to the Cares Act money that Congress has submitted to the States and in turn was given to the counties for distribution to towns that have qualifying expenses; mainly salaries. The Board needs to approve this agreement so that the Town can apply for the \$20,550 that Burke County has set aside for the Town.

Catawba County has set aside \$84,750 for Long View.

The Town will be doing the paperwork on these agreements, should the Board approve it, next week and getting all paperwork in before the August 27th deadline.

Everything else that the Town has purchased regarding COVID (cleaning supplies, PPEs, etc.), the Town will be applying for reimbursement through FEMA. Finance Director James Cozart has already begun working with Department Heads on invoices for those purchases.

If everything works out, the Town should be getting approximately \$104,000 in funds by September or October of this year. These funds will be used to supplant the expenses that were put in this year's budget. After Mr. Cozart handles the accounting aspect of getting these funds, the Town will then decide how to disperse them.

Motion was made by Alderman Randall Mays, seconded by Alderman Thurman VanHorn to adopt the Agreement Between the Town of Long View and Burke County for the Use of Coronavirus Relief Funds Under S.L. 2020-4. The vote to approve was unanimous.

AYES: Mayor Pro Tempore / Alderman Randall Mays
Alderman David Elder
Alderman Gary Lingerfelt
Alderman Thurman VanHorn
NOES: None
NOT PRESENT: Alderman Dallas Tester

NORTH CAROLINA
BURKE COUNTY

AGREEMENT FOR USE OF
CORONAVIRUS RELIEF FUNDS
UNDER S.L. 2020-4

THIS AGREEMENT, made and entered into by and between BURKE COUNTY, a body politic and corporate of the State of North Carolina (the "County"); and the Town of Long View, a North Carolina municipal corporation located in Burke County, North Carolina (the "Municipality");

WITNESSETH:

WHEREAS, the North Carolina General Assembly has passed, and the Governor of North Carolina has signed into law, State Law 2020-4, entitled "An Act to Provide Aid to North Carolinians in Response to the Coronavirus Disease 2019 (COVID-19) Crisis" to be known as the "2020 COVID-19 Recovery Act" (the "Act"); and

WHEREAS, the Act sets aside \$150,000,000.00 to the Office of State Budget and Management (OSBM), to be distributed among certain counties; and

WHEREAS, under such legislation, Burke County's share of such funds is estimated to be \$1,772,221.00 (the "COVID Funds"); and

WHEREAS, the Act provides that a county may allocate a portion of these COVID Funds for use by municipalities within the county, but only if the transfer qualifies as a necessary expenditure as provided in the Act; and

WHEREAS, the County has established a protocol by which a municipality may receive COVID Funds under the Act; and

WHEREAS, the Municipality wishes to receive COVID Funds pursuant to the protocol and the terms of this Agreement.

NOW, THEREFORE, based upon the premises, and the mutual covenants contained herein, the County and the Municipality are agreed as follows:

1. SUBMISSION. Should the Municipality have expenditures that it believes will qualify as necessary expenditures as provided in the Act, it will submit an application for funding, using the form attached hereto.
2. BOARD APPROVAL. At the time of submission of an application, the Municipality shall submit a certified copy of the minutes of its board meeting 1) approving the application, 2) authorizing their Manager to obligate the Municipality to all

rules and restrictions upon the COVID Funds, including this Agreement, and 3) agreeing to repay any COVID Funds determined by the County, the State, or the Federal Government as being improperly spent or spent for an ineligible purpose.

3. **COMPLETION.** No later than November 30, 2020 the Municipality will submit to the County a detailed report and a list of all expenses for which the Municipality requests reimbursement. No request for reimbursement received after November 30, 2020 shall be honored. Time is of the essence to the performance of this Agreement.

4. **REIMBURSEMENT FOR ELIGIBLE EXPENSES.** Upon submission of the Municipality's expenses, accompanied by receipts, the County will review said expenses to assure itself that all expenses submitted are eligible for reimbursement from the COVID Funds. Any expenses deemed ineligible by the County based upon the County's understanding of the Act, will not be reimbursed. Reimbursement requests should be submitted monthly by the 15th of each month for the prior month.

5. **PAYMENT.** Payment shall be made for approved expenses within thirty (30) days of approval.

6. **RECOVERY OF DISALLOWED FUNDS.** Should the County receive notice from the administrators or auditors of the Act, or the OSBM, that certain funds paid to the Municipality were in fact ineligible or otherwise must be refunded, then the County shall send written notice to the Municipality as provided in Section 9. The Municipality shall repay such funds reimbursed for ineligible expenses to the County within thirty (30) days of receipt of notice from the County.

7. **INDEMNITY AND HOLD HARMLESS.** The Municipality shall indemnify the County and hold the County harmless for any loss the County may incur based upon the granting to the Municipality of COVID Funds, based upon any ineligible expenditures, or failure to timely complete a project. Losses may include reimbursements, fines, penalties, and legal fees incurred by the County.

8. **NOTICES.** Whenever in this Agreement it shall be required or permitted that notice or demand be given or served by either party to this Agreement to or upon the other, such notice or demand shall be given or served, and shall not be deemed to have been given or served unless in writing, and forwarded by certified or registered mail, return receipt addressed as follows:

To the Municipality: Town of Long View
Attention: Manager
2909 1st Ave SW
Long View, North Carolina 28602

To the County: COUNTY OF BURKE
Attention: County Manager
Post Office Box 219
Morganton, North Carolina 28680-0219

9. GOVERNING LAW, COUNTERPARTS, ENTIRE AGREEMENT, WAIVER, EFFECTIVENESS, ASSIGNMENT, HEADINGS, SEVERABILITY.

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

This Agreement may be executed in several counterparts, each of which shall be deemed an original, but all of which shall constitute one and the same instrument representing the Agreement of the parties relating to the subject matter hereof.

The parties hereto have made no agreements or representations relating to the subject matter of this Agreement which are not set forth herein or herein provided for.

Any term or condition of this Agreement may be waived in writing at any time by the party or parties entitled to the benefit thereof.

No modification of this Agreement shall be valid unless in writing and signed by the parties hereto.

The waiver of breach of any term or condition of this Agreement shall not be deemed to constitute the waiver of any other breach of the same or any other term or condition. This Agreement shall become effective when signed by all the parties in the respective places indicated.

This Agreement shall inure to the benefit of and be binding upon the parties hereto and their respective successors and assigns.

The headings of this Agreement are for reference purposes only and shall not be used in construing or interpreting this Agreement.

If any one or more of the provisions contained in this Agreement shall be invalid, illegal or unenforceable in any respect under any applicable law, the validity, legality and enforceability of the remaining provisions contained herein shall not in any way be affected or impaired thereby.

The sole venue for any action brought by either party to this contract shall be the state or federal courts serving Burke County, North Carolina.

IN WITNESS WHEREOF, the parties hereto have executed these presents, as of the day and year first above set forth.

BURKE COUNTY

By: *Kimberly A. Allen*
Its: BURKE COUNTY MANAGER



THE MUNICIPALITY

Marla G. Thompson
By: Marla G. Thompson
Its: Mayor

Preaudit Statement

This statement has been pre-audited in the manner prescribed by the Local Government Budget of Fiscal Control Act.

By: *Margaret Hince 8/11/2020*
Burke County Finance Officer

Preaudit Statement

This statement has been pre-audited in the manner prescribed by the Local Government Budget of Fiscal Control Act.

By: James Cozart Digitally signed by James Cozart
Date: 2020.08.11 09:17:58 -04'00'
Municipality Finance Officer

PLANNING BOARD ANALYSIS OF ANIMAL ORDINANCE AMENDMENTS – TOWN PLANNER CHARLES MULLIS

Town Planner Charles Mullis read the Planning Board Analysis of Animal Ordinance Amendments. Mr. Mullis explained that the Animal Ordinance Amendment only pertains to livestock and fowl. It does not pertain to domesticated animals such as cats and dogs.



TOWN OF LONG VIEW
2404 FIRST AVENUE SOUTHWEST
LONG VIEW, NC 28602
PHONE: (828) 322-3921 • FAX: (828) 322-1567

Planning Board Analysis of Animal Ordinance Amendments

August 10, 2020

The Town of Long View Planning Board at a regularly scheduled meeting on June 18, 2020, discussed amending the Long View Code of Ordinances regarding Animal Control. Examples of other regulations adopted by other municipalities in North Carolina were presented. After much thought and deliberation, the Planning Board recommended by a unanimous vote, to not change the Animal Control Ordinance as it is currently written.

Reasons listed were as follows:

- 1) Most residential properties in Long View are too small for fowl and/or livestock
- 2) Not fair to allow some citizens to have fowl and/or livestock and others not to
- 3) Potential for loud noises
- 4) Potential for foul smells
- 5) Attraction of more predators (snakes, coyotes, etc.)
- 6) Hard to police (only one animal control officer)

Conclusion: The Town of Long View Planning Board believes the current animal control regulations are consistent with other regulations of a similar nature and that these regulations will continue to protect and preserve the peace, health, safety, and general welfare of the inhabitants of the Town of Long View.

Shirley Lowman, Chairman, Planning Board

Charles Mullis, Town Planner

For each reason on why the Planning Board thought it would not be a good idea to change the ordinance, Mr. Mullis gave further details. The reasons are as follows:

- 1) **Most residential properties in Long View are too small for fowl and/or livestock** – A lot of properties in Long View are approximately ¼ acre or less. Too small to house fowl or livestock. If they were allowed, the Town would have to have regulations stating that these animals would have to be in pens that are a certain amount of feet from the property lines. Most of the Town's residential properties are just too small for that.
- 2) **Not fair to allow some citizens to have fowl and/or livestock and others not to** – This would be going back to property size. The Planning Board thought that this change would be favoring people who have larger amounts of land and punishing people who do not. The Planning Board thought that in order to keep it fair, the Town should not let anyone have fowl or livestock.
- 3) **Potential for loud noises** – Roosters and things like that can be loud at various times of the day and night.
- 4) **Potential for foul smells** – These types of animals can produce some bad odors. This is especially true if there is a larger amount of them.
- 5) **Attraction of more predators (snakes, coyotes, etc.)** – Predator animals like snakes and coyotes are attracted to chickens and their eggs. These are the type of animals that people want to avoid as much as possible.
- 6) **Hard to police (only one animal control officer)** – The Town only has one animal control officer that would have to monitor this and make sure that people don't have too many chickens and make sure that the chickens are not allowed to roam free range but kept in pens.

The Planning Board believes the current animal control regulations are consistent with other regulations of a similar nature and that these regulations by prohibiting by livestock and fowl will continue to protect and preserve the peace, health, safety, and general welfare of the inhabitants of the Town of Long View.

ADMINISTRATOR'S REPORT – TOWN ADMINISTRATOR DAVID DRAUGHN

Report on OneH2

Town Administrator David Draughn stated that before the Board is a progress report of the OneH2 Grant. They did the first drawdown several years ago for the roof repair and currently, they are in flux so there is really nothing else to report right now.

We have to wait to see if they get enough full-time jobs in another quarter of the year. He stated that he would keep the Board updated on that.



North Carolina Department of Commerce
Rural Economic Development Division
Rural Grant Programs

Progress and Final Report Form

☒ Progress Report

☐ Final Report

GRANTEE INFORMATION (to be completed by Grantee)

Reporting Period

From: 1/1/2020
(date)

To: 8/30/2020
(date)

Contract Information

Contract Ref# 2019-069-3201-2587

Grantee Name: Town of Long View

Project Title: OneH2/Project Hydrogen

Project Contact Completing this Form: Paul Teague, WPCOG

Title: Comm & Econ Project Developer

Primary Telephone: 628-485-4230 (office); 828-244-3828 (cell)

Email: paul.teague@wpcog.org

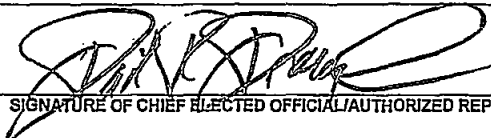
PROJECT SUMMARY

1) Please provide a detailed description of the project progress to date. For Downtown Revitalization Project Final Report: provide a detailed list of expenditures including the item and cost, and attach copies of invoices/receipts for each expenditure paid with grant funds.

On October 18, 2018, the Town of Long View was awarded a \$250,000 N.C. Commerce Building Reuse Grant for OneH2. Renovations have largely been completed, however, the company had an accident of undetermined causes in March that damaged a portion of its building. Despite the setback, OneH2 reported having more than the target 21 new, full-time employees by the end of the second quarter of 2020.

To date a total of \$139,313.80 has been drawn down for 12 of the new, full-time jobs that have been created and maintained. OneH2 anticipates meeting its hiring target and maintenance requirement by the end of the year. Once the additional 9 jobs have been created and maintained for six months, the company will request the final \$110,886.20 remaining on the grant contract.

However, because the contract is scheduled to expire October 18, 2018, we would like to request a 6-month extension to April 18, 2019. This should provide enough time to complete the contract and offer protection in case COVID-19 were to get worse at some point later in the year.


SIGNATURE OF CHIEF ELECTED OFFICIAL/AUTHORIZED REPRESENTATIVE

7/14/20
Date

David Draughn, Town Administrator
TYPED NAME AND TITLE

Finance Report – Deputy Finance Director Crystal Buchanan

Town Administrator David Draughn stated that the North Carolina Governor did not extend the no utilities cutoff provision in his executive order that he made back in March due to COVID. He asked Deputy Finance Director Crystal Buchanan to explain to the Board what the Town is going to do in regards to utility cutoffs, how many cutoffs there are, and general information about money owed and how online payment is working.

Deputy Finance Director Crystal Buchanan stated that since the Executive Order ended on July 29th, there are 104 utility accounts that are in arrears which totals about \$14,800. There are still people coming in as they receive their August bills and trying to clear up their past due balances. There are currently only two people that have signed up for a payment plan and they understand that they have the six months to pay all of their arrears and keep their current bills updated. The Town did do a second notice to all customers that are in arrears to let them know that the option (payment plan) is out there. Information about the payment plan is also on the Town's website. The last of the notices went out today.

Mr. Draughn stated that the notices are the same one that was originally written with help of the Town's attorney. Only the dates and a few details are changed.

Mrs. Buchanan explained that the Town would be doing a two-day cut off which if looking at current numbers, would be approximately 140 accounts. To go along with the new online payments, the meter reader would have someone riding along with him to note down the time that each account is cutoff. That way if someone makes a payment online, it will be time stamped and the Town will be keeping a time stamp on cutoffs. Everything will be documented. That way if there is a disagreement on whether the Town is owed the \$35, it will be documented.

Invoice cloud has been very successful. As of June 15th, the Town had 333 online payments or payments by phone that totaled over \$21,000. There are currently 72 customers signed up for paperless billing and 15 customers set up for autopay.

The Town has heard nothing but praise for the new system even with the small hiccup with the e-bills this month.

Mr. Draughn stated that Finance Director James Cozart and Mrs. Buchanan have reached out to other Towns about the billing after the end of the executive order. Some are doing similar and some are doing it different. The City of Hickory is putting people that are currently arrears automatically on the six month payment plan. The current amount in arrears is not much over the current cutoff number. The Town has done two notices to those in arrears now, plus two advertisements in the paper, and it has been on the website since day one. He felt that the Town has been fair and that is what the Town is recommending.

Alderman Randall Mays stated to continue on.

Alderman Thurman VanHorn stated that he agreed.

When Mayor Thompson asked about the two that signed up for the payment plan, Mrs. Buchanan stated that those two signed up for it before the second notice went out.

Mr. Draughn stated that there was no way to know if anyone else would set up arrangements, but they still have until the 26th. The Town cannot keep going with this after the 26th and needs to set up a time. The Town thinks it has been fair to residents. If they do not have their payment plan in place, they risk going to cutoff and having to pay the full amount.

Alderman Mays stated that residents in arrears have been notified and they have been given the options. He feels that is fair.. They have had several months since that option to set up a payment plan was presented. Due diligence is now on the customers in arrears as the Town has done its due diligence.



Memorandum

To: Mayor and Board of Aldermen

From: James Cozart, Finance Director

CC: David Draughn, Town Administrator

Subject: Executive Order 142

Date: August 5, 2020

Executive order 142 issued by Governor Cooper expired at midnight July 29, 2020. The expiration of this order allows us to proceed with collection procedures for those customers who have not requested a payment plan for arrearages that occurred between March 31st and July 29th, 2020.

To date, we have only had two payment plans established. We are notifying our utility customers by mail to pay their balances from March through July by August 20, 2020 or establish a payment plan. This will be the second mailing in addition to advertisements in the Hickory Daily Record and the Morganton News Herald. We have also posted payment plan information on our website as well. If they do not reply to the final notice, we will proceed with cut-off for these balances on August 26, 2020 and will cut-off for August bills on August 27, 2020.

Below is a breakdown by month of balances due from March 2020 through July 2020. The total due from these months total \$14,847.55.

March 2020 12 accounts totaling \$920.11

April 2020 9 accounts totaling \$1,374.52

May 2020 17 accounts totaling \$2,456.69

June 2020 17 accounts totaling \$3,471.41

July 2020 49 accounts totaling \$6,624.82

Invoice cloud has been a huge success and the customers are happy to have the other payment options. Since going live on June 15th, we have received 333 payments totaling \$21,421.29. We have 62 customers signed up for paperless billing and 15 customers on AutoPay. This is in addition to the approximately 450 customers signed up for our draft service.

Shuford Yarns Noise Abatement

Town Administrator David Draughn stated that a resident was present a few months ago that complained about the noise at Shuford Yarns. He asked Town Planner Charles Mullis to read the following comments between him and the representative at Shuford Yarns.

Mr. Mullis stated that he had received the following email from a Mr. Jonathan Gobble, the Director of Environmental Health and Safety for Shuford Yarns. Mr. Gobble wanted to give the Town an update on their noise abatement project.

After speaking with Mr. Gobble, Mr. Mullis stated that he felt that Shuford Yarns is making a good effort to reduce the reason for the noise complaint.

When asked by Alderman Lingerfelt if anyone has called recently to complain, Mr. Mullis stated that he had not received any further complaints since the original complaint.

RE: Noise Abatement Project

Subject: RE: Noise Abatement Project
From: Charles Mullis <charles.mullis@ci.longview.nc.us>
Date: 7/21/2020, 9:31 AM
To: Jonathan Gobble <jgobble@shufordyarns.com>
CC: David Draughn <drdraughn@drdraughn.net>

Good morning Jonathan,

Thank you for the update. I will be happy to come out and have a look for myself whenever the installation of the equipment is complete.

Again, thank you for your continued efforts.

Charles T. Mullis
Planning and Code Enforcement
Town of Long View
2404 1st Ave SW
Long View, NC 28602
Phone: (828) 322-3921
Fax: (828) 322-1567
charles.mullis@mail.ci.longview.nc.us

The logo for the Town of Long View, featuring the words "Long View" in a stylized, cursive script font.

From: Jonathan Gobble <jgobble@shufordyarns.com>
Sent: Tuesday, July 21, 2020 9:24 AM
To: Charles Mullis <charles.mullis@ci.longview.nc.us>
Cc: Khalid Majeed <kmajeed@shufordyarns.com>
Subject: Noise Abatement Project

This is an external email. Please be cautious before clicking any links or attachments. If you have questions about this email, please send them to suspiciousemail@catawbacountync.gov

Good Morning Charles.

I just wanted to give you an update on our noise abatement project. We have performed our studies and received our quotes and are now in the planning stages of installing equipment that will significantly reduce the noise coming out of the blower fans. Because of the COVID19 mess, we are not exactly sure when the installation will happen but will let you know when it is complete so you can come out and have a look for yourself and verify that everyone is happy with the final outcome. (As a side note, because of the reduction in our business, we are running that product line very little right now so there is no noise being emitted.)

RE: Noise Abatement Project

If you have any questions please do not hesitate to let me know.

Jonathan Gobble, CSP
Director of Environmental, Health & Safety
2815 1st Ave SW
Hickory, NC 28602
O-(828) 838-1682



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OTHER BUSINESS

Comments by Alderman David Elder

Alderman Elder stated that he appreciated all the efforts with everyone dealing with public service. Through no fault of their own, there are some people that are currently not able to make their payments. It is good that the Town is trying to work with them.

He commended all the other departments for all that was done to get things set up so that he would still be able to attend meetings. He appreciated everyone's patience and hard work.

Comments by Alderman Thurman VanHorn

Alderman VanHorn stated that he would like to echo what Alderman Elder stated about the Town's employees. He appreciates all that they do day in and day out. Especially now with times the way they are. He stated that he hoped everyone stays safe and wished everyone to keep doing what they are doing.

Comments by Alderman Randall Mays

Alderman Mays wished to encourage everyone to continue trying to stay safe and secure.

Comments by Alderman Gary Lingerfelt

Alderman Lingerfelt stated that he also wished everyone to stay safe as he had lost a family member to the coronavirus. It can happen so please stay as safe as you can.

CLOSED SESSION TO DISCUSS A LEGAL MATTER

Motion was made by Alderman Randall Mays, seconded by Alderman Thurman VanHorn to go into a closed session at 6:48 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 Thurman VanHorn
NOES: None
NOT PRESENT: Alderman Dallas Tester

Motion was made by Alderman Randall Mays, seconded by Alderman Thurman VanHorn to adjourn the closed session at 7:00 p.m. and return to the regular meeting. The vote to approve was unanimous.

AYES: Mayor Pro Tempore / Alderman Randall Mays
Alderman David Elder
Alderman Gary Lingerfelt
Alderman Thurman VanHorn
NOES: None
NOT PRESENT: Alderman Dallas Tester

ADJOURNMENT

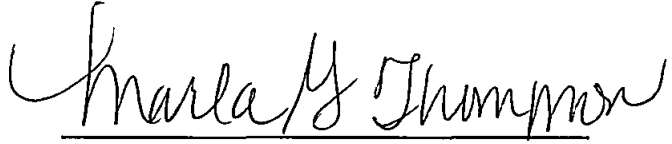
Motion was made by Alderman Randall Mays, seconded by Alderman Gary Lingerfelt to adjourn the meeting at 7:01 p.m. The vote to approve was unanimous.

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

NOES: None

NOT PRESENT: Alderman Dallas Tester


Stephanie C. Watson
Town Clerk, CMC, NCCMC


Marla Thompson
Mayor