

June 2nd, 2014

At 7:00pm, on Monday, June 2nd, 2014, in the Board Room of the Landis Municipal Building, Mayor James Furr called to order the Town of Landis Board of Aldermen Regular Meeting. Those present along with the Mayor were Aldermen Roger Safrit, Dennis Brown, Tony Hilton, and Dorland Abernathy, Town Manager Reed Linn, Police Chief Bob Wood, Deputy Town Administrator Debbie Goodman, Finance Officer Ginger Gibson, Administrative Assistant Heather Wood and Town Attorney Rick Locklear.

A quorum was met.

Mayor James Furr opened the meeting and welcomed all those in attendance.

The pledge of allegiance was led by Mayor James Furr.

Alderman Abernathy motioned, seconded by Alderman Brown, to adopt the agenda as written. All voted aye.

Alderman Brown motioned, seconded by Alderman Abernathy, to adopt the minutes from the May 5th, 2014 Regular Meeting, the May 14th, 2014 Budget Workshop and the May 28th, 2014 Budget Workshop as written. All voted aye.

The first order of business was to receive and approve a resolution requesting an extension of the Water and Sewer Bonds and to call for a public hearing at the next regular Board Meeting. Manager Linn explained that they were about to begin the Sewer project and would need to extend the bond order. They would also be requesting a change to the bond order for the Water bonds. There was \$1.3 million still left in the water bonds that had not been used. This action was recommended by the Town's bond attorney. The Board would be able to extend both with the resolution provided. Manager Linn explained that these were the same bonds that citizens had voted on and approved. They would also need to have a public hearing regarding the issue at the next regular meeting on Monday, July 7th, 2014. This would not cost the Town any additional money.

Alderman Brown motioned, seconded by Alderman Abernathy, to approve a resolution to extend the water and sewer bonds and to call for a public hearing on Monday, July 7th, 2014 at 7:00pm. All voted aye.

The next order of business was to accept a gift of property from the DC Linn Family, LLC. The property in question was identified as tax map 133-A, parcels 206 and 058. This issue had been discussed several months ago and the property was located on Highway 29, just south of Sonic. The property is a narrow piece that connects to the property that was satellite annexed into the Town several years ago. This would tie that property together. If accepted, it was Manager Linn's recommendation to annex the property so that all property would be contiguous to Town Limits. There was some discussion.

Alderman Hilton motioned, seconded by Alderman Safrit, to accept the gift of property from the DC Linn Family, LLC, identified as tax map 133-A, parcels 206 and 058 and to annex the property into the Town of Landis. All voted aye.

The next order of business was to accept a gift of property from David Graham, identified as tax map 106, parcels 36, 37 and 178. The property is located on East Mill where the buildings were demolished by the railroad. The owner no longer has any use for the property, as nothing can be built on it.

Alderman Brown motioned, seconded by Alderman Safrit, to accept the gift of property from David Graham, identified as tax map 106, parcels 36, 37 and 178. All voted aye.

The next order of business concerned certain budget amendments for the 2013-2014 fiscal year. These amendments were simply housecleaning to get ready for the annual audit. None of the amendments moved across funds. There was some discussion.

Alderman Brown motioned, seconded by Alderman Safrit, to approve the budget amendments as presented. All voted aye.

The next order of business was a proposed agreement between the Town of Landis and the North Carolina Railroad Company for the release of donated interest and bill of sale concerning the relocation of historical Town structures. Alderman Hilton stated that he had looked over the agreement but given the Town's "track record" with the railroad, he could not vote to approve this. Alderman Safrit agreed, also taking into consideration that the Town had yet to receive any reimbursement for the relocation of the historical structures. Alderman Abernathy stated that he also had questions about the agreement as well, stating that it seemed like the railroad was trying to give the Town something it already owned. Manager Linn stated that the deed for the strip of land is dated 1931 and it was given to Landis by the Mill Company. There was some discussion. Manager Linn also indicated that in order to receive reimbursement for the relocation of the structures, the Town would have to approve the agreement. However, he reminded them that this had been several years ago and the Town had already paid the cost themselves.

There was some discussion concerning the strip of land, and that it was owned by the Town and the Town had no intention of selling it. The Town's Attorney, Rick Locklear, stated that at some point the Town had to step forward and tell the railroad to stop and make them force the issue if they wanted something to happen. Chief Wood had already stopped the cutting down of the rest of the trees and that was a good thing. Mr. Locklear stated that if the Town keeps the land, they can control it. Mr. Locklear stated that many citizens, and those who visit Landis, always commented about how lovely Main Street looked through Town with all of the trees, and the railroad had come in and destroyed it all; at some point the Town simply had to draw a line and take a stand.

The Board as a whole agreed they could not vote for this agreement.

Alderman Hilton motioned, seconded by Alderman Abernathy, to refuse the proposed agreement between the Town of Landis and the North Carolina Railroad Company for the release of donated interest and bill of sale concerning the relocation of historical Town structures. All voted aye.

Mayor Furr stated that this was the number one issue that people had contacted him about. The citizens were enraged by what had happened to the trees; the citizens had immense pride in their Town. Mayor Furr felt that because of how quickly things had moved, that the removal of the trees had seemed spiteful.

The next order of business was a Lease Agreement between the Town of Landis and the North Carolina Railroad Company. Manager Linn explained that it was an agreement for us to agree to maintain our property. Alderman Brown wanted to know how they could possibly accept this given the mess the Railroad had left behind after cutting down the trees (the stumps, etc). Mayor Furr concurred, stating there was a lot of hydraulic fluid left on the ground, at least 25 gallons. Alderman Abernathy stated that it was not safe to proceed.

Alderman Hilton motioned, seconded by Alderman Brown, not to accept the lease agreement between the Town of Landis and the North Carolina Railroad Company. All voted aye.

Alderman Brown motioned, seconded by Alderman Hilton, to call for a public hearing on Wednesday, June 18th, 2014 at 6:00pm to discuss the proposed 2014-2015 fiscal budget. All voted aye.

Manager Linn then requested to close City Hall at 12:00pm on Monday, June 30th, 2014 to close out the 2013-2014 fiscal year. He explained that this is done annually. Staff would still be at City Hall working, it just would not be open to accept payments. Public Works and all other services would remain open and operating.

Alderman Brown motioned, seconded by Alderman Safrit, to close City Hall at 12:00pm on Monday, June 30th, 2014 to close out the fiscal year. All voted aye.

Department Head Comments

Town Manager Reed Linn: stated that the Town had several employees that were retiring or had retired. They were Brady Burgess (with 30+ years of service), Franklin Earnhardt (with 25+ years of service) and Arthur Delaney (with 35+ years of service). With the retirement of Division Chief Arthur Delaney, Ron Mills had been promoted in the Fire Department. Manager Linn also stated that Recreation Director Andrew Morgan was not in attendance tonight due to the birth of his second child, a daughter. Alderman Abernathy inquired about the PARTF Grant. Manager Linn stated that they should know more this month.

Public Works Director Steve Rowland: updated the Board concerning the sewer meter that was going to be installed where the intake for the sewer that is sent to Salisbury is located. The purchase order had been generated and everything was ready to order. Everything should be installed by the end of June. He stated that they had paved Airport and Correll because they had received a lot of complaints; Fifth Street had not been paved yet.

Police Chief Bob Wood: went over the calls received by the Police Department during the month of May:

- 9 accidents
- 5 calls for assistance
- 25 disturbances
- 9 property crimes
- 2 violent crimes (fights at South Rowan High School with no serious injuries)
- 11 arrests from warrants
- 38 citations issued out of 96 stops

There were 130 general calls. The Police Department averaged a response time of 1.33 minutes for emergency calls and 7.12 minutes for non-emergencies.

Chief Wood stated that they now had an SRO in Corriher-Lipe Middle School and everything was going well. The Town had not had an officer there in five years. There was some discussion and Chief Wood felt that the work the SRO was doing at the middle school would show improvement in South Rowan in the years to come.

Chief Wood also stated that he was glad the Board had made the decisions it had concerning the Railroad. He stated that 30 odd years ago he had been the one to help plant those trees and that he felt it was time for the Town to say “No, we’re done” concerning the railroad.

Board Comments

Mayor James Furr: stated that they had all made it very clear how they felt about the events last week (with the Railroad) and that he wanted it on the record how disgusted they were. He stated if the Railroad had offered some help with the restoration of the area, it might not have been so bad, but they had done no such thing.

Citizens Comments

Nadine Cherry: requested that she not be interrupted while speaking. Ms. Cherry read an email that had been sent to her by her ADA advocate concerning making comments during citizens’ comments, and to not create a disturbance. Ms. Cherry stated that on Wednesday, May 14th, 2014 after leaving the budget workshop, she had turned left onto Garden Street and there was a child laying flat on a skateboard that came flying by from the church parking lot. She stated that he had been impossible to see because of the Cyprus tree there. He came across the road and hit the curbing and she did not see him until he was in the middle of the road. Ms. Cherry stated that she honked at him and he jumped up and ran back towards the church property. She stated that this caused her to miss her driveway and hit the curb. She

had called the non-emergency number and stated that she wanted an officer to come to the scene and discuss it with her. She stated that on Saturday, May 10th, 2014 a child on a bike had been hit with a car on Meriah. She had discussed it with Officer Buddy Porter.

Ms. Cherry then read from the minutes from a meeting in 2006 concerning a question she had concerning how the minutes were kept and she had been told that they were developing a policy. She stated that she had never been informed as to what action had been taken on this policy.

Ms. Cherry stated that two times in the month of May while walking down South Main Street at Hoke she had witnessed a skateboarder come out of the Old Mill and go down the sidewalk and into the Mill. The first time a police officer had just driven by. She felt that the police should periodically check and see if anyone is inside of the mill. The second time she witnessed this she had seen a police officer come out of the Exxon parking lot and headed north just moments before.

Ms. Cherry concluded by stating that in the coming months she would be bringing more issues before the Board.

Rob Turbyfill: stated that he represents the local chapter of Communities In Schools as the Board Chairman. They operate a program at South Rowan and work closely with Dr. Knox and others. They were able to get a \$100,000.00 grant three years ago to put dropout prevention counselors at North Rowan and South Rowan High Schools. Vicky Slusser, the Executive Director, was also present and provided the Board with information. The condition of the grant was that each year they would need to find the matching funds in order to continue. They were now in the final year of the grant and were looking for donators, and they were asking the Town to help. Andre Neely was the counselor at South Rowan and they had worked with 12 young people who would now be graduating because of this program. He asked the Board to please consider investing.

Vicky Slusser thanked the Board for allowing them to speak, stating that they had not asked for any funding before now. She understood resources were getting slimmer, but she was asking the Board to invest in our youth. She stated that she would be happy to provide more information in writing along with a formal request for funding. Ms. Slusser went over the packet of information, stating that they work with individual students but also provide services for the entire school. They help return students to their homes, etc and if students do not show up for school, Mr. Neely can do home visits with school personnel. There was some discussion.

Alby Stamey: stated that he lives in Meriah Woods, which is the access point to the new park office. He stated that he loved to see the Board's passion and to watch them stand firm against the Railroad, but right now he felt like he was the Town and the Town was the Railroad concerning what was happening in his neighborhood. He stated that it used to only be residents that came down his street (Tranquil Lake Drive) but now they have all of the people that go to the park office. He stated that the Town needed to do something. He stated that all the traffic coming down the street to go to a commercial business was wrong and that this situation was "ten times worse than the trees". Mr. Stamey commented that the Town was planning to build cabins and begin renting kayaks and he wanted to know where it was going to stop. He stated that they see many cars go by and they don't live in the neighborhood, they don't belong. There are no speed limit or children playing signs up in their neighborhood. He stated that people are going to the park to fish and they "trash the place" and he doesn't feel as safe in his home

because they had people coming through who had not come through before. He stated that the Board has passion but not as much passion as he had. He had paid for a home in a quiet neighborhood and now they had as much traffic in one weekend as they used to have in an entire year. Mr. Stamey suggested putting up at a gate at Tranquil Lake and making it impossible to enter the park from there and force everyone to use the Kimball Road entry. They could keep the gate for employees and emergency vehicles only. He stated he didn't want it left open 24/7 as it is now. There was further discussion about the issue. He stated that it was wrong to put it in the paper that people could access the park via Tranquil Lake Drive; it should have stated Kimball Road. He stated that he doesn't let his grand daughter play at the road now. He stated that the park is a great idea and he and his family use it, but he did not want the traffic routed through his neighborhood. He stated that's why the wooden bridge had been built. Mayor Furr stated that he understood Mr. Stamey's position and they would look into the matter.

John Derhodes: stated that he also lives in the same neighborhood and that Mr. Stamey had said a lot of good things and he was there to stand in support of them. He stated that he was reasonably sure if someone opened a business they would need permission from property owners to get a right of way, but the opening of this office had not been discussed with the property owners. He stated that the store is a business. He encouraged the Board to seriously consider this issue because it is wrong. He stated it was also wrong of the Town to dig up his driveway for the new water lines without telling him. He stated he did not know what the correct procedure was to continue. He stated that at one point it had been the "nicest neighborhood in Landis" but it won't be for long; he stated the park office was hurting their property value. He stated that the decision was not well thought out and he asked that the access point to the park be moved solely to Kimball Road. He stated that he wanted the Board to look for a solution and he wanted to be part of it. He wanted to know what they could do next as homeowners. Mayor Furr stated that Mr. Derhodes had been heard and there would be further discussion between the Board and Staff. There was some discussion.

David McCarty: stated that his home is located directly in front of the park office and that the traffic and parking there create a lot of pedestrian traffic in front of his home. He stated that a lot of things had happened in the park without asking the residents of the neighborhood; it was his opinion that they should have been consulted. He asked that the Board please look at the big picture.

Sherry Wolf: stated that she lives in the neighborhood and they were seeing a lot of traffic on Tranquil Lake Drive and that people were using her driveway to turn around. There was also a lot of trash that had to be picked up off the streets now. She stated that she wants her street back.

Gary Morton: stated that he lives on Rankin Road and that this was a bad problem but it had a solution. He stated they could get a farm gate to block access that could be opened manually. He stated that he didn't feel there was a better solution than that. He stated that he didn't feel they needed to endure red tape for more months when they have a better, simple solution right now. He stated that the problem would continue to get worse and the Town did not have a "legal right" to allow access from Tranquil Lake Drive.

The Town's Attorney, Rick Locklear, stated that the Town had received a 30 foot right of way in 1951 before the area was flooded to make the reservoirs and the easement talks about servicing the area to be flooded. He stated that there is no question that there is an easement. He felt that the best course of

action was probably for Staff to meet and discuss the issue with residents because they were legitimate concerns that should be discussed. He stated that Recreation Director Andrew Morgan should also be involved. Mr. Morton stated that just because the Town had the legal right to do something doesn't mean they should do it. Mr. Locklear reiterated that they needed to sit down, residents and Staff, and discuss the matter. There was some discussion. Mr. Morton stated that when the use was changed that, in his opinion, it had overburdened the easement. Mr. Locklear once again stated that Staff wanted to meet with the residents and work out a solution, to which Mr. Morton replied that he had already offered a solution in the form of a farm gate. Mr. Stamey stated that the right of way in front of the property is for water and power lines. He stated that he wanted this to go away very quickly because the traffic was getting worse every week.

Larry Williams: stated that the park is a good thing, but the access to it through their neighborhood was bad; everyone there was at odds with the amount of traffic and pedestrians that was now there. He stated that it was unnerving at nighttime and asked the Board to please look into it.

Jerry Wright: stated that years ago the police had sat with radar when the speed limit was 35 miles per hour and had sent tickets to the Railroad, he felt they should try that again. He stated that people should go online and protest, get signatures, put a book in Town Hall (concerning what the Railroad was doing). He suggested when the first train comes through at 90mph they should block the Railroad and get attention and maybe then they would come back and plant trees and help beautify the Town.

There were no more citizens' comments.

Alderman Abernathy motioned, seconded by Alderman Brown, to adjourn the meeting. All voted aye.

The meeting was adjourned at 8:14pm on Monday, June 2nd, 2014.

Heather Wood
Administrative Assistant