

March 1st, 2010

At 7:00 P.M., on Monday, March 1st, 2010, in the Board Room of the Landis Municipal Building, Mayor Dennis Brown called to order the Town of Landis Board of Aldermen regular meeting. Those present along with the Mayor were Aldermen Tony Hilton, Roger Safrit, Craig Sloop and James Furr, Town Administrator Reed Linn, Public Works Director Steve Rowland, Recreation Director Julie Noblitt, Police Chief Brian McCoy, Deputy Town Administrator Debbie Goodman, Administrative Assistant Heather Wood and Town Attorney Rick Locklear.

A quorum was met.

Mayor Dennis Brown welcomed all those in attendance.

The invocation was led by Reverend Billy Honeycutt.

The pledge of allegiance was led by Mayor Dennis Brown.

Alderman Furr motioned, seconded by Alderman Safrit, to adopt the amended agenda (which removed item #11). All voted aye.

The Board then received the Phase I Environmental Assessment of the Passive Park from Carolina Negron of Obrien and Gere. A scientist had conducted the assessment at the park. They had done a “walk through” of the property (all parcels) and the old hardware store and conducted historical research, an EPR, topical and aerial surveys. They had discovered two recognizable conditions that could cause concern.

The building used to be used as a garage and dealership, which could cause issues. Also on the west side of the building there was a fill port which had a 500 gallon underground storage well that still contained some product. The building could also need inspections for mold.

Alderman Hilton inquired where they should proceed from here.

Ms. Negron said that for Phase I they would need to remove the underground tank and do a soil sample. She stated if there did happen to be a leak; they would simply have to remove the soil around the area. She also recommended doing soil samples for the building, specifically where the garage area had been, as it could be a concern. She also commented they could install a “brown water well” to check the water quality. Alderman Hilton asked why the water should be tested if no one was currently using well water. Ms. Negron explained that it mostly had to do with new construction and concern over exposure to workers.

Administrator Linn asked if they could move forward or would it affect the grant. Mike Acquesta stated that the concerns were outdoors, so if they wished to start there they would need to consider Ms. Negron’s recommendations. As far as starting indoors, they would need to deal with any asbestos; it would need to be removed the proper way. However, if nothing that contained asbestos was disturbed, they could leave it in the building.

Ms. Negron explained that when soil samples were taken, it would take perhaps two weeks to get results back from the lab.

The next order of business was an update on the water/sewer system projects by Mike Acquesta. The contracts had been signed by the Major two weeks ago and sent to USDA for final approval. They were still waiting to hear back and Mr. Acquesta had emailed Mr. Hart concerning the pending approvals. Mr. Hart would also be in town on Wednesday and they would inquire about the approvals. Once the USDA had given their final approval, they would be ready to move forward.

The booster pump station plans were still in progress. Mr. Acquesta spoke briefly about them, stating that they would be developing two plans and bid out both so they could decide at a later date which plan to actually go with.

They had met with the firm doing the sewer video work today and they had completed 18 videos worth of footage so far. There had been lots of roots, especially in the old parts of the system. The project was to the halfway point of completion and the roots were starting to be less extensive. To Mr. Acquesta's knowledge there had been no further incidents of water being flushed back into residents' homes. It was his opinion the project would be completed by this time next month. Progress was going much quicker due to fewer roots.

Alderman Hilton asked them to get together with Ben Kimball about where to dispose of the material being taken from the lines, stating that he needed something in writing from the Town.

Administrator Linn then presented the Board with a budget amendment request. It was needed for the Police Department budget because of the Governor's Highway Safety Grant. The amount being amended was for this year's fiscal budget only. The rest would be budgeted for next year. It was for accounting purposes only, and would create items in both the revenue and expenditures side and the amounts would be a "wash".

Alderman Hilton motioned, seconded by Alderman Safrit, to accept the budget amendment as presented. All voted aye.

The Mayor then brought up the matter of the Brain Injury Awareness Month proclamation that Nadine Cherry had presented to the Board the month before. He thanked Ms. Cherry for the information and stated that he would like to see the Board pass the proclamation and join in with the other towns in the county who had done so.

Alderman Safrit motioned, seconded by Alderman Sloop, to accept the proclamation designating March as Brain Injury Awareness Month in the Town of Landis. All voted aye.

The next order of business was a discussion concerning taxes for "Sweepstakes Parlors" as presented by Alderman Safrit. He stated that there are several sweepstakes areas in town and right now things were "up in the air". Kannapolis had passed an ordinance to receive tax revenue off of sweepstakes machines and computers. Alderman Safrit wanted to get information from the attorney to see what the Town could do. At the moment, Alderman Safrit felt people were getting away with paying nothing.

Alderman Furr thanked Alderman Safrit for bringing up the subject, as he had intended to himself under Board Comments. He stated that he would like to clarify that his concern was less on the tax side and more about the "cost to society"; he was looking at "consumer protection". If there were no regulations, people would not know if they were playing a "straight game" or not and he felt the parlors had found ways to "circumvent the laws". He stated that he would like the Town's attorney to look at the Kannapolis ordinance and develop something similar for Landis. Alderman Furr did not want Landis to become the "dumping ground" for establishments that had come from Kannapolis.

Alderman Safrit stated that Raleigh was looking at legislation to completely ban the practice again. He wanted the Town's attorney to look at the matter and let the Board know what their options were.

The Town's attorney, Rick Locklear, inquired if the Town currently had these types of establishments. Alderman Safrit stated that they did have one and he felt they would be "popping up all over" and he felt they needed to "pay something".

Alderman Sloop commented that they "get by with it" by calling them "internet cafes"—people have access to internet service and are able to gamble.

Administrator Linn stated that he had investigated the existing establishment from the zoning side of things and that while sweepstakes parlors are allowed in the district the business was in (B-3), they were not allowed to be any closer than 300 feet from a residential district or structure. Currently, the business was in fact closer than the required 300 feet on both sides. He had sent a letter to the owner and would be discussing it with them tomorrow.

The next order of business was a joint request from South Rowan and Carson High Schools JROTC for sponsorship. Mayor Brown asked if this was budgeted for. Administrator Linn explained that they put money in the budget every year under marketing for such things in the Light Fund. They had supported the JROTC in the past. Alderman Safrit stated that the JROTC program "shapes people" and he felt they needed all the help they could get.

Alderman Safrit motioned, seconded by Alderman Sloop, to donate \$500.00 to the South Rowan and Carson High Schools JROTC program. All voted aye.

The Board then discussed a new date for the Annual Budget Retreat. Mayor Brown stated that it had been postponed due to Administrator Linn's father passing away. He stated that he would "miss him greatly".

After discussion, the Board settled on Saturday, March 13th, 2010 at 8:00am for the retreat—to be held at the Club at Irish Creek.

Department Head Comments

Recreation Director Julie Noblitt: stated that the Recreation Master Plan was moving along nicely and should be completed within the month. They were on the "last leg" of the process, which involved interviewing citizens. She hoped to be able to present the Master Plan to the Board at the April meeting. She went on to say she would be holding classes in March and April, which would include shag/dance lessons as well as a CPR class for professional rescuers (Red Cross would be running the class). In April she also planned to do a "babysitter" class, as well as try to arrange some fitness classes. Alderman Safrit asked if there was anything for youth other than ball. Director Noblitt said she was trying to reach all age groups, but nothing had been developed specifically yet. She was trying to develop more arts classes as well as a team night at the pool. They would have the Easter Egg Hunt in April as well as a Spring Carnival that would utilize the games from the Fall Carnival.

Town Administrator Reed Linn: stated that today at City Hall the VOIP connection on the phone system had gone down, as well as the internet itself for several hours. Everything was back up and running by around

2:00pm. He confirmed that it was not a problem on our end of things. Administrator Linn also clarified that the NC DOT Rail meeting would be on March 16th, 2010 at 7:00pm in the council chambers. The Board confirmed this. He would be handling the advertising for the meeting.

Public Works Director Steve Rowland: stated that the sewer project was going smoother now, as was the water project. There had not been many taps lately though. Everything was going well if they could “get motorists to leave the poles alone”.

Board Comments

Alderman Tony Hilton: stated that he had been sending the MPO and state delegation emails to the Board and that he had been strident in his own emails, stating he did not feel the governor and federal legislation had been able to “bring home the bacon” for the Yadkin River Bridge project. There was further discussion concerning the project. Alderman Hilton urged anyone interested in the subject to contact their state and federal delegates. He reminded everyone that it is a federal highway, not a state one and it is the largest corridor to Atlanta. If we had to “eat this thing” and it would not be paid off until 2021, no other projects would get completed in that time. Mayor Brown thanked Alderman Hilton for keeping everyone updated. Alderman Furr thanked Alderman Hilton for the “outstanding job” he had done. Alderman Safrit also offered his thanks, stating that he would be sending in his own letter; Alderman Furr said that he had already sent his letter in.

Alderman Roger Safrit: offered his condolences to Administrator Linn.

Citizens Comments

Nadine Cherry: stated that she appreciated the Board passing the proclamation (for Brain Injury Awareness Month), and stated that Representatives Brock, Coates and Steen were supposed to be at the meeting on Thursday, March 18th, 2010 if nothing came up. She said if it was possible she’d like to get a picture of them with the proclamation.

Alderman Furr motioned, seconded by Alderman Safrit, to go into Executive Session to discuss Legal and Personnel Matters. All voted aye.

Alderman Furr motioned, seconded by Alderman Safrit, to come out of Executive Session and to adjourn the meeting. All voted aye.

The meeting adjourned at 8:20 P.M. on Monday, March 1st, 2010.

Heather Wood
Administrative Assistant