

## MINUTES – APRIL 8, 2019

The Board of Aldermen of the Town of Gibsonville met at 7:00 pm for a regular meeting in the Town Hall. The meeting was called to order by Mayor Williams. Aldermen, Owen, Shepherd, Pleasants, and O'Toole were present. Ben Baxley, Town Manager, and Laurie Yarbrough, Town Clerk, were present. Police Chief Ron Parrish, Public Works Director Rob Elliott, Fire Chief James Todd, Planning Director Brandon Parker, Town Attorney Doug Hoy, Attorney Keith Whited, Troy King with AWCK, several Driftwood Dr., Victoria Ln., Brookfield Dr., and Ashley Woods residents were in attendance.

### Invocation

Alderman Shepherd introduced Pastor Ricky Cox.

Pastor Ricky Cox gave the Invocation.

### Public Comments

Chris Coleman, 30 Victoria Ct. resident, thanked the board on the way they handled the Owen property development. He stated they looked forward to seeing the plat review.

### Approval of Agenda

Alderman Shepherd, seconded by Alderman Pleasants, made a motion to approve the agenda as amended. The motion passed unanimously.

Mayor Williams stated he would like to add Guilford County Sheriff Danny Rogers to the agenda.

Guilford County Sheriff Danny Rogers stated it was an honor to serve Guilford County. He introduced Chief Deputy Steve Park and Lt. Kenny Maynard. He stated his goals were to make sure there re-entry programs and community policing.

Chief Deputy Steve Park stated he retired in 2015 but was asked to come back by Sheriff Rogers.

Lt. Kenny Maynard stated he worked with the School Resource Officers in the Guilford County Schools. He asked the citizens of Gibsonville for their support.

### Approval of Minutes

Alderman Pleasants, seconded by Alderman Owen, made a motion to approve the minutes of March 4, 2019 & March 18, 2019. The motion passed unanimously.

### Public Hearings

#### a. Owen Property Rezoning

Alderman Shepherd, seconded by Alderman Pleasants, made a motion to excuse Alderman Dean from the meeting. The motion passed unanimously.

Mayor Williams stated Alderman Dean was absent and he would count as a yes vote. At the March 18, 2019 meeting the board voted to adjourn this rezoning and send it back to the Planning Board with the revised request to rezone to RS-15. At the Planning Board meeting on April 4, 2019, the Planning Board voted 5-0 to rezone the Owen property to RS-15.

Alderman Shepherd, seconded by Alderman Pleasants, made a motion to open the Public Hearing on the Owen Property Rezoning. The motion passed unanimously.

Matt Kirkpatrick with Reliant-Partners stated he was the developer of the Owen property requesting the rezoning to RS-15. He stated he would like to continue the value of the property out there.

Ryan Moffitt with Vernon Law, representing Matt Kirkpatrick, stated he would answer any questions from the board.

James Smith, 115 Victoria Ln. resident, thanked the board for working through this rezoning and he thanked the developer for working with the property owners and staff.

Jennifer Collins, Driftwood Dr. resident, stated concerns with access to Westbrook and stated she would like to see the citizens involved.

Jim Hogsett of 121 Ave. of Trees stated he saw no need to connect this development to Ashley Woods subdivision. He stated there were 30 homes on Brookfield Dr., 25 homes on Driftwood Dr. and 274 homes in Ashley Woods and one street carrying the traffic out Brookview Dr.

Tony Crowder, Brookfield Dr. resident, asked what the plan was for cutting the trees for the park; he hated to lose trees.

Alderman Shepherd, seconded by Alderman Owen, made a motion to close the public hearing. The motion passed unanimously.

Keith Whited, Attorney, stated the Mayor and board had done a good job with this rezoning.

Alderman Owen, seconded by Alderman Shepherd, made a motion to approve the rezoning of the Owen property to RS-15 for all lots. The motion passed unanimously.

Alderman Owen, seconded by Alderman Pleasants, made a motion to approve the Statement of Consistency for the Owen property rezoning. The motion passed unanimously.

Mayor Williams thanked everyone who helped with this rezoning and thanked the citizens for their participation.

## **AN ORDINANCE TO AMEND THE GIBSONVILLE ZONING MAP BY REZONING THE PROPERTY OF MABEL OWEN FROM AG TO RS-15**

**WHEREAS**, the current development ordinance was duly adopted 1 April 1991; and

**WHEREAS**, during the course of routine interpretation and application the need arises to revise the ordinance, or to correct or clarify certain ambiguities and inconsistencies contained within the text of the ordinance; and

**WHEREAS**, the property identified on the Alamance County parcel# 107417 located at the end of Brookfield Dr. & Driftwood Dr., is owned by Mabel Owen; and

**WHEREAS**, pursuant to development ordinance, proper application was made by the property owner to rezone 83.5 total acres from AG to RS-15; and

**WHEREAS**, pursuant to development ordinance and statutory requirements, the Town of Gibsonville made due public notification and advertisement of the pending rezoning; and

**WHEREAS**, after consideration in a public hearing at their regular April meeting, the Gibsonville Planning Board made a recommendation to approve the rezoning request by 5-0 vote; and

**NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF ALDERMEN FOR THE TOWN OF GIBSONVILLE:** that the Gibsonville Zoning Map be amended by rezoning the above-referenced property from AG to RS-15, which shall be fully incorporated therein.

Adopted this 8<sup>th</sup> day of April, 2019.

---

**Mayor**

**Attest:**

---

**Town Clerk**

**b. Elizabeth Herron Rezoning – Second Reading**

Mayor Williams stated this was the second reading of the rezoning.

Ben Baxley, Town Manager, stated the request was to rezone the property located at 101 Apple St.; being 1.7 acres; from GB to RS-12. The Planning Board reviewed this request at their February 28, 2019 meeting and recommended approval of the request by a 5-0 vote. At the March 18<sup>th</sup> meeting the Board voted to approve the rezoning request but there was not a 2/3 vote because Alderman Dean excused himself from voting due to a possible conflict.

Alderman Shepherd, seconded by Alderman Owen, made a motion to approve the rezoning of the Elizabeth Herron property. The motion passed unanimously.

Alderman Shepherd read the Statement of Consistency.

Alderman Owen, seconded by Alderman Pleasants, made a motion to approve the Stated of Consistency on the Elizabeth Herron property. The motion passed unanimously.

**AN ORDINANCE TO AMEND THE GIBSONVILLE ZONING MAP BY REZONING THE PROPERTY OF ELIZABETH HERRON FROM GB TO RS-12**

**WHEREAS**, the current development ordinance was duly adopted 1 April 1991; and

**WHEREAS**, during the course of routine interpretation and application the need arises to revise the ordinance, or to correct or clarify certain ambiguities and inconsistencies contained within the text of the ordinance; and

**WHEREAS**, the property identified on the Alamance County parcel# 107518 located at 101 Apple St., is owned by Elizabeth Herron; and

**WHEREAS**, pursuant to development ordinance, proper application was made by the property owner to rezone 1.7ac total acers from GB to RS-12; and

**WHEREAS**, pursuant to development ordinance and statutory requirements, the Town of Gibsonville made due public notification and advertisement of the pending rezoning; and

**WHEREAS**, after consideration in a public hearing at their regular February meeting, the Gibsonville Planning Board made a recommendation to approve the rezoning request by unanimous 5-0 vote; and

**NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF ALDERMEN FOR THE TOWN OF GIBSONVILLE:** that the Gibsonville Zoning Map be amended by rezoning the above-referenced property from GB to RS-12, which shall be fully incorporated therein.

Adopted this 8<sup>th</sup> day of April, 2019.

\_\_\_\_\_  
**Mayor**

**Attest:**

\_\_\_\_\_  
**Town Clerk**

**Springwood Ave./Cedar St. Waterline Replacement Project**

Troy King with AWCK stated the Board previously voted to tentatively award the contract to Yates Construction Company for \$545,621.00 on the Springwood Ave./Cedar St. waterline replacement project, however a discrepancy in the project cost was discovered after this award. The discrepancy was related to a bid addendum for pavement replacement that was not issued due to delays in its approval from the funding agency. He stated they had discussed the funding of the project with the Division of Water Infrastructure, Town staff,

and Yates Construction Company. He recommended approval of the Resolution of Tentative Award - Revised to Yates Construction Co. on the basis of their proposal of \$576,331.00.

Mayor Williams asked when would the project begin.

Mr. King stated in the next 60 days.

Alderman Shepherd, seconded by Alderman O’Toole, made a motion to approve the Resolution of Tentative Award of the Springwood Ave./Cedar St. Waterline Replacement Project – Revised . The motion passed unanimously.

**RESOLUTION OF TENTATIVE AWARD – REVISED**

**WHEREAS**, the Town of Gibsonville, North Carolina has received bids, pursuant to duly advertised notice for the construction of Springwood Avenue and Cedar Street Waterline Replacement; and

**WHEREAS**, Alley, Williams, Carmen & King, Inc. have reviewed the bids; and

**WHEREAS**, Yates Construction Company, Inc. was the lowest bidder for construction of Springwood Avenue and Cedar Street Waterline Replacement in the total bid amount of \$545,621.00, which is now revised to \$576,331.00 to account for additional construction costs,

**WHEREAS**, Alley, Williams, Carmen & King, Inc. recommend REVISED - **TENTATIVE AWARD** to the lowest bidder(s).

**NOW, THEREFORE, BE IT RESOLVED that TENTATIVE AWARD** is made to the lowest bidder(s) in the Total Bid Amount of \$576,331.00.

**Name of Contractor Amount**

- 1. Yates Construction Company, Inc. \$576,331.00

**BE IT FURTHER RESOLVED that such TENTATIVE AWARD** be contingent upon the approval of the North Carolina Department of Environmental Quality.

Upon motion of Alderman Shepherd, seconded by Alderman O’Toole, the above **RESOLUTION** was unanimously adopted.

This is 8th day of April, 2019.

\_\_\_\_\_  
Mayor

**Attest:**

\_\_\_\_\_  
Town Clerk

**FY 2019 Budget Ordinance Amendment #7**

Ben Baxley, Town Manager, stated the FY 2019 Budget Ordinance Amendment #7 was to amend the Town Fee Schedule to account for the addition of Fall Festival Fees since the Town is now over the Fall Festival.

Alderman Owen asked was this in line with what had been charged.

Mike Dupree, Recreation Director, stated this was a \$10.00 increase.

Alderman Pleasants, seconded by Alderman Owen, made a motion to approve the FY 2019 Budget Ordinance Amendment #7. The motion passed unanimously.

**TOWN OF GIBSONVILLE, NORTH CAROLINA  
2019 BUDGET ORDINANCE AMENDMENT #7**

BE IT ORDAINED by the Board of Aldermen of the Town of Gibsonville, North Carolina, a meeting was held this the 8th day of April, 2019 that the following fund revenues and departmental expenditures together with certain restrictions and authorizations be amended.

**SECTION I. GENERAL FUND**

<b>Anticipated Revenues</b>	<b>FY 2019</b>	<b>Amendment</b>	<b>FY 2019</b>
	<b><u>Current Budget</u></b>	<b><u>Increase/Decrease</u></b>	<b><u>Revised Budget</u></b>
Taxes, Current Year	2,795,000	-	2,795,000
Taxes, Prior Years	24,450	-	24,450
Motor Vehicle Tax	330,000	-	330,000
Penalties & Interest	10,000	-	10,000
Cemetery	12,000	-	12,000
Recreation	76,000	-	76,000
Sanitation Service Charge	288,000	-	288,000
Interest on Investments	8,000	-	8,000
Fire District Tax (Guilford)	14,400	-	14,400
Library	2,944	-	2,944
Transfer Perpetual Care	2,700	-	2,700
Sale of Fixed Assets	5,000	-	5,000
Guilford County Funds	55,500	-	55,500
Code Enforcement/Planning	8,000	-	8,000
Brush/White Goods Pickup Fees	1,500	-	1,500
Miscellaneous	30,291	-	30,291
GHA	2,340	-	2,340
Stormwater Fee	30,000	-	30,000
Solid Waste Disposal Tax	4,700	-	4,700
Intangible: Sales Tax (Alamance Co.)	875,000	-	875,000
Intangible: Sales Tax (Guilford Co.)	460,000	-	460,000
Utility Franchise	390,000	-	390,000
Beer & Wine	30,000	-	30,000
State Drug Funds	3,743	-	3,743
Federal Drug Funds	91,857	-	91,857
Powell Bill Funds	189,000	-	189,000
Loan Proceeds	37,933	-	37,933
Insurance Proceeds	2,610	-	2,610

Appropriated General Fund Balance	923,721	-	923,721
Appro'd Fund Balance - Powell Bill	205,000	-	205,000
Appro'd Revitalization Grant	115,119	-	115,119
<b>Total Anticipated Revenues</b>	<b>7,024,808</b>	<b>-</b>	<b>7,024,808</b>

**Authorized Expenditures**

	<u>Current Budget</u>	<u>Increase/Decrease</u>	<u>Revised Budget</u>
Governing Board	69,516	-	69,516
Administration	1,420,197	-	1,420,197
Police	1,942,393	-	1,942,393
Fire	1,055,590	-	1,055,590
Public Works Administration	199,308	-	199,308
Streets	867,117	-	867,117
Powell Bill	312,100	-	312,100
Sanitation	325,375	-	325,375
Recreation	651,234	-	651,234
Library	157,428	-	157,428
Cemetery	18,940	-	18,940
Contingency	5,610	-	5,610
<b>Total Authorized Expenditures</b>	<b>7,024,808</b>	<b>-</b>	<b>7,024,808</b>
	0		0

**SECTION II. WATER & SEWER**

	<u>Current Budget</u>	<u>Increase/Decrease</u>	<u>Revised Budget</u>
<b>Anticipated W&amp;S Revenues</b>			
<b><u>Water Revenues</u></b>			
Water Service Fees	840,748	-	840,748
Tapping Fees	450	-	450
Meter Setting	10,000	-	10,000
Reconnection Fees	40,000	-	40,000
Loan Proceeds	37,933	-	37,933
Miscellaneous Revenues	13,644	-	13,644
Internet Convenience Fees	7,000	-	7,000
Retained Earnings Appropriation	147,000	-	147,000

<b>Total Anticipated Water Revenues</b>	<b><u>1,096,775</u></b>	<b><u>-</u></b>	<b><u>1,096,775</u></b>
<b><u>Sewer Revenues</u></b>			
Sewer Service Fees	2,103,033	-	2,103,033
Tapping Fees	550	-	550
Meter Setting	10,000	-	10,000
Reconnection Fees	40,000	-	40,000
Loan Proceeds	112,933	-	112,933
Miscellaneous Revenues	13,644	-	13,644
Internet Convenience Fees	7,000	-	7,000
Insurance Proceeds	9,754	-	9,754
<b>Total Anticipated Sewer Revenues</b>	<b><u>2,296,914</u></b>	<b><u>-</u></b>	<b><u>2,296,914</u></b>
<b>Total Anticipated W&amp;S Revenues</b>	<b><u>3,393,689</u></b>	<b><u>-</u></b>	<b><u>3,393,689</u></b>
<b>Authorized W&amp;S Expenditures</b>			
<b>Water Expenditure</b>	1,096,775	-	1,096,775
<b>Sewer Expenditures</b>	2,296,914	-	2,296,914
<b>Total Authorized Expenditures</b>	<b><u>3,393,689</u></b>	<b><u>-</u></b>	<b><u>3,393,689</u></b>
	-	-	-
<b>SECTION III. PERPETUAL CARE FUND</b>			
<b>Anticipated Revenues</b>	<b>2,700</b>	<b>-</b>	<b>2,700</b>
<b>Authorized Expenditures</b>	<b>2,700</b>	<b>-</b>	<b>2,700</b>
	-	-	-

#### SECTION IV. TAX RATE ESTABLISHED

An ad valorem tax rate of \$0.53 per \$100 at full valuation is hereby established as the official tax rate for the Town of Gibsonville for the fiscal year 2019. This rate is based on a total valuation of property of \$612,181,228 and an estimated collection rate of 97.25%.

#### SECTION V.

Charges for services and fees by Town Departments are levied in the amounts set forth in the Fee Schedule (See Attachment A).

#### SECTION VI. SPECIAL AUTHORIZATION - BUDGET OFFICER

**A.** Budget Officer shall be authorized to reallocate departmental appropriations among various object of expenditures as he believes necessary.

**B.** The Budget Officer shall be authorized to effect interdepartmental transfers, in the same fund, not to exceed 10% of the appropriated monies for the department whose allocations is reduced. Notation of all such transfers shall be made to the Board on the next succeeding Financial Report.

- C. He may make interfund loans for a period of not more than 60 days.
- D. Interfund transfers, established in the budget document may be accomplished without recourse to the Board.

**SECTION VII. RESTRICTION - BUDGET OFFICER**

- A. Interfund transfer of monies, except as noted in Section VI. Shall be accomplished by the Board authorization only.
- B. The utilization of any contingency appropriations shall be accomplished only with Board authorization.

**SECTION VIII. UTILIZATION OF BUDGET ORDINANCE**

This Ordinance Amendment and the Budget Document shall be the basis of the financial plan for the Gibsonville Municipal Government during the 2019 fiscal year. The Budget Officer shall administer the budget and shall insure that operating officials are provided guidance and sufficient details to implement their appropriate portion of the budget. The accounting section shall establish records which are consonance with the Budget and this Ordinance and the appropriate statute of the State of North Carolina.

**Amended this the 8th day of April, 2019.**

**Attest:**

\_\_\_\_\_  
\_\_\_\_\_  
**Mayor of Gibsonville, NC**

\_\_\_\_\_  
\_\_\_\_\_  
**Town Clerk of Gibsonville, NC**

**Reports**

**a. Manager**

Ben Baxley, Town Manager, stated a pre-construction resurfacing meeting would be April 16, 2019. He stated he would present the 2020 recommended budget at the May 6, 2019 meeting.

**b. Mayor**

Mayor Williams stated he had received calls about the public toilet facility not being open.

Ben Baxley, Town Manager, stated they were opened in the morning and locked in the evening.

Mayor Williams stated Mary Shay Summers was 98 years old and a longtime resident of Gibsonville had passed away this week. He stated he would like to present the family with a proclamation.

Alderman Pleasants stated the town approved two new developments; Owen property with RS-15 zoning and the Burlington Ave. property. He stated he has heard need to lower taxes. He stated things need to be in place before developers look at property to develop; need to be prepared before happens.

Alderman Pleasants, seconded by Alderman Shepherd, made a motion to adjourn. The motion passed unanimously. The meeting adjourned at 7:45 pm.

\_\_\_\_\_  
**Mayor**

**Attest:**

\_\_\_\_\_  
**Town Clerk**