

MINUTES – June 17, 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, Dean, 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, and several residents were in attendance.

Public Comments

Shirley Pearson resident, stated yes to stop signs in Ashley Woods and Petition for Annexation on Gibsonville-Ossipee Rd. She asked the board to leave Link Transit.

Tom White, resident of Courtyard in Ashley Woods, asked the board to consider adding stop signs in the Courtyard in Ashley Woods. He stated he did not like to see expansion in town without more police and fire.

Bob Bungo of 1320 Brookview Dr. stated he supported adding stop signs.

Beverly Ross, Tall Timber Dr. resident, stated there were traffic concerns and would be more traffic when the Owen property was developed.

Jerry Garner, Courtyard in Ashley Woods resident, stated he was in favor of the stop signs.

Approval of Agenda

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

Petition Requesting Stop Signs in the Courtyards of Ashley Woods

Ben Baxley, Town Manager, stated the Town had received a 49 signature petition from property owners living in the Courtyards of Ashley Woods to request that the Town install three way stop signs at two intersections in this subdivision. He stated the purpose of the stop signs were to help reduce the vehicles speeding through the streets in this subdivision. The intersections are Brookview Drive at Tall Timber Drive and Brookview Drive at Ashley Woods Drive. He stated the petition stated that there were currently 64 residences in the association. He stated forty-seven of the 49 signatures supported the additional stop signs and two opposed the additional stop signs. He stated the petition was available for inspection. He stated *the* board may wish to direct Chief Parrish to approve the installation of said stop signs for a temporary time period of 90 days to allow for an evaluation period. He stated the board would need to amend the Code of Ordinances to make this stop sign change permanent at some point in the future.

Alderman Owen asked how many stop signs were they requesting.

Mr. Baxley stated two.

Alderman Owen stated the Police Chief can have these put up.

Ron Parrish, Police Chief, stated he would get with the Public Works Director.

Mayor Williams recommended that the Police Chief have these put up for 90 days and the board will then consider amending the Ordinance to include the addition of these stop signs at a public hearing.

Alderman Owen, seconded by Alderman O'Toole, made a motion that the two stop signs be put up for 90 days in the Courtyards of Ashley Woods. The motion passed unanimously.

FY 2019 Budget Ordinance Amendment #9

Ben Baxley, Town Manager, stated the FY 2019 Budget Ordinance #9 was needed to account for actual revenue received and to provide adequate funding to cover year end expenditures. He stated this amendment would create the Highway 61 and Highway 70 Water and Sewer Extension Capital Project Fund which was needed to begin design, and easement preparation (surveying) for this project. He recommended that the Board of Aldermen approve Budget Ordinance # 9.

Alderman Shepherd, seconded by Alderman Owen, made a motion to approve FY 2019 Budget Ordinance Amendment #9. The motion passed unanimously.

**TOWN OF GIBSONVILLE, NORTH CAROLINA
2019 BUDGET ORDINANCE AMENDMENT #9**

BE IT ORDAINED by the Board of Aldermen of the Town of Gibsonville, North Carolina, a meeting was held this the 17th day of June, 2019 that the following fund revenues and departmental expenditures together with certain restrictions and authorizations be amended.

SECTION I. GENERAL FUND

Anticipated Revenues	FY 2019	Amendment	FY 2019
	<u>Current Budget</u>	<u>Increase/Decrease</u>	<u>Revised Budget</u>
Taxes, Current Year	2,795,000	82,500	2,877,500
Taxes, Prior Years	24,450	6,890	31,340
Motor Vehicle Tax	330,000	-	330,000
Penalties & Interest	10,000	10,000	20,000
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	102,182	-	102,182
Powell Bill Funds	189,000	-	189,000
Loan Proceeds	627,933	-	627,933
Insurance Proceeds	2,610	-	2,610
Appropriated General Fund Balance	923,721	20,000	943,721
Appro'd Fund Balance - Powell Bill	205,000	-	205,000
Appro'd Revitalization Grant	115,119	-	115,119
Total Anticipated Revenues	<u>7,625,133</u>	<u>119,390</u>	<u>7,744,523</u>

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	1,952,718	15,000	1,967,718
Fire	1,645,590	20,000	1,665,590
Public Works Administration	199,308	10,000	209,308
Streets	867,117	35,000	902,117
Powell Bill	312,100	-	312,100
Sanitation	325,375	20,000	345,375
Recreation	651,234	20,000	671,234
Library	157,428	5,000	162,428
Cemetery	18,940	-	18,940
Contingency	5,610	(5,610)	-
Total Authorized Expenditures	<u>7,625,133</u>	<u>119,390</u>	<u>7,744,523</u>

SECTION II. WATER & SEWER

	<u>Current Budget</u>	<u>Increase/Decrease</u>	<u>Revised Budget</u>
Anticipated W&S Revenues			
<u>Water Revenues</u>			
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 (W&S)	147,000	171,000	318,000
<i>Total Anticipated Water Revenues</i>	<i>1,096,775</i>	<i>171,000</i>	<i>1,267,775</i>
<u>Sewer Revenues</u>			
Sewer Service Fees	2,103,033	168,000	2,271,033
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
Retained Earnings Appropriation (W&S)	-	553,000	553,000
<i>Total Anticipated Sewer Revenues</i>	<i>2,296,914</i>	<i>721,000</i>	<i>3,017,914</i>
<i>Total Anticipated W&S Revenues</i>	<i>3,393,689</i>	<i>892,000</i>	<i>4,285,689</i>
Authorized W&S Expenditures			
Water Expenditure	1,096,775	171,000	1,267,775
Sewer Expenditures	2,296,914	721,000	3,017,914
<i>Total Authorized Expenditures</i>	<i>3,393,689</i>	<i>892,000</i>	<i>4,285,689</i>
SECTION III. PERPETUAL CARE FUND			
<i>Anticipated Revenues</i>	<i>2,700</i>	-	<i>2,700</i>
<i>Authorized Expenditures</i>	<i>2,700</i>	-	<i>2,700</i>
SECTION IV. HIGHWAY 61/70 WATER & SEWER EXTENSION CAPITAL PROJECT FUND			
<i>Anticipated Revenues</i>			
<i>Transfer From Water & Sewer Fund</i>	-	<i>342,000</i>	<i>342,000</i>
<i>Total W&S Extension Capital Fund Rev.</i>	-	<i>342,000</i>	<i>342,000</i>

Expenditures

<i>W&S Extension Capital Fund Exp.</i>	-	342,000	342,000
Total W&S Extension Capital Fund Rev.	-	342,000	342,000

SECTION V. 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 VI.

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

SECTION VII. 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 VIII. 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 IX. 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 17th day of June, 2019.

Attest:

Mayor of Gibsonville, NC

Town Clerk of Gibsonville, NC

Highway 61 and Highway 70 Water & Sewer Extension Capital Project Ordinance

Ben Baxley, Town Manager, stated the Board of Aldermen approved the selection of Alley, Williams, Carmen, and King, Inc. (AWCK) to provide professional services for the Highway 61 and Highway 70 Water & Sewer Extension Project at the February 4, 2019 meeting. He stated the next step was to approve the Capital Project Ordinance related to the project; once approved, the Town could execute the agreement for professional services and AWCK could begin the surveying and design. He stated a transfer of \$342,000 from the Water & Sewer Fund (Retained Earnings) would provide funding for the design services, easement preparation

(surveying), and legal services for the project. He recommended that the Board of Aldermen approve the Highway 61 and Highway 70 Water & Sewer Extension Capital Project Ordinance.

Mayor Williams stated he had spoken at the Alliance for Commercial Real-estate recently and developers were there. He stated he was told that if Gibsonville put the water and sewer out to Hwy. 61/70 that it be would be developed.

Alderman Owen, Seconded by Alderman Shepherd, made a motion to approve the Highway 61 and Highway 70 Water & Sewer Extension Capital Project Ordinance. The motion passed unanimously.

**CAPITAL PROJECT ORDINANCE
HIGHWAY 61 & HIGHWAY 70 WATER AND SEWER EXTENSION PROJECT**

BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE TOWN OF GIBSONVILLE, NORTH CAROLINA, that pursuant to Section 13.2, Chapter 159 of the General Statutes of North Carolina, the following Capital Project Ordinance is hereby adopted:

- Section 1. The Project authorized is Highway 61 & Highway 70 Water and Sewer Extension Project.
- Section 2. The officials of the Town of Gibsonville are hereby directed to proceed with this program within the terms of the project.
- Section 3. The following revenues are anticipated to be available to the Town to complete the project:

Transfer from Water & Sewer Fund Retained Earnings	\$	342,000
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- Section 4. The following amounts are appropriated for this project:

Design Services	\$	297,000
Easement Preparation (Surveying)	\$	30,000
Legal	\$	15,000
- Section 5. The Town Manger shall report on the financial status of this project as directed by the Board of Aldermen and will inform the Board of any unusual occurrences.
- Section 6. Copies of this project ordinance shall be made available to the Town Manager and the Finance Officer for direction in carrying out this project.
- Section 7. That this ordinance shall take effect upon passage.

This the 17th day of June, 2019.

Leonard Williams, Mayor

ATTEST:

Laurie Yarbrough, Town Clerk

Petition for Annexation of 4.75 acres on Gibsonville-Ossipee Road

Ben Baxley, Town Manager, stated the property owner David Todd Humphrey had presented a Petition for Annexation of 4.75 acres. He stated the Board would need to approve the Resolution Directing the Town Manager to Investigate the Petition Requesting Annexation. He explained that this item was presented at the June 3, 2019 meeting; however, it was discovered that a previous petition for annexation of said property was submitted by the developer instead of the property owner. He recommended that the Board of Aldermen approve the Resolution Directing the Town Manager to Investigate the Petition Requesting Annexation.

Alderman Owen, seconded by Alderman Shepherd, made a motion to approve the Resolution Directing the Town Manager to Investigate the Petition. The motion passed unanimously.

**Resolution Directing the Town Manager to Investigate
A Petition Received Under G.S. 160A-31**

Whereas, a petition requesting annexation of an area described in said petition has been received on June 3, 2019 by the Board of Aldermen of the Town of Gibsonville; and

Whereas, G.S. 160A-31 provides that the sufficiency of the petition shall be investigated by the Town Manager before further annexation proceedings may take place; and

Property identified as Alamance County Register of Deeds Book 1044, Page 311 (4.75 ac.); owned by David Todd Humphrey; and

Whereas, the Board of Aldermen of the Town of Gibsonville deems it advisable to proceed in response to this request for annexation;

Now, Therefore, Be It Resolved by the Board of Aldermen of the Town of Gibsonville:

That the Town Manager is hereby directed to investigate the sufficiency of the above described petition and to certify as soon as possible to the Board of Aldermen the result of his investigation.

Adopted this the 17th day of June, 2018.

Mayor

Attest:

Town Clerk

**Resolution Fixing Date of Public Hearings for Annexation of Property Owed by
Manning Crossing, LLC**

Ben Baxley, Town Manager, stated Manning Crossing, LLC was requesting annexation of 32.40 acres located on Gibsonville Ossipee Rd. This property was contiguous with the town limits. He stated at the last meeting the Board approved the Resolution Directing the Town Manager to Investigate the Petition under G.S. 150A-31. The Town Manager presented the Certificate of Sufficiency of the Petition and recommended approval of the Resolution Fixing Date of Public Hearing for Annexation to be set for the July 15, 2019 meeting.

Mayor Williams stated the next board meeting would be on July 15, 2019.

Alderman Owen, seconded by Alderman O'Toole, made a motion to approve the Resolution Fixing Date of Public Hearing on Annexation. The motion passed unanimously.

**RESOLUTION FIXING DATE OF PUBLIC HEARING ON QUESTION
OF ANNEXATION PURSUANT TO G.S. 160A-31**

WHEREAS, petition requesting annexation of the area described herein has been received; and

WHEREAS, the Board of Aldermen of the Town of Gibsonville has by Resolution directed the Town Manager to investigate the sufficiency thereof; and

WHEREAS, certification by the Town Manager as to the sufficiency of said petition has been made;

NOW, THEREFORE, BE IT RESOLVED by the Board of Aldermen of the Town of Gibsonville, North Carolina:

Section 1. That a public hearing on the question of annexation of the area described herein will be held at Town Hall at 7:00 pm on the 15th day of July, 2019.

Section 2. The area proposed for annexation is described as follows:

**Property identified as Alamance County Register of Deeds Book 1515, Page 776
(32.40 acres); owned by Manning Crossing, LLC**

Section 3. Notice of said Public Hearing shall be published in the Times News, a newspaper having general circulation in the Town of Gibsonville, at least ten days prior to the date of said Public Hearing.

Adopted this the 17th day of June, 2019.

Mayor

Attest:

Town Clerk

Resolution Making Certain Findings and Determinations with respect to the issuance of revenue bonds of the Town of Gibsonville, North Carolina, authorizing the filing of an application with the Local Government Commission for approval of such bonds and requesting the Local Government Commission to sell such bonds

Ben Baxley, Town Manager, stated the Town was in the process of obtaining interim financing for the sewer rehabilitation project. He stated one of steps was to pass a resolution making certain findings and determinations with respect to the issuance of revenue bonds of the Town of Gibsonville, North Carolina, authorizing the filing of an application with the Local Government Commission (LGC) for approval of such bonds and requesting the Local Government Commission to sell such bonds. He stated said findings include that it is necessary to issue revenue bonds for the purpose of financing improvements to the Town’s existing sewerage system and paying certain costs and expenses incurred in connection with the issuance of such revenue bonds. He stated the resolution requests the LGC approve the revenue bond and the Town’s selection of Robinson, Bradshaw & Hinson, P.A. as bond counsel in connection with the authorization and issuance of such revenue. The resolution also states that the Board of Aldermen finds, determines, and affirms that the issuance of such revenue bonds is necessary for the Town to finance improvements to its sewer system, the amount of the proposed revenue bonds will be sufficient but not excessive for its purposes, the proposed financing is feasible, the Town’s debt management procedures and policies are good and are managed in strict compliance with the law, and under current economic conditions, the proposed revenue bonds can be marketed at a reasonable inters costs to the Town. The Town Manager recommended that the Board of Aldermen approve the resolution. He stated the Board would be asked to approve a series of bonds at the July 15, 2019 meeting.

Alderman Shepherd, seconded by Alderman Owen, made a motion to approve the Resolution Making Certain Findings and Determinations with respect to the issuance of revenue bonds of the Town of Gibsonville, North Carolina, authorizing the filing of an application with the Local Government Commission for approval of such bonds and requesting the Local Government Commission to sell such bonds. The motion passed unanimously.

RESOLUTION MAKING CERTAIN FINDINGS AND DETERMINATIONS WITH RESPECT TO THE ISSUANCE OF REVENUE BONDS OF THE TOWN OF GIBSONVILLE, NORTH CAROLINA, AUTHORIZING THE FILING OF AN APPLICATION WITH THE LOCAL GOVERNMENT COMMISSION FOR APPROVAL OF SUCH BONDS AND REQUESTING THE LOCAL GOVERNMENT COMMISSION TO SELL SUCH BONDS

WHEREAS, the Board of Aldermen the Town of Gibsonville, North Carolina (the “Town”) has determined that it is necessary to issue revenue bonds of the Town pursuant to Chapter 159 of the North Carolina General Statutes, as amended, for the purpose of (a) financing improvements to the Town’s existing sewage system and (b) paying certain costs and expenses incurred in connection with the issuance of such revenue bonds; and

WHEREAS, it is necessary to take certain related action at this time;

NOW THEREFORE, BE IT RESOLVED by the Board of Aldermen of the Town, as follows:

Section 1. The Town Manager and the Finance Officer of the Town are each hereby designated as a representative of the Town to file an application for approval of such revenue bonds with the Local Government

Commission of North Carolina (the “Local Government Commission”) and authorized to take such other actions as may be advisable in connection with the negotiation of such revenue bonds and the development of the related financing; and all actions heretofore taken by any of such officers or any other officer of the Town relating to such matter on behalf of the Town are hereby approved, ratified and confirmed.

Section 2. The Board of Aldermen hereby requests the Local Government Commission to approve such revenue bonds under Article 5 of Chapter 159 of the General Statutes of North Carolina, as amended, and to sell such revenue bonds at private sale without advertisement to any purchaser or purchasers thereof, at such prices as the Local Government Commission determines to be in the best interest of the Town, subject to the approval of the Town.

Section 3. The Board of Aldermen recommends the selection of Robinson, Bradshaw & Hinson, P.A. as bond counsel in connection with the authorization and issuance of such revenue bonds, and any bond anticipation notes, and hereby requests the Local Government Commission to approve such selection. The Board will later make recommendations for the selection of a bond registrar, a paying agent, and any other persons required in connection with the issuance of such bonds and any bond anticipation notes.

Section 4. The Board of Aldermen hereby finds, determines and affirms that (i) the issuance of such revenue bonds is necessary for the Town to finance improvements to its sewer system, (ii) the amount of the proposed revenue bonds will be sufficient but not excessive for its purposes, (iii) the proposed financing is feasible, (iv) the Town’s debt management procedures and policies are good and are managed in strict compliance with law and (v) under current economic conditions, the proposed revenue bonds can be marketed at a reasonable interest cost to the Town.

Section 5. This resolution shall take effect immediately upon its passage.

Upon motion of Alderman Mark Shepherd, seconded by Alderman Clarence Owen, the foregoing resolution was passed by the following vote:

Ayes: Aldermen Mark Shepherd, Clarence Owen, Shannon O’Toole, Paul Dean, and Alderman Pleasants

Noes: Aldermen 0.

Approved this the 17th day of June, 2019.

Leonard M. Williams, Mayor
Town of Gibsonville

Attest:

Laurie Yarbrough, Town Clerk
Town of Gibsonville

Reports

a. Manager

Ben Baxley, Town Manager, stated the next Board meeting would be on July 15, 2019. He stated Town offices would be closed on July 4th; Thursday garbage would be picked up on Friday. He stated there would be an Old Fashion Market Day and Concert on July 6th downtown. He stated the resurfacing project was almost finished.

b. Mayor

Mayor Williams stated the new fire truck was here and it was a great piece of equipment. He stated the Board Needed to look at how much it would cost to run water and sewer to Hwy. 70. He asked the Town Manager to look at the Burlington Agreement; he thought it mentioned three taps in the Agreement.

Alderman Shepherd, seconded by Alderman Owen, made a motion to adjourn. The motion passed unanimously. The meeting adjourned at 7:40 pm.

Mayor

Attest:

Town Clerk