

MINUTES – JANUARY 5, 2015

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. Alderpersons Shepherd, Revels, Owen, Pleasants, and Dean were present. Ben Baxley, Town Manager, and Laurie Yarbrough, Town Clerk, were present. Town Attorney Doug Hoy, Police Chief Ron Parrish, Public Works Director Rob Elliott, Planning Director Brandon Parker, Fire Chief Tony Roof, Recreation Director Mike Dupree, Congressman Howard Coble, President of the Gibsonville Merchants Association Tiffany Latero, and several merchants and residents were present. Rev. Jim Upchurch with the First Baptist Church of Gibsonville gave the invocation.

Presentation to Congressman Howard Coble

Mayor Williams welcomed Congressman Howard Coble to the meeting and stated Congressman Coble was the longest serving Congressman in North Carolina. He presented Congressman Howard Coble with a plaque on behalf of the Gibsonville Board of Aldermen in appreciation of his dedicated service to the 6th Congressional District of North Carolina since 1985.

Mayor Williams called for a five minute recess to give those in attendance a chance to speak to Congressman Coble.

Mayor Williams called the meeting back to order.

Presentation to Merchants Association

Mayor Williams recognized the Gibsonville Merchants Association for all they do for the Town of Gibsonville. He presented Gibsonville Merchants Association President Tiffany Latero with a plaque in appreciation and support from the town.

Public Comments

Benny Leach with Sherry's on Main stated he stood behind what he said at the last board meeting in reference to the gambling businesses in town. He stated he encouraged the board to change the ordinance not to allow the gambling businesses in town.

Approval of Agenda

Mayor Williams asked that Item 7, FY 2013-2014 Audit Presentation be moved to the February 2, 2015 meeting and Item 10 Request from Resident Regarding Water Bill be removed from the agenda. He asked the Proclamation for National Law Enforcement Appreciation Day be added to the agenda.

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

Approval of Minutes

Alderwoman Revels, seconded by Alderman Owen, made a motion to approve the minutes of December 1, 2014 and December 15, 2014. The motion passed unanimously.

Ordinance to Amend the Gibsonville Development Ordinance with Respect to Zoning, Planning & Development on Electronic Sweepstakes Operation – Public Hearing

Mayor Williams stated this was a public hearing to consider a zoning ordinance text amendment that would address electronic sweepstakes operations in the Town's Central Business (CB) zoning district.

Ben Baxley, Town Manager, stated, the proposed amendment would remove electronic sweepstakes operations as a permitted use in the Central Business zoning district. He stated the proposed amendment would allow existing electronic sweepstakes operations to be grandfathered but no new establishment would be allowed in the CB district. Also, if existing establishments closed then a new sweepstakes business would not be allowed to open where the previous business was located. He stated the amendment would still allow electronic sweepstakes operations as a permitted use in the Limited Business (LB), General Business (GB), Highway Business (HB), and Shopping Center (SC) zoning districts. He stated staff recommended approval of the Zoning Ordinance Text Amendment. He stated the Planning Board approved the text amendment by a 5-0 vote.

Mayor Williams asked for any public comments.

Doug Hoy, Town Attorney, stated there were three electronic sweepstakes centers now there were four. He stated this was in reference to changing the downtown zoning district to not allow for electronic sweepstakes in the CB district. He explained that on November 18, 2014 the N.C. Court of Appeals voted 3 to 0 that sweepstakes operations violated State

statutes and were illegal. He stated the board was proposing not to allow in downtown CB district but there were other districts they could be allowed in; he stated a concern this may give a false impression. He stated since the court case of November 18, 2014 it was his understanding that Alamance County and Guilford County D.A.'s offices were willing to prosecute. He recommended the public hearing be continued until the next meeting to get clarification on enforcement.

Mayor Williams asked the Town Attorney, in his opinion if someone came in inquiring about opening a sweepstakes operation the town should not allow them to.

Mr. Hoy stated yes, deny the request.

Alderman Shepherd, seconded by Alderman Owen, made a motion to continue the public hearing until the next meeting on January 20, 2015. The motion passed unanimously.

Discussion of Request by Abbey Glen Condominium Homeowners Association

Mayor Williams recommended the request by Abbey Glen Condominium Homeowners Association be continued.

Alderman Owen stated he was ready to go; vote on request.

Doug Hoy, Town Attorney, stated they needed to provide a Hold Harmless Agreement before moving forward; he would have it ready in a week.

Alderman Owen stated what if there was bad weather.

Mayor Williams stated the board had not talked about the town clearing streets when bad weather; this was for garbage pickup only.

Ben Baxley stated until the town owned the streets they did not need to provide snow removal; the town would not get reimbursed for this from Powell Bill. He stated that the town engineers and staff had recommended not do snow removal until the town owned the streets and the issues previously pointed out were addressed. He explained this was two different issues; municipal garbage service and snow removal. He stated these were private streets and the town did not get Powell Bill funds for private streets; which would be for snow removal.

Alderwoman Revels asked had the town checked with other towns about taking over private streets.

Mr. Baxley stated yes and they all recommended the town not take over private streets until streets were brought up to town standards.

Mayor Williams recommended this be continued; garbage collection discussion.

Mr. Baxley stated he did not see a major burden with the town taking over garbage pickup on July 1, 2015 but snow removal was a more complex issue.

Alderman Owen stated his position was there were 162 property owners in Abbey Glen who paid taxes; whether private streets or not they need town services.

Mayor Williams stated this would be continued until January 20, 2015.

Discussion of Municipal Vehicle Tax for Public Transportation

Ben Baxley, Town Manager, stated the board may want to consider an Ordinance to create and levy a municipal vehicle tax for public transportation. He stated this would levy a \$5.00 tax on each vehicle that were owned by a resident of Gibsonville effective July 1, 2015. He stated this could be a means of paying the Town's part which would be \$25,000. He stated the Board may want to consider setting a public hearing approving the Ordinance to create and levy the \$5.00 tax for the February 2, 2015 meeting. He stated staff recommended setting a public hearing regarding an Ordinance to create and levy a municipal vehicle tax for public transportation at the January 5, 2015 meeting. He stated he could ask Mike Nunn with Burlington to come to speak with the board.

Alderman Shepherd, seconded by Alderwoman Revels, made a motion to set the public hearing to consider a municipal vehicle tax for public transportation for the February 2, 2015 meeting. The motion passed unanimously.

National Law Enforcement Appreciation Day Proclamation

Mayor Williams recommended approval of the National Law Enforcement Appreciation Day Proclamation . He stated municipalities across the country were proclaiming January 9, 2015 as “National Law Enforcement Appreciation Day” in light of the recent negativity directed towards law enforcement nationally. He stated he did not support what was happening and stated they needed to show their support to law enforcement.

Ben Baxley, Town Manager, read the proclamation.

Ron Parrish, Police Chief, thanked the board for their support of the proclamation.

Alderman Shepherd, seconded by Alderman Owen, made a motion to approve the National Law Enforcement Appreciation Day Proclamation. The motion passed unanimously.

“National Law Enforcement Appreciation Day”

WHEREAS, on January 9, 2015, partnering organizations in support of law enforcement officers nationwide will promote a National Law Enforcement Appreciation Day (L.E.A.D.). In light of recent negativity directed toward law enforcement nationally, there is a need to show law enforcement officers that our citizens recognize the difficult and sometimes impossible career they have chosen, in public service to us all and

WHEREAS, each day 780,000 police officers across our country put a badge on and go to work knowing they may face extremely dangerous situations. On average, between 105 and 203 officers die in the line of duty each year, 50,000 officers are assaulted in the line of duty each year, 14,000 officers are injured in the line of duty each year, and over 300 officers commit suicide each year. There is no other profession in the world, except possibly the military, where you will find these kinds of statistics, and

WHEREAS, law enforcement officers play such an integral part in our society. They are the guardians of our way of life and they deserve our support, and

WHEREAS, on January 9, 2015, the Town of Gibsonville calls for its citizens who appreciate law enforcement are encouraged to take time on Friday, January 9, to show their support.

NOW, THEREFORE, BE IT KNOWN TO ALL PRESENT, that the Board of Aldermen of the Town of Gibsonville hereby proclaims January 9, 2015 as “**National Law Enforcement Appreciation Day**” in the Town of Gibsonville.

This the 5th day January, 2015.

Mayor

Sell of Cemetery Grave Back to the Town

Ben Baxley, Town Manager, stated the Carolyn Whitaker (deceased) family would like to sell a grave their Mother owned at the Gibsonville Cemetery back to the Town. He explained the family would receive \$200.00; half of the going price.

Alderman Pleasants, seconded by Alderman Owen, made a motion to approve the request to sell the one grave back to the Town for \$200.00. The motion passed unanimously.

FY 2014-2015 Budget Ordinance Amendment #6

Ben Baxley, Town Manager, stated the FY 2014-2015 Budget Ordinance Amendment #6 was needed to account for an increase of \$21,392 in the Federal Drug Fund line item to account for funds received from the U.S. Department of Justice Equitable Sharing program to purchase tasers and other equipment that will enhance police department operations.

Ron Parrish, Police Chief, stated the police department had received federal money to buy tasers for the police officers. He stated they currently had four tasers, this would provide the department with the means to provide each officer with a tasers.

Alderman Shepherd, seconded by Alderman Pleasants, made a motion to approve the FY 2014-2015 Budget Ordinance Amendment #6. The motion passed unanimously.

**TOWN OF GIBSONVILLE, NORTH CAROLINA
2014-2015 BUDGET ORDINANCE AMENDMENT #6**

BE IT ORDAINED by the Board of Aldermen of the Town of Gibsonville, North Carolina, a meeting was held this the 5th day of January, 2015 that the following fund revenues and departmental expenditures together with certain restrictions and authorizations be amended.

SECTION I. GENERAL FUND

A. Revenues	FY 2014-2015	Amendment	FY 2014-2015
	<u>Current Budget</u>	<u>Increase/Decrease</u>	<u>Revised Budget</u>
Taxes, Current Year	2,250,000	-	2,250,000
Taxes, Prior Years	28,400	-	28,400
Motor Vehicle Tax	225,000	-	225,000
Penalties & Interest	15,000	-	15,000
<u>Local Revenues</u>			
Cemetery	10,000	-	10,000
Recreation	55,000	-	55,000
Sanitation Service Charge	150,000	-	150,000
Interest on Investments	5,000	-	5,000
Fire District Tax (Guilford)	14,000	-	14,000
Police Mutual Aid	8,000	-	8,000
Library	500	-	500
Transfer Perpetual Care	2,700	-	2,700
Sale of Fixed Assets	3,000	-	3,000
Guilford County Funds	55,500	-	55,500
Privilege License Fees	4,000	-	4,000
Code Enforcement/Planning	10,000	-	10,000
Brush/White Goods Pickup Fees	1,500	-	1,500
Miscellaneous	10,119	-	10,119
GHA	2,340	-	2,340
Stormwater Fee	26,000	-	26,000
Solid Waste Disposal Tax	3,900	-	3,900
<u>State Shared Revenue</u>			
	<u>Current Budget</u>	<u>Increase/Decrease</u>	<u>Revised Budget</u>
Sales Tax (Alamance County)	603,000	-	603,000
Sales Tax (Guilford County)	317,000	-	317,000
Utility Franchise	292,000	-	292,000
Beer & Wine	26,000	-	26,000
Powell Bill Funds	184,000	-	184,000
Cablevision Franchise	9,000	-	9,000
State Drug Fund	11,038	-	11,038
<i>Federal Drug Fund</i>	-	21,392	21,392
Appropriated Powell Bill Fund Balance	79,100	-	79,100
Appropriated General Fund Balance	609,462	-	609,462
Total General Fund Revenues	<u>5,010,559</u>	<u>21,392</u>	<u>5,031,951</u>

B. Expenditures Authorized by Departments

<u>Department</u>			
Governing Board	67,270	-	67,270
Administration	877,379	-	877,379
Police	1,352,364	21,392	1,373,756
Fire	593,697	-	593,697
Public Works Administration	208,750	-	208,750
Streets	613,313	-	613,313
Powell Bill	263,100	-	263,100
Sanitation	240,959	-	240,959
Recreation	445,112	-	445,112
Library	107,215	-	107,215
Cemetery	16,500	-	16,500
Contingency	41,500	-	41,500
Transfer to Water & Sewer Fund	183,400	-	183,400
Total Departmental Expenditures	5,010,559	21,392	5,031,951
	-		-

SECTION II. WATER & SEWER

	<u>Current Budget</u>	<u>Increase/Decrease</u>	<u>Revised Budget</u>
A. Revenues Anticipated			
Utility Charges	2,380,000	-	2,380,000
Tapping Fees	2,500	-	2,500
Meter Setting	15,000	-	15,000
Reconnection Fees	75,000	-	75,000
Miscellaneous Revenues	36,000	-	36,000
Development Fees	30,000	-	30,000
Loan Proceeds	241,100	-	241,100
Transfer from General Fund	183,400	-	183,400
Total W&S Revenues Anticipated	2,963,000	-	2,963,000

B. Expenditures

+Over/-Under Revenue	2,963,000	-	2,963,000
Total W&S Expenditures	2,963,000	-	2,963,000
	-		-

SECTION III. PERPETUAL CARE FUND

A. Revenues	2,700	-	2,700
B. Expenditures	2,700	-	2,700
	-		-

SECTION IV. TAX RATE ESTABLISHED

An ad valorem tax rate of \$0.51 per \$100 at full valuation is hereby established as the official tax rate for the Town of Gibsonville for the fiscal year 2014-2015. This rate is based on a total valuation of property of \$503,828,004 and an estimated collection rate of 96.57%.

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 2014-2015 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 5th day of January, 2015.

Attest:

Mayor of Gibsonville, NC

Town Clerk of Gibsonville, NC

Reports

a. Manager

Ben Baxley, Town Manager, stated he had provided the board with a financial statement for their review. He stated January 19, 2015 was the Martin Luther King Holiday and the next League of Municipalities meeting was January 26, 2015. He asked the board to be thinking of a date to hold the Board’s Annual Retreat and let him know what dates were good for them.

b. Mayor

Mayor Williams stated there had been attacks on police departments nationally recently; this was disturbing. He stated elected officials needed to speak out against this behavior; they must stand up for their police departments.

Alderman Shepherd, seconded by Alderman Owen, made a motion to adjourn. The motion passed unanimously. The meeting adjourned at 8:47 pm.

_____ Mayor

Attest:

_____ Town Clerk