

MINUTES – OCTOBER 1, 2018

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, Owen, 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, Planning Board Chairman Steve Harrison, Planning Director Brandon Parker, Ryan Moffitt, Glynn Fleming with AWCK, several Lindley Park Estates residents, Library Jessica Arnold, and several citizens were in attendance.

Invocation

Alderman Shepherd stated Rev. Bryan Foust would give the invocation.

Rev. Bryan Foust gave the invocation.

Public Comments

Mayor Williams recognized Boyscout Troop 265 from the Gibsonville United Methodist Church; they were working on their Citizenship and Community Badge.

Approval of Agenda

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

Approval of Minutes

Alderman Owen, seconded by Alderman Pleasants, made a motion to approve the minutes of August 6, 2018 and August 20, 2018. The motion passed unanimously.

Resolution Fixing Date of Public Hearing for Annexation – 115 Frissell Dr.

Ben Baxley, Town Manager, stated at the last meeting Frissell Holdings submitted a new petition for annexation to include an additional piece of property. He stated the Board directed the Town Manager to Investigate the Petition of Annexation. He stated the Certificate of Sufficiency was approved and the next step was to approve the Resolution Fixing Date of Public Hearing for Annexation of 115 Frissell Dr. He recommended setting the public hearing for the October 15, 2018 meeting.

Alderman Owen asked had the developer backed off going through the cul-de-sac in Lindley Park.

Mr. Baxley stated the developer was not looking at this.

Mayor Williams stated this had never been before the board as a possibility.

Alderman Shepherd, seconded by Alderman Owen, made a motion to approve the Resolution Fixing Date of Public Hearing for Annexation for October 15, 2018. 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 October, 2018.

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

**Property identified as Guilford County Register of Deeds Book 8013, Page 1382
(11.42 acres); owned by Frissell Holdings located at 115 Frissell Dr.**

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 1st day of October, 2018.

Mayor

Attest:

Town Clerk

System Development Fee Policy

Ben Baxley, Town Manager, presented a Draft of the System Development Fee Policy. He explained that the new fee structure was adopted July 1, 2018 and the manner in which it was to be applied was very similar to the Town's previous fee structure, this document would assist Town staff and further clarify how and when tapping fees, meter charges, and the recently adopted SDF were to be assessed.

Glynn Fleming with AWCK stated earlier in the year the SDF fee was assessed on new development and a study was done and approved by the Board. This was from a change from the N.C. Legislature requiring a SDF be assessed. He stated this policy was useful for staff to know how and when to access fees. He stated the concern with staff was with the irrigation meters and the impact of the SDF. He stated the SDF added an additional \$700.00 to residential irrigation fees; residential irrigation meters are for homeowners who wish to have an extra water meter installed just for irrigation (no sewer is charged on this meter).

Alderman Shepherd stated he would like to see the irrigation meter fee left at the current rate; no additional \$700 fee.

Alderman O'Toole questioned the fee for large development, if they needed an irrigation meter.

Mr. Fleming stated the SDF increased per the size of the meter.

Rob Elliott, Public Works Director, stated the fee was \$550 for a "Y" tap.

Alderman Pleasants stated they could waive fee on residential use.

Mr. Fleming recommended leave fee for one size or eliminate for all.

Mayor Williams asked what would be the impact on the water system; intent was to build reserve for future development.

Alderman O'Toole stated this could be for new development down the road; could offset impact on pump station costs. He stated they could not charge the fee for current customers and assess future development.

Mr. Fleming stated they could not do this; savings would not pay for tap.

Alderman Pleasants asked what was the average number of current irrigation meters.

Mr. Fleming stated 275 to 300.

Mayor Williams recommended leave as is and if there was a problem down the road bring it back to the Board.

Alderman Shepherd recommended leave at \$550.

Alderman Dean stated he was required to put in a backflow system.

Mr. Elliott stated ordinance requires backflow.

Mayor Williams recommended this be discussed further; he felt they did not fully understand.

Mr. Fleming stated he could work with the Town Manager and a couple of board members to work this out.

Mr. Baxley stated what was presented did not include the \$700 for irrigation meters.

Alderman Shepherd, seconded by Alderman Pleasants, made a motion to approve the System Development Fee Policy as amended for the SDF. The motion passed unanimously.

Resolution in Support of the Bicycle Pedestrian Plan

Ben Baxley, Town Manager, stated Alderman O’Toole had requested that the town look into bicycle pedestrian plan. He stated this was the first step to submit the application for the bicycle pedestrian plan grant; this was a matching funds grant. He presented the Board with an overview of the plan. Staff recommended approval of the Resolution in Support of the Bicycle Pedestrian Plan.

Alderman Owen, seconded by Alderman O’Toole, made a motion to approve the Resolution in Support of the Bicycle Pedestrian Plan. The motion passed unanimously.

Resolution in Support of an Application for Planning Grant Funds from the NCDOT Division of Bicycle and Pedestrian Transportation

WHEREAS, the Gibsonville Town Board of the Town of Gibsonville, in Alamance and Guilford County, North Carolina desires to provide citizens and visitors safe and accessible bicycle transportation; and

WHEREAS, the existing bicycle network is well utilized, but is in need of improvements to serve existing and growing areas of the Town; and

WHEREAS, increased bicycle transportation will improve air quality and improve the physical activity of citizens; and

WHEREAS, the Gibsonville Town Board of the Town of Gibsonville, in Alamance and Guilford County, North Carolina has determined that a Comprehensive Bicycle Transportation Plan shall enhance and encourage safe bicycle travel.

NOW, THEREFORE, BE IT RESOLVED, the Town Board of the Town of Gibsonville, has determined that it may be in the best interest of the Town of Gibsonville to seek funding from the NCDOT Division of Bicycle and Pedestrian Transportation Program to prepare a Comprehensive Bicycle Transportation Plan for the Town of Gibsonville.

Adopted this the 1st day of October 2018

Leonard Williams, Mayor

Attest:

Laurie Yarbrough, Town Clerk

Resolution Approving Financing Terms

Ben Baxley, Town Manager, stated this was for the financing of the one ton truck, mini excavator, and main sewer camera in the amount of \$205,000.00 for Public Works; this was included in the current budget. He stated the low financing was BB&T at an interest rate of 3.2% for a four year term. Staff recommended approval of the Resolution Approving Financing Terms with BB&T.

Alderman Pleasants, seconded by Alderman Owen, made a motion approving the Resolution Approving Financing Terms with BB&T. The motion passed unanimously.

Resolution Approving Financing Terms

WHEREAS: The Town of Gibsonville, North Carolina (the “Town”) has previously determined to undertake a project for the financing of vehicles and equipment, (the “Project”), and the Finance Officer has now presented a proposal for the financing of such Project.

BE IT THEREFORE RESOLVED, as follows:

1. The Town hereby determines to finance the Project through Branch Banking and Trust Company (“BB&T”), in accordance with the proposal dated September 27, 2018. The amount financed shall not exceed \$205,000.00, the annual interest rate (in the absence of default or change in tax status) shall not exceed 3.22%, and the financing term shall not exceed five (4) years from closing.

2. All financing contracts and all related documents for the closing of the financing (the “Financing Documents”) shall be consistent with the foregoing terms. All officers and employees of the Town are hereby authorized and directed to execute and deliver any Financing Documents, and to take all such further action as they may consider necessary or desirable, to carry out the financing of the Project as contemplated by the proposal and this resolution.

3. The Finance Officer is hereby authorized and directed to hold executed copies of the Financing Documents until the conditions for the delivery of the Financing Documents have been completed to such officer's satisfaction. The Finance Officer is authorized to approve changes to any Financing Documents previously signed by Town officers or employees, provided that such changes shall not substantially alter the intent of such documents or certificates from the intent expressed in the forms executed by such officers. The Financing Documents shall be in such final forms as the Finance Officer shall approve, with the Finance Officer's release of any Financing Document for delivery constituting conclusive evidence of such officer's final approval of the Document's final form.

4. The Town shall not take or omit to take any action the Town of Gibsonville or omission of which shall cause its interest payments on this financing to be includable in the gross income for federal income tax purposes of the registered owners of the interest payment obligations. The Town hereby designates its obligations to make principal and interest payments under the Financing Documents as "qualified tax-exempt obligations" for the purpose of Internal Revenue Code Section 265(b)(3).

5. The Town intends that the adoption of this resolution will be a declaration of the Town's official intent to reimburse expenditures for the project that is to be financed from the proceeds of the BB&T financing described above. The Town intends that funds that have been advanced, or that may be advanced, from the Town's general fund, or any other Town fund related to the project, for project costs may be reimbursed from the financing proceeds.

6. All prior actions of Town officers in furtherance of the purposes of this resolution are hereby ratified, approved and confirmed. All other resolutions (or Towns thereof) in conflict with this resolution are hereby repealed, to the extent of the conflict. This resolution shall take effect immediately.

Approved this the 1st day of October, 2018.

Mayor

Attest:

Town Clerk

Elon/Gibsonville Annexation Line Agreement Update

Ben Baxley, Town Manager stated staff, Alderman Pleasants, Alderman O'Toole, Josh Johnson with AWCK, Town of Elon Board members, and staff met to work out a possible location of an annexation line between Gibsonville and Elon. He stated they were still working out data. He stated more cost information such as infrastructure needed to be gathered.

Alderman Pleasants stated he and Alderman O'Toole were present and the main thing was to get the proper financing for the pump station; not just what it was worth but what the town had spent.

Alderman O'Toole stated also that it be fair consideration for services rendered and when would Elon take it over and the responsibilities.

Mr. Baxley stated also the financing with USDA and when would they take it over.

Alderman O'Toole stated would they use geographic line or thru unhabited property; this still needed to be negotiated.

Mayor Williams asked they make sure the town is compensated for what the town had done.

Reports

a. Manager

Ben Baxley, Town Manager, stated the paving behind the Town Hall Annex and behind Eddies Automotive would be done tomorrow; bathrooms were to be completed before the Fall Festival on October 13th, Gibsonville Railroad Dedication was this weekend; last day for Market Day was this week; and renovations on the Town Hall Annex would be on the November agenda.

b. Mayor

Mayor Williams stated at the last meeting several people came to address an issue. H stated when the Board had a public hearing people would be allowed to speak. He asked if you wish to address the board you could be added to the agenda.

Chance Kizah asked what was public comments for.

Mayor Williams stated you would have three minutes to talk about anything but if you go into detail you should be on the agenda.

Alderman Shepherd at a public hearing there is twenty minutes given for each side to speak.

Mrs. Kizah stated the annexation map submitted was the same as the other one submitted; she asked about the petition number.

Mayor Williams asked that she come in and talk with the town manager; there would be a public hearing at the next meeting. He stated that the North Carolina Preservation had identified the Lindley property as a Historical Property; so they would be moving forward with their project at the Lindley property.

c. Board Members

Alderman Shepherd stated the corridor on Hwy. 70 was expanding and the town needed to find a way to fund services out to Hwy. 70.

Mayor Williams stated he agreed, Gibsonville was a bedroom community but they needed commercial growth on Hwy. 70. He stated he had not given up on a grocery store.

Ben Baxley, Town Manager, asked the board if they were willing to make a commitment to invest in running water and sewer to Hwy. 70.

Alderman Shepherd stated he would be in favor of sign a commitment if someone came in and would build on Hwy. 70.

Alderman Pleasants stated it was like the community center cost; waiting made the cost go up.

Mayor Williams asked the Town Manager to look at available grants; he thought it was a good idea.

Alderman Pleasants, seconded by Alderman Owen, made a motion to adjourn. The motion passed unanimously. The meeting adjourned at 7:50 pm.

Mayor

Attest:

Town Clerk