

MINUTES – November 4, 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, O’Toole, Pleasants, and Dean were present. Ben Baxley, Town Manager, and Laurie Yarbrough, Town Clerk, were present. Police Chief Ron Parrish, Public Works Director Rob Elliott, Planning Director Brandon Parker, Town Attorney Doug Hoy, Fire Chief James Todd, Recreation Director Mike Dupree, Josh Johnson with AWCK, Town Intern Seth Rosson, and several residents were in attendance.

Invocation – Mayor Williams

Mayor Williams introduced Rev. Baker with the Gibsonville Christian Church.

Rev. Baker gave the invocation.

Mayor Williams led the Pledge of Allegiance.

Public Comments

Jean Hedrick, Candlewood Dr. resident and founder and administrator of the Concerned Citizen Group, stated when broadcasting the meetings for citizens it could be hard to hear with soft voices. She handed out citizen feedback from the CCG website to each board member. She stated the CCG had attended the Market Days on Saturdays and they had 500 readers on the website. She encouraged everyone to vote; the election was Tuesday.

Mayor Williams asked Mrs. Hedrick if she would continue with the CCG website after the election.

Mrs. Hedrick stated she had decided that she would close the page with family matter of her own but she had been offered help and may continue with volunteer help.

Approval of Agenda

Alderman Shepherd, seconded by Alderman Owen, 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 October 7, 2019 and October 21, 2019. The motion passed unanimously.

An Ordinance Approving the Annexation Agreement with the Town of Elon & Town of Gibsonville - Public Hearing

Josh Johnson with AWCK stated this was the public hearing to consider the Ordinance Approving the Annexation Agreement. He stated this would define the boundary line between the Town of Elon and the Town of Gibsonville for future development. He stated approval of the annexation would be contingent upon approval of the Asset Purchase Agreement between the Town of Elon and the Town of Gibsonville. He stated the City of Burlington would have to approve the sewer agreement; which would go to the Burlington City Council in December. He stated the Town of Elon would vote on the Annexation Agreement at their meeting next Tuesday.

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

Josh Johnson with AWCK stated Gibsonville’s future annexation would be to the West and the East would be Elon.

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

Ben Baxley, Town Manager, stated staff recommended approval of the Ordinance Approving the Annexation Agreement Between the Town of Elon & the Town of Gibsonville.

Alderman Shepherd, seconded by Alderman Owen, made a motion to approve the Ordinance Approving the Annexation Agreement with the Town of Elon & Town of Gibsonville. The motion passed unanimously.

**AN ORDINANCE APPROVING THE ANNEXATION AGREEMENT
BETWEEN THE TOWN OF ELON, NORTH CAROLINA, AND
THE TOWN OF GIBSONVILLE, NORTH CAROLINA**

WHEREAS, the governing boards of the Town of Elon (“Elon”) and the Town of Gibsonville (“Gibsonville”) seek to carry out plans for future land uses; plans for provision of important public facilities such as sewer and water services, roadways, and recreation; and plans for the protection of open space and other sensitive areas; and,

WHEREAS, potential conflict and confusion may occur along the interface between Elon and Gibsonville when the future municipal boundaries between the two are unclear; and,

WHEREAS, Chapter 160A, Article 4A, Part 6 “Annexation Agreements” of the General Statutes of North Carolina authorizes municipalities to enter into binding agreements concerning the future extension of the corporate limits of the municipalities in order to enhance orderly planning by such municipalities, residents, and property owners in areas adjacent to such municipalities; and

WHEREAS, prior to entering into any annexation line of agreement N.C.G.S. § 160A-58.24(c) mandates that each participating municipality hold a public hearing on the agreement prior to adopting the ordinance approving the agreement; and

WHEREAS, pursuant to G.S. 160A-58.24(c), the Town of Gibsonville and the Town of Elon both held public hearings on Monday, November 4, 2019 authorizing the adoption of this ordinance and Annexation Agreement;

NOW THEREFORE, BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE TOWN OF ELON:

The Board of Aldermen hereby approves the attached “Annexation Agreement” (“Agreement”), authorizes the Mayor to execute the Agreement together with the associated Asset Purchase Agreement (“APA”) relating to Water and Sewer Services, and authorizes the Town Manager to provide such notices and take such actions as the Agreement and APA contemplate.

Adopted this the 4th day of October, 2019.

Leonard M. Williams, Mayor

ATTEST:

Laurie Yarbrough, Town Clerk

Asset Purchase Agreement Between the Town of Elon & Town of Gibsonville

Josh Johnson with AWCK stated the Asset Purchase Agreement was a condition of the Annexation Agreement. He stated the purpose would be to allow the Town of Elon to purchase the Travis Creek Pump Station and land, the force main, outfall from Gibsonville Ossipee Rd. to the Travis Creek Pump Station, and the conveyance of easements with the outfall.

Alderman Owen asked what would happen if in ten years the line filled up; would Gibsonville pay or Elon.

Mr. Johnson stated when pump station reaches its capacity going to Burlington; the cost would be split in half. He explained that there would be a 800,000 gallon a day agreement that would be split in half between Gibsonville and Elon; being 400,000 gallons a day for each town.

Alderman Owen asked what if Elon used more than their 400,000 gallons.

Mr. Johnson stated if they were to go over their 400,000 gallons, then they would have to pay the upgrade cost over the 400,000 gallons.

Mayor Williams asked what was the gallons now.

Mr. Johnson stated roughly 200,000 gallons for each town.

Ben Baxley, Town Manager, stated the Agreement had been reviewed by the Town Attorney and the Town Engineer. He stated staff recommended approval of the Asset Purchase Agreement Between the Town of Elon and the Town of Gibsonville.

Alderman Shepherd, seconded by Alderman Owen, made a motion to approve the Asset Purchase Agreement Between the Town of Elon and the Town of Gibsonville. The motion passed unanimously.

Ordinance Approving Rezoning Request 707 Slade St. - Public Hearing

Brandon Parker, Planning Director, presented an Ordinance Approving Rezoning Request for 707 Slade St. He stated Shiron Bigelow with Cappadocia Church, owner of 707 Slade St., was requesting a rezoning of her property from RS-12 to RM-8 for senior living apartments. He stated the Planning Board recommended approval by a 4-0 vote at their October 30, 2019 meeting. He explained that this would not be consistent with the Land Use Plan so it would have to be amended which was in the Stated of Consistency. He stated staff was recommending approval of the Ordinance Approving Rezoning Request and the Statement of Consistency.

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

Shiron Bigelow with Cappadocia Church stated the apartments would be for 55 and older adults; including veterans, assisted living, and would be affordable.

Steve Harrison, Planning Board Chairman, stated there were numerous questions asked at the Planning Board meeting. He stated there were two apartment complexes close by and across the street from the proposed apartments. He recommend the board approve the request.

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

Mayor Williams stated he spoke with Veronica Revels with Burlington Housing Authority and she stated there was a waiting list for these type of apartments; also a waiting list for the Gibsonville Senior Apartments.

Alderman Owen, seconded by Alderman Shepherd, made a motion to approve the Ordinance Approving the Rezoning Request for 707 Slade St. and the Statement of Consistency. The motion passed unanimously.

AN ORDINANCE TO AMEND THE GIBSONVILLE ZONING MAP BY REZONING THE PROPERTY OF CAPPADOCIA CHURCH FROM RS-12 TO RM-8

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 Guilford County parcel# 8835587690 located at 707 Slade St., is owned by Cappadocia Church; and

WHEREAS, pursuant to development ordinance, proper application was made by the property owner to rezone 4.1 total acers from RS-12 to RM-8; 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 October meeting, the Gibsonville Planning Board made a recommendation to approve the rezoning request by unanimous 4-0 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 RS-12 to RM-8, which shall be fully incorporated therein.

Adopted this 4th day of November, 2019.

Mayor

Attest:

Town Clerk

FY 2020 Budget Ordinance Amendment #3

Ben Baxley, Town Manager, stated FY 2020 Budget Ordinance Amendment #3 was needed to allocate for Federal Drug Funds for K-9 training, account for State Aid Grant to the Gibsonville Library, and a donation to the Gibsonville Senior Center. He stated staff recommended approval of FY 2020 Budget Ordinance Amendment #3.

Alderman Shepherd, seconded by Alderman O’Toole, made a motion to approve FY 2020 Budget Ordinance Amendment #3. The motion passed unanimously.

**TOWN OF GIBSONVILLE, NORTH CAROLINA
FY 2020 BUDGET ORDINANCE AMENDMENT #3**

BE IT ORDAINED by the Board of Aldermen of the Town of Gibsonville, North Carolina, a meeting was held this the 4th day of November, 2019 that the following fund revenues and departmental expenditures together with certain restrictions and authorizations be amended.

SECTION I. GENERAL FUND

Anticipated Revenues	FY 2020	Amendment	FY 2020
	<u>Current Budget</u>	<u>Increase/Decrease</u>	<u>Revised Budget</u>
Taxes, Current Year	2,956,000	-	2,956,000
Taxes, Prior Years	25,150	-	25,150
Motor Vehicle Tax	372,000	-	372,000
Penalties & Interest	12,000	-	12,000
Cemetery	10,000	-	10,000
Recreation	82,000	-	82,000
Sanitation Service Charge	306,000	-	306,000
Interest on Investments	8,000	-	8,000
Fire District Tax (Guilford)	14,400	-	14,400
Library	2,000	-	2,000
Transfer Perpetual Care	2,700	-	2,700
Sale of Fixed Assets	10,000	-	10,000
Guilford County Funds	55,500	-	55,500
Code Enforcement/Planning	8,000	-	8,000
Brush/White Goods Pickup Fees	2,000	-	2,000
<i>Miscellaneous</i>	<i>31,602</i>	100	<i>31,702</i>
GHA	2,340	-	2,340

Stormwater Fee	32,000	-	32,000
Solid Waste Disposal Tax	4,600	-	4,600
Intangible: Sales Tax (Alamance Co.)	921,000	-	921,000
Intangible: Sales Tax (Guilford Co.)	488,500	-	488,500
Utility Franchise	400,000	-	400,000
Beer & Wine	30,000	-	30,000
<i>Library State Aid Grant</i>	<i>816</i>	<i>816</i>	<i>1,632</i>
<i>Federal Drug Funds</i>	<i>24,000</i>	<i>10,500</i>	<i>34,500</i>
Powell Bill Funds	192,000	-	192,000
Appropriated General Fund Balance	929,989	-	929,989
Appropriated Recreation Capital Reserve	30,033	-	30,033
Total Anticipated Revenues	<u>6,952,630</u>	<u>11,416</u>	<u>6,964,046</u>

Authorized Expenditures

	<u>Current Budget</u>	<u>Increase/Decrease</u>	<u>Revised Budget</u>
Governing Board	68,346	-	68,346
Administration	1,138,474	-	1,138,474
<i>Police</i>	<i>2,136,725</i>	<i>10,500</i>	<i>2,147,225</i>
Fire	1,070,619	-	1,070,619
Public Works	1,491,214	-	1,491,214
Powell Bill	102,500	-	102,500
<i>Recreation</i>	<i>714,165</i>	<i>100</i>	<i>714,265</i>
<i>Library</i>	<i>173,087</i>	<i>816</i>	<i>173,903</i>
Cemetery	17,500	-	17,500
Contingency	40,000	-	40,000
Total Authorized Expenditures	<u>6,952,630</u>	<u>11,416</u>	<u>6,964,046</u>
	0		0

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	815,000	-	815,000
Tapping Fees	1,000	-	1,000

Meter Setting	13,000	-	13,000
Reconnection Fees	45,000	-	45,000
Realize Deferred Revenue	57,045	-	57,045
Miscellaneous Revenues	11,000	-	11,000
Internet Convenience Fees	12,000	-	12,000
Retained Earnings Appropriation	<u>15,000</u>	<u>-</u>	<u>15,000</u>
Total Anticipated Water Revenues	<u>969,045</u>	<u>-</u>	<u>969,045</u>

Sewer Revenues

Sewer Service Fees	2,200,000	-	2,200,000
Tapping Fees	1,000	-	1,000
Meter Setting	13,000	-	13,000
Reconnection Fees	45,000	-	45,000
Realize Deferred Revenue	57,045	-	57,045
Miscellaneous Revenues	11,000	-	11,000
Internet Convenience Fees	12,000	-	12,000
Retained Earnings Appropriation	<u>15,000</u>	<u>-</u>	<u>15,000</u>
Total Anticipated Sewer Revenues	<u>2,354,045</u>	<u>-</u>	<u>2,354,045</u>

Total Anticipated W&S Revenues	<u>3,323,090</u>	<u>-</u>	<u>3,323,090</u>
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Authorized W&S Expenditures

Water Expenditure	969,045	-	969,045
Sewer Expenditures	<u>2,354,045</u>	<u>-</u>	<u>2,354,045</u>
Total Authorized Expenditures	<u>3,323,090</u>	<u>-</u>	<u>3,323,090</u>
	-	-	-

SECTION III. PERPETUAL CARE FUND

Anticipated Revenues	2,700	-	2,700
Authorized Expenditures	2,700	-	2,700
	-	-	-

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 2020. This rate is based on a total valuation of property of \$636,652,700 and an estimated collection rate of 98.61%.

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 2020 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 4th day of Novmeber, 2019.

Attest: _____
Mayor of Gibsonville, NC

Town Clerk of Gibsonville, NC

Sell of Cemetery Plots Back to the Town

Ben Baxley, Town Manager, stated Becky Johnson would like to sell six graves she owned at the Gibsonville Cemetery back to the town. As per Town policy, the cost of the six graves is \$2400.00 and she would receive half of the going price which would be \$1,200.00. He stated staff recommended approval.

Alderman Owen, seconded by Alderman O'Toole, made a motion to approve the sell of the cemetery graves back to the town. The motion passed unanimously.

Reports

a. Town Manager

Ben Baxley, Town Manager, commended the Public Works Department on the recent Hazardous Waste Event; it went well. He stated participation was higher this year than in the past. He stated Town offices would be closed on November 11, 2019 for the Veteran's Day holiday and November 28 & 29, 2019 for Thanksgiving. He stated the Lighting of the Green would be on November 22, 2019. He asked the board if they wished to have a November agenda meeting.

Mayor Williams asked was there anything for the November agenda meeting.

Mr. Baxley stated he did not have anything at this time.

It was the consensus of the board that there would not be an agenda meeting in November, unless something came up.

Mr. Baxley stated Intern Seth Rosson's last day would be on November 27, 2019. He thank Mr. Rosson for his help during his internship with the town.

b. Mayor

Mayor Williams stated the Governor had signed an extension for tax credits; he had sent emails to the Governor stating the Town of Gibsonville needed these tax credits. He stated 108 Railroad Ave. owned by the Lindley's had been sold; only part was approved for construction, they would go back to get the other part of the building approved.

Alderman Shepherd, seconded by Alderman Pleasants, made a motion to adjourn. The motion passed unanimously. The meeting adjourned at 7:32 pm.

Mayor

Attest:

Town Manager