

A Butner Town Council Meeting was convened in the meeting room at South Granville Water and Sewer Authority (SGWASA) located at 209 West C Street, Butner, NC 27509 on Thursday, **July 1, 2010**, beginning at 7:00 PM.

Present and Presiding:

Mayor:

Thomas Lane

Council Members:

Vickie Cates

Christene Emory

Linda Jordon-**absent**

Bill McKellar-**absent**

Edgar Smoak

Terry Turner

Thomas Marrow

Town Manager

Rob Brown sitting in for James Wrenn, Jr.

Town Attorney

Town Clerk

Dianne White

1. WELCOME AND CALL TO ORDER ... by Mayor Lane

2. ROLL CALL ... by Clerk

The Mayor noted Mr. McKellar is representing Butner at a meeting in Raleigh on Falls Lake Rules and Ms. Jordon is in Denver, CO.

3. INVOCATION AND PLEDGE OF ALLEGIANCE

Ms. Emory gave the invocation and Ms. Cates led the Pledge of Allegiance.

4. APPROVAL OF JUNE 3, 2010 MEETING MINUTES

Minutes of 6/3/10 Council Meeting were approved on motion by Mr. Smoak, seconded by Ms. Emory – all present voted in favor.

5. ADJUSTMENTS TO AND/OR APPROVAL OF JULY 1, 2010 MEETING AGENDA

Mayor made the following notations:

- Budget Ordinance Amendment is not necessary; therefore, that item (agenda item 10) was deleted and in its place the Manager requested a Resolution be added dealing with financing of Town Hall with RBC.

6. PUBLIC COMMENT PERIOD

Jimmy Walker, 2067 Longwood Drive (Butner Crossings) addressed Council about condition of streets (his subdivision with 77 homes). He said streets are deteriorating and homeowners do not have funds to repair. Walker said they are inside Butner town limits and he is hoping Powell bill funds might be used to assist. Mayor Lane recommended referring this matter to the Public Works Committee as well as check with the Attorney as to what can/cannot be done (these are private streets/roads).

7. PUBLIC HEARING(S)

This Public Hearing, to repeal the independent Flood Damage Prevention Ordinance, was advertised on June 10 and June 17.

Council plans to repeal the freestanding Flood Damage Prevention Ordinance so there are not two (2) ordinances creating a possibility of confusion. A more detailed explanation was on the 6/3/10 agenda, at which time Council set this matter for Public Hearing tonight.

The Public Hearing was opened and closed by Mayor Lane ... no speakers. A motion was made by Ms. Emory, seconded by Mr. Turner to repeal the freestanding Flood Damage Prevention Ordinance. All present voted in favor.

8. MONTHLY FINANCIAL REPORT

Hiscocks began her presentation by saying "Happy New Year!" ... today being July 1, first day of Fiscal Year 2010-11. She said changes since 5/31/10 report (attached to agenda ... **SEE ATTACHMENT "A"**) include budget amendments adopted in June. When FY 2009-10 ended yesterday, Hiscocks said every Department was under budget, ended up with revenues over expenditures through the year and two (2) more sales tax and one (1) more property tax payments coming in ending with a positive financial picture.

A motion was made by Mr. Smoak, seconded by Mr. Turner to accept the financial report. All present voted in favor.

9. COUNCIL CONSIDERATION TO APPROVE CAPITAL PROJECT ORDINANCE FOR CONSTRUCTION OF TOWN HALL BUILDING

At the last meeting the Council approved award of bid for construction of Town Hall, subject to the approval of our loan application by the Local Government Commission. The LGC is expected to approve our application at its meeting next week and we are tentatively set to close on our loan with RBC on July 15th.

The Council is requested to approve a Capital Project Ordinance in the amount of \$3,015,000 for the construction of Town Hall so we can pay loan expenses and any other costs associated with the project as soon as we have LGC loan approval.

Following a briefing by the Finance Director, Hiscocks said this action would both assist with any matters should monies/project cross over into another fiscal year as well as alleviate skewing numbers in the operating budget.

This Capital Project Ordinance was established/adopted on motion by Mr. Turner, seconded by Ms. Cates ... all present voted in favor. This ordinance is recorded in the Book of Ordinances.

~~10. COUNCIL CONSIDERATION TO APPROVE BUDGET ORDINANCE AMENDMENT (See Attached)~~

~~In May the Town Council approved the purchases of new software and desk-top client hosting services. The contract terms negotiation with New World Systems took longer than anticipated and we were not able to implement the program prior to July 1, 2010 as previously planned. Subsequently, the funds previously set aside by a budget amendment rolled back into the general fund balance on June 30 and now needs to be re-appropriated so that we can execute the contracts with New World Systems and VC3.~~

New
Item

10. Resolution Authorizing the Execution and Delivery of an Installment Financing Contract in the amount of not to exceed \$2,000,000 with RBC Bank (USA) to Finance the Construction of a Town Hall Building, Authorizing the Execution and Delivery of related Instruments, and determining other matters in connection Therewith

Hiscocks said this resolution, in essence, says subject to LGC approval; Butner is agreeing to borrow and pay RBC up to \$2,000,000 and it lists Town officials authorized to sign the closing documents. LGC meets next Tuesday, 7/6/10. RBC anticipates closing to occur on 7/15/10 ... they will overnight closing documents for Attorney review.

Therefore, on motion by Mr. Smoak, seconded by Ms. Emory it was moved to grant request presented by Finance Director/approve Resolution (contingent upon LGC approval). All present voted in favor. (SEE ATTACHMENT" B")

11. COUNCIL CONSIDERATION - CONTRACTING WITH TIM HARRIS, DBA HEADWATERS FORESTRY FOR THE TOWN OF BUTNER'S FOREST MANAGEMENT SERVICES

The Town advertised for Request for Statement of Qualification (RFQ) submittals to select a consulting Forester to help Butner develop a sustainable timber management plan for our 750 acres and other properties. Attorney Wrenn and the Manager met with four (4) consulting firms to review submittals for relevant experience, understanding of the RFQ project, timber sales and reference checks. Based on the above mentioned information, both Wrenn and Marrow recommend Tim Harris as our consulting forester. Tim was the resident state forester for Granville County before becoming a consulting forester. He is also a resident of Granville County.

Marrow told Council this is not an attempt to hire someone to cut all the timber down. This effort is to develop a master plan on how to manage timber Butner has keeping wildlife, unique natural features and diseases in mind (to name a few). This will include Butner property both inside town limits as well as outside. Mr. Smoak, a proponent of this initiative, said there are areas getting in bad shape ... as trees get

to maturity, they need to be managed (like a crop) – he used as an example ... area around SMSA – trees are thick and large, infested with beetles – lots of trees laying down and some dead. Smoak is pleased action is being taken to get a grasp on the matter, trees cleaned up/pruned and a good management program going forward on the well over 800 acres (for which Butner is responsible).

The Town Manager said the consultant will put a plan together (turn key) and the Town will follow the plan. Marrow said a “visioning session” with the Board most likely will be held so all can have input.

A motion was made by Mr. Turner, seconded by Ms. Cates to authorize awarding a contract with Tim Harris dba Headwaters Forestry – all present voted in favor.

12. COUNCIL CONSIDERATION - AWARDING TWO (2) DRAINAGE IMPROVEMENT PROJECTS ... 14TH AND C STREETS AND F AND GRANVILLE STREETS TO MARSHALL T. PARHAM, JR. DBA PARHAM AND CURRIN CONSTRUCTION COMPANY

Davis Martin and Powell requested informal bids from five (5) different contractors to bid on these two (2) projects. Several other contractors picked up plans and specifications. Parham and Currin were low bidders at \$27,152 for both projects. In addition, engineering design, limited construction inspections, and contingencies --- total recommended budget is \$41,000. The original estimate was \$54,000. **(SEE ATTACHMENT “C”)**

The Manager said Parham and Currin would like to begin tomorrow (taking advantage of dry weather) ... project could be finished in 2-3 weeks.

Action was taken to award the contract to Parham and Currin Construction Company (motioned by Council Member Cates, seconded by Council Member Emory) – all present in favor.

Council Member Smoak inquired about mapping all of the Town’s drains/ditches to include evaluation of the entire drainage system. Marrow responded – said starting today (new fiscal year), \$20,000 was budgeted to hire a consulting firm to develop a NPDES (National Pollution Discharge Elimination System) permit. Marrow called it a technical permit one has to acquire which could take the better part of this year. Once NPDES is obtained, Butner will be required, under Phase II Stormwater Regulations, to map the complete drainage system in Town. He said we will map our collection and distribution system and stormwater drains, culverts, pipes, etc. They will be extremely accurate (mapped by GPS). Speaking to the future, we’ll know where the drain basins are and how to implement Phase II Stormwater Regulations. Should a new development come along, we’ll have to build certain Best Management Practices (BMPs) before we can issue zoning/building permits. In fact, Marrow said, the Attorney is at a public hearing tonight on the process of going about this over the next 10-20 years. The Manager noted two (2) things going on ... nutrient management rules and regs and Phase II rules and regs. Butner (along with others entities) will get involved with both.

Smoak said it will be most beneficial for Butner to look at wet/problem areas and get a long range plan in place. Marrow spoke of a recent “potentially” catastrophic blockage on F Street – it was found and dealt with ... Public Works Director Daniel and crew did a wonderful job. Marrow noted addressing other issues throughout the Town over the summer.

13. REPORTS

- Town Manager
 - Spoke about ditch on F Street (one pipe completely clogged – it was turned vertical while other pipe was clogged with 5 feet of debris) – found this problem and handled
 - Corporate Limit signs are up
 - Making improvements to Lake Holt Marina --- “jazzed” up the Concession Building – Marrow said facility is underutilized. Along these lines, Ms. Cates asked about a DOT recreation sign for Lake Holt indicating fishing, picnicking, etc. The Manager said we might be able to make our own sign/will check into it. Lake Holt Facebook page is “live” allowing citizens to chat about fishing, activities, etc.
 - Marrow and Mayor Lane attended Town Hall Day in June
 - Region “K” Managers Meeting was attended by the Town Manager (some discussion on possible CDBG projects we might be eligible for)
 - Granville Economic Development Commission (EDC) has been dissolved – Executive Director Jay Tilley is now a Granville County employee/Dept Head ... prior to disbandment, it was voted to reimburse Butner’s membership monies paid to date
- Attorney
 - Attorney Rob Brown reported on conveyed alleyway deeds. He said there were some properties with incorrect deeds and plats from some time ago. Brown confirmed that Council wishes were/are not to convey alleyways to commercial property owners. A letter had originally gone out about conveying half of an alleyway to a commercial owner; however, Brown will draft a subsequent letter indicating this was done in error ... alleyways will not be conveyed to commercial property owners
- Planner
 - Marrow said the Planner has been involved with Pedestrian Planning Grant, Greenway trails ... they met with team leader of Greenways, Inc. to kick off contacting property owners for the Butner greenway trail that will parallel E. Lyon Station Road (from roughly Food Lion to Flextronics). Process is underway to contact both sides of the road to evaluate who is most willing to participate. If one side is more difficult than the other, may need to “jump” the street
 - Planner has been attending the Highway 50 corridor study on behalf of Butner. Lane met with Hodges this week and looked at areas that will be discussed at the NC 50 Public Design Charrette (scheduled for Aug 10 – 12) at the Shriners Club (NC 50). Council should be getting a notice from CAMPO/Hodges relative to participation. Lane said it’s interesting to see how Highway 50 corridor is being approached. It should be helpful to participate in the Charrette.

14. OTHER MATTERS

- STATUS/UPDATE ... New Town Hall – Marrow said we are waiting for LGC approval next Tuesday. Lane said permits are lined up and grading folks are ready to start. Contractor is considering making the road to D Street one of the priorities because it can be used for bringing in construction materials versus coming down C Street.
- STATUS/UPDATE ... Community Building – Lane said with Legislature in session we haven't found out much on Umstead property but Legislature is winding down relatively soon – hoping to get info and move along.

15. COUNCIL COMMENTS

Mr. Smoak invited everyone to the fireworks display tomorrow night at Lake Holt. He also spoke of hearings (both Atty Wrenn and Council Member McKellar are in attendance tonight). Smoak said it's amazing to him these hearings are not getting attention he thought it would. There are standards being put in place (for instance, Hillsborough water bills could go up \$266/month and Durham \$411)! All should take note of both state and federal water management program(s) being put in place. He doesn't argue everyone wants clean/good water but it appears it will be tremendously expensive. Mayor Lane said Attorney Wrenn is at the hearing tonight making presentations on behalf of Butner, Creedmoor, Granville County and Person County. Stage I regs will probably happen. Stage II regs are further down the road and more costly. Time should be taken to evaluate what the impact of Stage I has on the lake before spending big money to implement Stage II. Not even sure technology is available to do what they want to do in Stage II. Wrenn and others are asking/hoping the process can be slowed down a bit. Smoak said it appears they are saying to get good clean water, implement Phase I (at little/no cost); however, by agreeing to do this, we are automatically agreeing for Stage II (which takes place in 2016) and water bills could sky rocket. The Mayor encouraged everyone to stay in the loop on this important initiative.

Ms. Cates gave an update from Department of Defense Environmental Security Technology Certification Program (ESTCP) – a presentation was given at the Restoration Advisory Board (RAB) Meeting a couple months ago. An Open House with demo will be held July 7th at two (2) times: either 1 p.m. or 6:30 p.m. on Uzzle Road in Rougemont. Mr. Veazey (previous Co-Chair of RAB was in attendance) gave some remarks on how beneficial this new equipment/technology is and how it will save from lots of digging thereby saving thousands of dollars per operation.

Ms. Emory spoke of incinerator near CRH; however, there appears to be no interest in this one. There is also one behind Murdoch Center. Emory said she would like that one left/donated for historic purposes. Mayor Lane, Mr. Smoak, Harry Coleman (w/*Butner Creedmoor News*) and the Town Manager shared pertinent info.

Emory said there are folks who want to volunteer (B St Ballfield) ... pick up trash, clean, do anything that needs doing. Marrow said at the proper time volunteers are welcome. RFQ for architectural design is in the process of being put together ... hoping to go to bid in January, 2011 (a somewhat optimistic schedule).

Mr. Turner noted the nation's 234th birthday; the hard work and sacrifice that made this nation. Knights of Columbus told Turner they have monies earmarked for community handicapped children; therefore, Turner was passing this info along.

Mayor Lane also made mention of the Fireworks Show tomorrow evening – gates open at 6:00 p.m. Hot dogs and ice cream, etc. – a fun event!!

It was announced there will be no second Council Meeting this month.

16. ADJOURNMENT

The meeting stood adjourned at 8:00 p.m. on motion by Mr. Smoak, seconded by Mr. Turner – all present voted in favor.

Respectfully submitted,
Dianne E. White, CMC
Town Clerk

Thomas Lane, Mayor
Town of Butner