

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, **June 2, 2011**, beginning at 7:00 PM.

Present and Presiding:

Mayor:

Thomas Lane

Council Members:

Michel Branch

Vickie Cates

Christene Emory

Linda Jordon

Bill McKellar

Terry Turner

Town Manager

Thomas Marrow

Town Attorney

James Wrenn, Jr.

Town Clerk

Dianne White

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

Mayor spoke of uncomfortable weather conditions indicating plans are to be in the new building soon (within weeks hopefully) with better temperature control. Lane announced upcoming meetings:

- Budget Work Session on 6/8, 5 PM at SMSA
- Public Hearing on proposed FY 2011-12 Budget on 6/15, 7 PM at SGWASA Meeting Room

2. ROLL CALL ... by Clerk

3. INVOCATION AND PLEDGE OF ALLEGIANCE

Invocation was given by Council Member Cates and Pledge of Allegiance was led by Mayor Pro Tem Jordon.

4. APPROVAL OF MAY 5, 2011 MEETING MINUTES

Minutes were approved on motion by Ms. Jordon, seconded by Ms. Cates – all voted in favor.

5. ADJUSTMENTS TO AND/OR APPROVAL OF JUNE 2, 2011 MEETING AGENDA

Manager noted budget amendment/s. Mayor added this on as 7A.

6. PUBLIC COMMENT PERIOD

Marshall Dixon, 304 West D Street, informed the group Chicken Pickin event is well underway – event is this Saturday 70 vendors utilizing 99 spaces, 11 cookers utilizing 20 spaces with car show to exceed 200! There will be lots of door prizes to include a big screen TV ... \$20 will be given away every 20 minutes from 9 a.m. – 1:30 p.m. Dixon spoke of “more help” this year than ever – he thanked everyone. Secondly, he mentioned a dead tree on school property in the park. The Manager

said we haven't completed the lease yet but the tree will be taken care of in the near future.

Mayor Lane thanked Council Member Turner and committee on excellent job with Memorial Day service this past Monday.

7. MONTHLY FINANCIAL REPORT

Susan Hiscocks reported on finances through April, 2011 ... cash on hand end of April was \$7,506,319. There will be budget amendments at the next meeting for approval.

On motion by Council Member Branch, seconded by Council Member Turner, it was moved to accept the financial report. All voted in favor. SEE ATTACHMENT "A"

7A. Budget Amendment #11-2011 and Capital Project Ordinance Amendment/Central Avenue Sidewalk #1

Marrow reported Central Avenue Sidewalk Project has been completed (approved by the State) ... Butner will apply for \$110,000 grant before DOT closes out their budget on 6/30. A few issues arose along this residential area ... dirt was brought in, areas holding water, pipe drain was added ... bottom line, problems were taken care of. The budget was exceeded by \$17,600 --- \$7,500 was in last year's budget. Marrow said this is Phase I and we'll be applying for Phase II ... picking up from Credit Union down to B Street. Marrow told Council this can come from Powell Bill monies if Council so chooses.

On Motion by Mayor Pro Tem Jordon, seconded by Council Member Emory it was moved to approve budget amendments ... monies to come from Powell Bill funds. All voted in favor. The budget amendments are recorded in the Book of Ordinances.

8. APPROVAL OF AUDIT CONTRACT FY 2010-11

Finance Officer Hiscocks asked the Council to approve audit contract services with William L. Stark & Company for an amount not to exceed \$8,000. Audit Report should be completed by 10/31. Hiscocks noted Winston, Williams, Creech & Evans (CPAs) will be available to assist us as necessary as we will be preparing our first Comprehensive Annual Financial Report for FYE 6/30/2011.

Approval was granted on motion by Mr. McKellar, seconded by Mr. Turner. All voted in favor.

9. PROPOSED FISCAL YEAR 2011-12 BUDGET

The Council has received their copy of the proposed budget and a copy is available in the Town Clerk's office for public inspection. This proposed budget contains a 10 cent tax increase to cover the additional cost the NC General Assembly eliminated

from the NC Dept. of Crime Control and Public Safety budget. The new proposed tax rate for the Town will be 35 cents. This will provide approximately \$1,824,710, of which \$1,782,995 will go toward BPS budget. The difference being the tax collection contract costs. This increase may change completely if the State Senate changes funding for Butner Public Safety or if the Governor vetoes the General Assembly's proposed budget. A public hearing has been scheduled for Wednesday, June 15, 2011 at SGWASA Meeting Room (209 West C Street, Butner) for public input. We are NOT anticipating adopting this budget until the latter part of June depending on when the NC General Assembly adjourns for the summer.

Marrow mentioned capital outlay ... a backhoe is needed for Public Works. He also mentioned budget items dealing with Stormwater/Falls Lake nutrient issues. The Manager said he isn't going to get into details tonight ... there is a work session planned next week.

10. PUBLIC HEARING - CONSIDERATION OF A.11.06 - AMENDMENT TO THE LAND DEVELOPMENT ORDINANCE RELATED TO FLOOD DAMAGE PREVENTION FOR PARTICIPATION IN THE NATIONAL FLOOD INSURANCE PROGRAM (NFIP)

To participate in the National Flood Insurance Program (NFIP), the Town needs to amend the Land Development Ordinance (LDO) so the flood damage prevention areas of the ordinance comply with federal standards. Staff recommends these technical changes to the LDO to comply with federal regulations and enable the Town to participate in the NFIP. In the LDO some technical definitions have been added, as well as some areas where language was not as specific as the NFIP requires. The Planning Board has considered the proposed amendment and recommends APPROVAL.

Mayor Lane opened the Public Hearing. Planner Melissa Hodges gave history on this matter. The Mayor inquired about language on page 7 of the amendment to LDO, item (3) ... refers to NC Department of Crime Control and Public Safety, Division of Emergency Management. BPS Director Hobgood was in attendance and indicated Division of Emergency Management is a different division than Butner Public Safety. To be sure, the Town Council discussed adding, "or its successor" to the description of who should be contacted in case of any changes to the Flood Damage Prevention Ordinance. There were no speakers during the public hearing; therefore, it was closed.

Mr. Turner made a motion, seconded by Ms. Emory, to adopt the LDO amendment and Resolution of Intent --- with change " ... or its successor". All voted in favor. SEE ATTACHMENT "B"

11. COUNCIL CONSIDERATION - RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE ON BEHALF OF THE TOWN OF BUTNER A CONTRACT AND ANY CHANGE ORDERS WITHIN THE BUDGETED AMOUNT WITH CAROLINA ASPHALT PAVING, INC. FOR THE PROJECT KNOWN AS EAST LYON STATION ROAD CONNECTOR

The CMAQ greenway proposed along East Lyon Station Road, which would begin at the Food Lion Shopping Center and end at Telecom Drive, has been bid and Carolina Asphalt Paving, Inc. was the low bidder on the project. This project has 80% grant funding. The low bid for construction came in at \$190,702. This means the Town will have to contribute \$38,140 toward the construction of the greenway. According to DOT guidelines, the low bidder must be accepted by the Town Council by a resolution and DOT must also concur with that selection before the contract can be signed and construction started. We have submitted our request for DOT's concurrence and only need this resolution by the Town Council for DOT's final approval for us to begin construction. (See attached bid tab and resolution)

Melissa Hodges gave a briefing of this item. Following changes since agenda preparation/delivery, the \$38,140 figure will change to \$36,490. Mayor Lane spoke of the original application with 100% funding; however, due to NCDOT delays, we couldn't meet deadline(s); therefore, this is an 80/20 project. However, good news! Low bid came in at 21.4% below engineer's estimate. Hodges said DOT has said the Town has to hire a third party inspector (Town will pay 20% of that cost). Marrow explained by using an example of street paving ... don't want contractor inspecting work they are involved in – a third party is desirable.

Ultimately, a motion was made by Ms. Jordon, seconded by Mr. Branch to approve the Resolution to enter into contract with low bidder, Carolina Asphalt Paving, Inc. – all in favor. SEE ATTACHMENT "C"

12. COUNCIL CONSIDERATION - APPROVAL OF BUTNER ATHLETIC PARK (BAP) LOW BIDDER **SEE ATTACHMENT "D"**

The Town received 5 bids for the BAP. One bidder was immediately disqualified for not having their bid bond in the bid package. Of the 4 bidders, Fabco Construction, Inc. was the low bidder. Their base bid was in the amount of \$3,041,700. If all alternates are funded, they remain the low bidder at \$3,300,100. As always, we have to include DMP's costs of \$212,536, \$39,250 for permit fees, and contingency of 5% or \$160,000 for a grand total cost of \$3,711,886. I RECOMMEND THE FOLLOWING: approve the \$3,300,100 total project cost. However, let's commit to the base bid of \$3,041,700 plus installing the sod in the amount of \$115,000 and wait on funding the remaining alternates once the grading and associated earthwork has been completed and evaluate our budget to see if we are on budget to consider the remaining 8 alternates. Davis Martin & Powell (DMP) is conducting reference checks on the low bidder, more specifically their ability to meet the "Specialty Athletic Field Construction" portion of the contract. We hope to have a report for Thursday night's meeting.

Marrow went over bid package stipulations and recommended not awarding tonight. Low Bidder has not furnished "specialty" info; therefore, Staff would like to check references. He plans to report more info (hopefully at Wednesday's meeting). Linda Jordon indicated she did not readily find out much about the vendor by means of computer research. The Mayor spoke of disappointment there weren't more bidders.

13. FIRST YARD OF THE MONTH RECOGNITION/PRESENTATION

Council approved, at its April Meeting, rules, regulations, etc. pertaining to Yard of the Month Program. The Landscape and Beautification Committee has selected the first recipient for the month of June.

Council Member Cates (and Chair of the Landscape and Beautification Committee) made the presentation to June, 2011 Yard of the Month recipients, Mike and Teresa Gupton of 100 East G Street. Ms. Gupton accepted for the couple. The double sided sign will be placed in their yard.

Mayor Lane encouraged citizens to submit nominations to Town Hall locations/names for future winners of Yard of the Month.

14. BUTNER FARMERS MARKET PARK **SEE ATTACHMENT "E"**

The Town owns the vacant property on the corner of G Street and Central Avenue. HagerSmith, the design team for Town Hall, offered to create a master plan for this property. There are two (2) concept plans for Council to consider and give feedback. The Parks and Recreation Advisory Committee has reviewed the plans and prefer Scheme A. (See attached Schemes A and B)

Mayor Lane said since we have some tentative plans on paper, we can begin looking for grants. Melissa Hodges said she, along with the Manager and Mayor went to HagerSmith offices and looked at any possible recreational uses, whittled it down to top priorities and best use of property. Next, plans were taken to May Parks & Rec Advisory Committee ... their preference was Scheme A. With something on paper and adopted by Council, Staff can pursue finding funds. She mentioned a community center (should other plans not work out), picnic shelter/picnic tables, playground, possible spray ground/park, multi-purpose field (soccer) unlit, trails throughout site, a possible 'park & ride', marketplace with possible skate park close to the road.

The Mayor requested 'getting the word out'/posting on the web for citizens to view and hopefully make comments. Mayor emphasized this is long range planning.

15. REPORTS

➤ Town Manager

1. Regarding Chicken Pickin event, Marrow said Street Department did a good job cleaning Central Avenue, mowed interstate interchanges, etc.
2. Town Hall – optimistic we'll move mid June, some furniture was installed today, still working on audio visual – will meet Monday to work on a bid package; plans are to get AV info in the newspaper ASAP. Finished paving and landscaping – punch list is getting small. We are waiting for Fire Marshall to give approval. Council room citizen seating is in.
3. School Board will be taking up land issue at their June Meeting
4. Final plans on Gazebo Park 'Permajohn' (unisex restroom) ... Wrenn

said approval should take place 6/6 by Granville County
Commissioners

➤ Attorney

5. Wrenn reported on BPS issue ... Authority Bill was put to the House Finance Committee earlier today. Rep Crawford spoke briefly on it and it passed without opposition. Next, it goes to House Appropriations Committee ... ultimately, voted on by the full House and Senate. Mayor Lane said this would be a 'workable format' so, at a minimum, Butner has input. Lane spoke of meetings with CCPS with Chief Hobgood being intimately involved. Hobgood thanked Mayor/Council for support.

➤ Planner

6. SRTS Grant (sidewalk construction) design phase is almost complete.
7. Intern will start work in Planning Office on Monday – Simona Barbu ... MPA student at ECU.
8. Planning Board did feel the need for amending Ordinance – Temporary Signs – text amendment will go before them next week. Rezoning case as well at next week's Planning Board meeting. Mayor called attention to member of Planning Board and Chair of Zoning BOA (both in attendance tonight).

16. OTHER MATTERS

➤ STATUS/UPDATE ... New Town Hall

➤ STATUS/UPDATE ... Community Building --- Lane called State Property Office and to date, call has not been returned. Marrow noted an article in *Butner-Creedmoor News* spoke of a matter taken up by State on behalf of John Umstead. Lane sent a complete package of correspondence to State Property Office at the last writing.

17. COUNCIL COMMENTS

Mr. Turner reiterated Memorial Day event went well. He said many made it possible! He publicly thanked the Exchange Club (previously omitted thanks).

Ms. Emory congratulated Ms. Gupton on being first recipient of Yard of the Month – Emory enjoys the lovely view and encouraged all to ride by and take a look.

Ms. Cates said the Beatification Committee welcomes all nominations.

Mr. McKellar indicated WRAL has a service (\$8/yr) to inform callers of serious weather (early on). Along those lines, he said Granville County Schools has this feature "robo call" to give the early warning notices of school delays. McKellar suggested (rather than sirens) it might be good to look into this feature at BPS.

18. ADJOURNMENT

The meeting was adjourned (approx. 8:15 PM) on motion by Mr. McKellar, seconded by Ms. Jordon. All voted in favor.

Respectfully submitted,
Dianne E. White, CMC, Town Clerk

Thomas Lane, Mayor
Town of Butner