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, March, 3, 2011, beginning at 7:00 PM.

Present and Presiding:
Mayor: Thomas Lane
Council Members: Vickie Cates
               Christene Emory
               Linda Jordon
               Bill McKellar
               Michel Branch
               Terry Turner

Town Manager: Thomas Marrow
Town Attorney: James Wrenn, Jr.
Town Clerk: Dianne White

1. WELCOME AND CALL TO ORDER … by Mayor Lane

2. ROLL CALL … by Clerk

3. INVOCATION AND PLEDGE OF ALLEGIANCE

Council Member Emory gave the invocation and Council Member Turner led the Pledge of Allegiance.

4. APPROVAL OF FEBRUARY 16, 2011 MEETING MINUTES

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

5. ADJUSTMENTS TO AND/OR APPROVAL OF MARCH 3, 2011 MEETING AGENDA

Town Manager Marrow requested to add:
- 2 pcs of surplus equipment (15A)
- A new item between Items 9 and 10 pertaining to Falls Lake Commerce Drive

Mr. McKellar had an item regarding UNRBA (15B)

6. PUBLIC COMMENT PERIOD … None

7. MONTHLY FINANCIAL REPORT

Finance Director said as of end of January, revenues were at 55% of budget and expenditures at 42.5%. Regarding Town Hall, we have drawn down all but roughly $350,000 of loan monies from RBC. Budget process has started – worksheets have
been distributed. A webinar (Involving public comment in budget process) through SOG on 3/16 … 12:45 – 2:30 p.m. - Town Hall Conference Room for those who would like to attend. **SEE ATTACHMENT A**

8. **CURTIS AVERETTE WITH WILLIAM L. STARK AND COMPANY – PRESENTATION OF AUDIT FOR YEAR ENDING 6/30/10**

Mr. Averette gave thanks to Susan (she and the CPA firm worked well together). Stark prepared and submitted Butner’s audit to LGC. An “unqualified” audit report was issued (which is positive) – no audit findings. Averette told Mayor and Council to give him a call with any questions that might arise.

Some highlights:
- Total cash for the year increased $192,000
- Net increase in Fund Balance of $80,768
- First year Council approved Capital Project Ordinances (separately identified which is a move in the right direction according to Averette)
- Other posted employment benefits (health insurance for employees) – keep an eye on – right now relatively small number
- No overspending
- Tax Levy … last year’s collection rate was 95.1% and current year is at 96.385%
- Powell Bill funds were in excess of $100,000; therefore Stark looked at internal control and compliance – no findings/clean report

Mayor Lane (not seeing it in the audit report) was happy to hear “unqualified” audit from Averette. Thank you(s) were exchanged between both Averette and Mayor Lane. **SEE ATTACHMENT “B” … an original bound audit report is on file in the Town Clerk’s Office.**

9. **REVIEW OF RITCHIE BROS SUBDIVISION FINAL PLAT**

Ritchie Bros Auctioneers has prepared the Falls Lake Commerce Center Subdivision final plat for approval by the Town. The Ordinance Administrator has reviewed the plat for compliance with the LDO and the plat meets the requirements of the ordinance. The plat has not changed since the preliminary plat was approved by the Planning Board and Town Council with the exception of increasing the stream buffer from 50’ to 100’. Typically after a preliminary plat is approved, the developer or property owner would install all infrastructure shown and once inspected a final plat would be submitted. In this case, the subdivision improvements are very small and the property owner wishes to complete the infrastructure improvements at the time the rest of the site construction is done. Therefore, a performance guarantee in the amount of 150% of the estimated cost of improvements is being provided as required with the final plat. The performance guarantee will be required to remain in effect until the required improvements are complete.

Hodges said since very little work is required for the sub-division (putting in a little bit of cul-de-sac and minor extension of utilities), Ritchie Bros preferred to do this work same time they will do major site work. Tonight’s request is to approve the final plat with approved letter of credit in place. Town Attorney has reviewed letter of credit.
Therefore, on motion by Mayor Pro Tem Jordon, seconded by Council Member Cates, it was moved to approve Ritchie Bros subdivision final plat with condition Mayor Lane sign the letter of credit when in place. All voted in favor.
SEE ATTACHMENT “C”

*** Closing of Driveway at Falls Lake Commerce Center ***

Marrow spoke of layout of Falls Lake Commerce Center … main entrance into park is Business Park Drive. NCDOT wants the first driveway at the Center (off Gate #2 Road) leaving Butner closed. Only one entrance is preferred by DOT. All parties concerned … Ritchie Bros, CertainTeed and the Commerce Center owner(s) are OK with this. Installing a turn lane was an alternative given by DOT; however, it is cost prohibitive. In the future as the center expands, the driveway could be reopened. DOT has agreed to take over the main entrance/Business Park Drive.

10. PUBLIC HEARING – TEXT AMENDMENT TO THE BUTNER LAND DEVELOPMENT ORDINANCE

A.11.05 Building Height Increase
An amendment to the Butner Land Development Ordinance to increase the maximum building height in the Heavy Industrial District.
(SEE ATTACHMENT “D”)

Mayor Lane opened the public hearing. Only one speaker: Mike Satterwhite, 1621 Peace Street, Henderson, Attorney for Ritchie Brothers and CertainTeed. Ritchie Bros is proposing to sell a site to CertainTeed. The latter company plans to develop a building to process rock (from SunRock Quarry) crushing it down to small gravel ultimately used in making roof shingles. Entire process will be enclosed – gravity feed system; therefore, the need for 80’ height. Ordinance was somewhat unclear. Mr. Branch asked if the proposed plant is similar to the Oxford plant (which is 100’ – 110’ in height … it is; however a different process going on in the 2 plants). Satterwhite spoke of this being a $25 Million project. Also, in closing, Satterwhite noted wonderful cooperation and effort to assist from Butner. He said “thank you” for consideration shown to both clients. There being no additional speakers, the Mayor closed the public hearing.

Council Member Terry motioned to modify the LDO (Section A.11.05) to raise the building height in the HI District to 80’ as well as addition under footnote 2 “Unoccupied storage silos and unenclosed machinery would not be considered occupable structures. A structure is considered occupied if one or more persons regularly occupy any part of the structure. Periodic maintenance of a structure that is not otherwise regularly occupied shall not be considered regular occupancy”. This motion was seconded by Council Member Branch and unanimously approved.

Relevant Consistency Statement was approved on motion by Mr. McKellar, seconded by Ms. Emory. All voted in favor.
11. PUBLIC HEARING – REZONING APPLICATION

REZ-11-01 400 Block of Central Avenue
Town staff is initiating a rezoning for seven (7) properties on the west side of Central Avenue between D Street and the State Employees Credit Union. The request would rezone the properties from Office & Institutional (OI) to Central Business District (CB). The Town of Butner 2020 Comprehensive Land Use Plan recommends commercial development for the subject properties. The properties are more specifically identified as Tax Map #’s 087605087296, 087605086196, 087605086242, 087605087361, 087605086208, 087605086396, 087605085492. (SEE ATTACHMENT “E”)

Following a briefing by the Planner along with recommended approval by both Planner and Planning Board, the Mayor opened the matter for public hearing. There were no speakers. Therefore, public hearing was closed.

Mayor Lane said this gets us on the right track (his opinion). Council concurred. **Ms. Jordon made a motion to accept/approve rezoning application, seconded by Mr. Branch. All voted in favor.**

Consistency Statement was approved on motion by Mr. McKellar, seconded by Mr. Turner – all in favor.

12. EXEMPT FROM MINI BROOKS ACT ARCHITECTURAL DESIGN FOR UNISEX BATHROOM AT GAZEBO PARK

I would like to allow HagerSmith to provide the architectural services for the Gazebo Park bathroom. The design cost for the unisex bathroom will be around $2,000. We will spend more than this on RFQ ads, interviews and legal work.

The Town Manager said he would like to move on with building of bathroom with exemption from Mini Brooks Act. Bathroom has been approved by Granville Inspections Department. Some monies have been budgeted already. Basically, HagerSmith has done the bathroom design for another client (and the 2 projects {new Town Hall and bathroom} are across the street from one another on Central). Town Attorney Wrenn has sent the lease to the School System’s Attorney for review – waiting for response. Wrenn said “Certainly there’s no problem with exempting this from the Mini Brooks Act.”

**Council Member Turner made a motion, seconded by Council Member Branch to approve funding of $2,000 for design work of the unisex bathroom in Gazebo Park and exempt from Mini Brooks Act. Marrow clarified the $2,000 would come from $100,000 already budgeted for the bathroom. All were in favor.**
13. **COUNCIL CONSIDERATION – RESOLUTION AUTHORIZING THE FILING OF AN APPLICATION FOR APPROVAL OF A FINANCING AGREEMENT AUTHORIZED BY NCGS §160A-20 REGARDING LGC FINANCING OF BUTNER ATHLETIC PARK**

Susan Hiscocks said plans are to plant grass seeds in July in order to get the Park ready to play on in 2012. We’ll need to get this item on the LGC’s agenda for May meeting. Resolution approval is a necessary step. Estimated project cost is $2.8 Million and plans are to finance $1 Million over 10 years with remainder coming from Fund Balance … Butner received a $500,000 grant for this project. Regarding project, hoping to go to bid (construction) in March … likewise, Hiscocks said she hopes to bid out financing same time as construction --- open bids and get moving!

*A motion was made by Ms. Jordon, seconded by Mr. McKellar to approve the Resolution ---- all voted in favor. SEE ATTACHMENT “F”*

14. **COUNCIL CONSIDERATION FOR FINANCE DIRECTOR TO ADVERTISE RFP’S FOR AUDIT SERVICES**

Since the Town now has a full-time Finance Director, there no longer is a need to employ one firm to write Butner’s report and another to perform the audit.

Hiscocks said we are at the point where we only need to employ one firm; therefore, she is planning to send out RFPs for performing Butner’s audit for a 3-year period beginning FY ending June 30, 2011. The first year is iron clad with an option to renew the other two (2) years.

*Approval was granted on motion by Ms. Jordon, seconded by Ms. Emory to solicit RFPs for audit services. All voted in favor.*

Town Manager Marrow pointed out this cost savings.

15. **SPEED DECLARATION ON SR 1100 (B ST)**

This is a DOT request to keep the speed limit(s) on “B” Street the same. The original declaration was from a rural perspective. Now that Butner is incorporated, DOT would like for the Town to adopt these speed limit(s) as an urban ordinance.

Current speed limit from Central Avenue to SunRock’s drive (thereabouts) is 35 MPH … at this point it changes to 45 MPH all the way to I-85. Since incorporation, we basically need to restate these speed limits as is OR make adjustments. The Town Manager said he doesn’t see a need for changes but wanted to run it by Council. Mayor Lane indicated he has spoken with a few residents in the area who seem in favor of keeping it as posted with better enforcement.

*Therefore, a motion was made by Council Member Turner, seconded by Council Member Branch that speed limit(s) remain as is on SR 1100/B Street as noted on attachment from NCDOT … in particular, the 45 MPH zone between US 15 and 0.61 mile west of SR 1103 Central Avenue. SEE ATTACHMENT “G”*
15A. 2 pcs of surplus equipment ***

Town owns:
- Toro Proline 52” Mower (walk behind type mower) (Model 30182)
- Brush Bandit Limb Chipper (Model 3060)

Manager said mower is old and not working well – hasn’t been used close to two (2) years. The limb chipper is dangerous, hasn’t been used in over twelve (12) months. Therefore, Marrow requested to put the two (2) items on GovDeals (online auction) – Butner will accept the highest bidder.

Approval was granted (as requested by the Manager) on motion by Mr. McKellar, seconded by Ms. Emory – all in favor.

15B. Mr. McKellar had an item regarding UNRBA ***

Mr. McKellar distributed info to Mayor & Council ... he referred to a chart listing UNRBA dues calculation table and info for FY 2011-12. SEE ATTACHMENT “H”. He spoke of Town of Butner dues being $3,691, which represents 1.5% of total dues. Last year’s cost to Butner was $1,847. The UNRBA budget is set to be approved 3/16/11. McKellar requested an approval by Council to pay dues. Secondly, UNRBA wishes to establish a 501c4 corporation (presently 501c3). Again, McKellar recommended approval by Butner (due to potential lobbying issues). The Attorney agreed with McKellar …. Increase in dues will fund scoping study to determine what we need to do to address stage 2 of the Falls Lake Rules (cooperative effort by all jurisdictions involved).

Ms. Jordon made a motion, seconded by Mr. Branch, to approve $3,691 UNRBA annual dues (by consensus – to be incorporated in upcoming budget process) as well as establishing a 501c4 corporation. All voted in favor.

16. REPORTS

- Town Manager
  - Advertising this weekend – bids for greenway trail (bid opening set for 4/5, 2:00 p.m. at SMSA
  - B Street Ballfields should go to bid by mid March
  - D Street Sidewalk Project has been flagged (roughly 50% complete) – should go to bid March-late April
  - Mayor and Manager attended Granville County Small Business & Industrial Day held 2/24 at Livestock Arena followed by KTCOG Monthly Meeting (J Wrenn guest speaker). Next night Mayor and Manager attended Granville County Commissioners Retreat (encouraged them to continue funding Butner recreation programs)
  - Mayor and Manager attended NC Chamber of Commerce Annual Luncheon (as guests of Duke Energy) … it was beneficial meeting with Duke Energy regarding street light outages, etc., etc. and contact info for our representatives
- Attorney
Planner
- Hodges told Council of Butner’s first special use permit application for RV Park (Mobile Village) going to Zoning BOA on March 24th
- An updated LDO with map will be distributed to Mayor/Council at next Board Meeting

17. OTHER MATTERS

- STATUS/UPDATE … New Town Hall
- STATUS/UPDATE … Mr. McKellar reported Community Building Meeting has been changed from 3/15 to 3/16 at SGWASA Meeting Room, 7:00 PM

18. COUNCIL COMMENTS

Ms. Jordon inquired of status of junked cars. Manager said he would like to take this subject to the Finance Committee. If Council wishes to pursue, may need to talk about an intern to help with workload.

Mr. Turner noted Memorial and Veterans Day Committee (hoping to get candidates to volunteer) … will be meeting at SMSA. Mayor mentioned there are roughly 100 walkers at the SMSA in various groups from 5 – 9 a.m. He thanked the ladies that sweep and close up the arena. SGAA is doing a good job too at looking after the arena. In addition, the Town’s Public Works crew mop/clean restrooms. Ms. Eva Perry requested straw brooms to help with sweeping mats at the arena. Marrow assured her he will handle this request.

Stemming from an email from Mike McFadden, Mr. Branch noted litter on the greenway. R Daniel has taken care of clean up. Marrow said we’ll keep an eye on this area. Mayor Lane took this opportunity to ask citizens to keep streets clean (don’t throw out litter). Streets in particularly bad shape: C, D, E and lower part of F. Mayor said he has personally adopted 24 St (between D & E) – working to pick up trash/bottles/cans, etc. in this area.

BPS Chief Hobgood was in attendance – said he will be in Raleigh a good part of next week. Hobgood said BPS has been included in the Governor’s budget (with 2 positions cut) … waiting to see how the legislative session pans out. Lane offered to be of assistance if needed.

19. ADJOURNMENT

Mayor thanked citizens for attending. No further business, a motion was made by Mr. McKellar, seconded by Ms. Cates to adjourn at 8:15 PM. All voted in favor.

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

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Thomas Lane, Mayor
Town of Butner