1. **WELCOME, REMARKS AND CALL TO ORDER** - Mayor Cates

2. **ROLL CALL** - Clerk Rote

3. **INVOCATION AND PLEDGE OF ALLEGIANCE** - Council Member Smoak

4. **APPROVAL OF SEPTEMBER 7, 2017 MEETING MINUTES** (Attachment 4)

5. **ADJUSTMENTS TO AND/OR APPROVAL OF THE MEETING AGENDA**

6. **PUBLIC COMMENT PERIOD**
   
   Citizens wishing to address the Board must sign in on the form located on the podium prior to the beginning of the meeting.

7. **AUGUST 2017 FINANCIAL REPORT** - Finance Director Hiscocks (Attachment 7)

8. **CONSIDER CONFIRMING, MODIFYING OR ANNULING THE WYNNGATE STREET IMPROVEMENT ASSESSMENTS AS LISTED ON THE PRELIMINARY ASSESSMENT ROLL**

   On Wednesday, October 4, 2017, a public hearing was held regarding the preliminary assessment roll for the Wynngate Subdivision paving project. The roll has been available for inspection in the Town Clerk’s office since September 21, 2017. The assessment roll includes the following streets: Phelps Court; Ridgeland Drive; Hunter Court; Massimo Drive; Shining Water Lane; Summerfield Lane East; Muirfield Drive; Sugar Hill Drive North; Summerfield Lane West; Atreus Lane; Andrews Court; Whitman Drive; and Jackson Court.

   Tonight the Town Council shall annul, modify or confirm the assessments, in whole or in part, either by confirming the preliminary assessments against any or all of the lots or parcels described in the preliminary assessment roll or by canceling, increasing or reducing them as may be proper in compliance with the basis of assessment. If any property was omitted from the preliminary assessment roll, the council may place it on the roll and then levy the proper assessment.

   From and after the time of confirmation, the assessments shall be a lien on the property assessed of the same nature and to the same extent as the lien for county and city property taxes. On October 26, 2017 there shall be a publication of notice that the
assessment roll has been confirmed and the payment terms.

**Recommended Action:** Staff recommends confirming the assessments listed on the preliminary assessment roll for the Wynngate Subdivision street paving project.

9. **CONSIDER BUDGET AMENDMENT 006-2018 IN THE AMOUNT OF $2,584, PAYABLE FROM THE UNAPPROPRIATED FUND BALANCE, FOR TEMPORARY WAGES AND PAYROLL TAXES TO EMPLOY AN INTERN TO ASSIST WITH THE TOWN WEBSITE.**

   To assist with the Town website design and maintenance, Town staff has interviewed and recommends employing an intern from Vance Granville Community College. This temporary position is from October 12 through December 11. The intern will receive college credits. *(Attachment 9)*

   **Recommended Action:** Staff recommends approving budget amendment 006-2018 in the amount of $2,584, payable from the Unappropriated Fund Balance for temporary wages and payroll taxes to employ an intern to assist with the Town website.

10. **CONSIDER ADOPTING RULES FOR GAZEBO PARK AND D STREET FIELD.**

   Currently there are no rules for Gazebo Park or the D Street Field. Adopting the rules will allow all of the Town’s facilities to be consistent with rules, leasing regulations and applications. The rules for Gazebo Park were requested during the September meeting and staff added the D Street Field. *(Attachment 10)*

   **Recommended Action:** Staff recommends adopting rules for Gazebo Park and D Street Field as presented.

11. **CONSIDER APPROVING PROPOSAL WITH DAVIS, MARIN & POWELL (DMP) FOR ENGINEERING, PLANNING, DESIGN, AND INSPECTION SERVICES FOR CENTRAL AVE. SIDEWALK BETWEEN B AND D STREETS IN THE AMOUNT OF $15,000, AND AUTHORIZE THE TOWN ATTORNEY TO FINALIZE THE CONTRACT.**

   The NC Department of Commerce awarded the Town a grant for $50,000 for downtown revitalization. On September 7, 2017, the Town matched the grant with $50,000 to complete a new sidewalk from B to D Streets. Total cost for DMP engineering services is $15,000. *(Attachment 11)*

   **Recommended Action:** Staff recommends approving the proposal with DMP for Engineering, Planning, Design, and Inspection Services for Central Ave. sidewalk between B and D Streets in the amount of $15,000, and authorize the Town Attorney to finalize the contract.
12. **REPORTS (Attachment 12)**
   - Manager
   - Planning/Parks & Recreation Director
   - Public Safety Director

13. **OTHER MATTERS**

14. **MAYOR AND COUNCIL COMMENTS**

15. **CLOSED SESSION MATTER(S) IF ANY**

16. **ADJOURNMENT**

**REMINDERS:**

If you need additional information about the following items, please see the Town Clerk.

Oct. 5 – Regular Meeting of the Butner Town Council, Town Hall – 6:00 pm
   Public Meeting Granville Transportation Plan, Oxford Senior Center – 4:00 – 7:00 pm
Oct. 10 – Public Meeting Granville Transportation Plan, South Branch Library – 4:00 - 7:00 pm
Oct. 12 – Planning Board Meeting, Town Hall – 7:00 pm
Oct. 24 – Crime Stoppers Banquet, First Baptist Church, Creedmoor – 6:30 pm
Nov. 4 – Community Campfire, Lake Holt – 6:00 – 7:30 pm
THURSDAY, SEPTEMBER 7, 2017 – 6:00 P.M.
REGULAR MEETING OF THE BUTNER TOWN COUNCIL
COUNCIL MEETING ROOM – TOWN HALL

The Butner Town Council met at the above-mentioned time and place. All members of the Council and local news media were notified of the same as well as the purpose of the meeting.

Present were Mayor Vicky Cates, MPT Christene Emory, Council Members Bill Birdsong, Michel Branch, Linda Jordon, Bill McKellar and Vickie Smoak. Also present was Town Attorney James C. Wrenn, Jr., Town Manager Tommy Marrow, and Town Clerk Barbara Rote.

CALL TO ORDER

Mayor Cates called the meeting to order. Clerk Rote called the roll for Council attendance. Mayor Cates gave the prayer followed by the Pledge to the American Flag.

AUGUST 3, 2017 MINUTES APPROVAL

MINUTES WERE APPROVED ON MOTION BY MPT EMORY, SECONDED BY COUNCIL MEMBER BRANCH. ALL VOTES WERE IN THE AFFIRMATIVE. THE MOTION CARRIED.

AGENDA APPROVAL & ADDITIONS

COUNCIL MEMBER BRANCH MADE A MOTION, SECONDED BY COUNCIL MEMBER JORDON, TO APPROVE THE AGENDA AS SUBMITTED. ALL VOTES WERE IN THE AFFIRMATIVE. THE MOTION CARRIED.

PUBLIC COMMENT PERIOD

Terry Turner – 613, 25th Street – Invited the Public to attend the Veteran’s Day program on November 11, 2017 at 11:00 am in the Soldiers Memorial Sports Arena with guest speaker, Author of “You Must Live”, Tuan Phan.

PUBLIC HEARING TO AMEND LAND DEVELOPMENT ORDINANCE (LDO) ARTICLE 7 & ARTICLE 17 TO REGULATE PLAYGROUND EQUIPMENT

Mayor Cates opened the Public Hearing

Town Planning Jessica Gladwin explained that The Town of Butner requests an amendment to the LDO to regulate the placement of playground equipment as an accessory use or structure, specifically in residential districts. Currently, playground equipment is not listed as an accessory use or structure and is not specifically regulated. Due to recent complaints, the Planning Board asked staff to research and recommends an amendment to regulate playground equipment so that it may not be placed in the front yard. The amendment considers playground equipment separately from other accessory uses or structures, allows the equipment in all
zoning districts, and must meet the following standards in single-family residential districts: 1) Playground equipment must be at least five (5) feet from side and rear property lines; 2) Playground equipment must be located to the side or rear of the principal structure or set back a minimum of one hundred (100) feet from the right-of-way. Existing playground equipment in the front yard would be grandfathered in and would not have to conform to the requirement. No permit would be required, playground equipment would be considered similar to a fence. The Planning Board approved the recommendation 3-2.

It was noted that the City of Oxford would consider playground equipment in the front yard as part of their Nuisance Ordinance and the Town of Creedmoor as part of their Ordinance that regulates the storage of household items.

Basketball goals would not qualify under the proposed provision; however, tire swings would qualify.

Goal 2 of the Town of Butner 2020 Comprehensive Land Use Plan includes preservation and enhancement of existing neighborhoods. Limiting playground equipment to the side and rear of single-family residences in more dense areas could be consistent with that goal. In determining whether to approve or deny the proposed amendment, five factors related to the LDO were considered and satisfied. Staff has met all statutory requirements for official approval.

Susan Zink – 1193 Shining Water Lane – Asked for clarification on the 100 ft. set back from the right-of-way.

Tom Lane – 604 23rd St. – Noted that many lots in Butner are only 85 ft. wide, so a 100 ft. set back would present a problem.

Anthony Dawkins – 606 15th St. – Asked about moving equipment from the back to the front yard for a limited period, then moving it back. He referred to mobile equipment.

Planning Director Hodges explained that Playground equipment must be located to the side or rear of the principal structure OR set back a minimum of one hundred (100) feet from the right-of-way. The equipment did not need to meet both requirements. She also explained that the equipment must be stationary (not mobile).

No one else from the public wished to speak; Mayor Cates declared the public hearing closed.

A notice will be placed in the paper and on the Town website with the new regulations.

**AMENDMENT ADOPTED - LAND DEVELOPMENT ORDINANCE**

**ARTICLE 7 & ARTICLE 17 TO REGULATE PLAYGROUND EQUIPMENT AS AN ACCESSORY STRUCTURE OR USE WITHIN THE TOWN’S RESIDENTIAL ZONING Districts.**

**CONSISTENCY STATEMENT ADOPTED**

MPT Emory made a motion, seconded by Council Member Jordon, to amend the Butner Land Development Ordinance, Article 7 and Article 17 to regulate playground equipment as an accessory structure or use within the town’s residential zoning districts and to adopt a consistency statement relative to the town’s.
A notice will be placed in the paper and on the Town website with the new regulations.

**AMENDMENT TO THE BUTNER LAND DEVELOPMENT ORDINANCE (LDO)**

**ARTICLE 7 – USE STANDARDS, ARTICLE 17 - DEFINITIONS**

Whereas, the Butner Town Council found it necessary to adopt the Butner Land Development Ordinance on September 24, 2008, to provide for the orderly, planned, and efficient growth of the Town of Butner; and

Whereas, the need to amend and/or change this same ordinance from time to time exists to provide for its efficient administration and enforcement or to address changing conditions of growth and development of the Town; and

Whereas, the Butner Planning Board held a public meeting on the proposed amendment on August 10, 2017 and made a positive recommendation on the adoption of the proposed amendment on August 10, 2017; and

Whereas, a public hearing was conducted on the proposed amendment by the Butner Town Council on September 7, 2017 at which evidence was presented.

NOW THEREFORE IT BE ORDAINED BY THE BUTNER TOWN COUNCIL THAT:

**AMENDMENTS TO LAND DEVELOPMENT ORDINANCE**

1) **ARTICLE 7 – USE STANDARDS**

   **7.4.3 Specific Standards for Certain Accessory Uses**

   (Q) Playground Equipment
   
   Playground equipment in single-family residential districts shall comply with the following standards:
   
   1. Playground equipment shall be set back a minimum of five (5) feet from side and rear property lines;
   2. Playground equipment must be located to the side or rear of the principal structure or set back a minimum of one hundred (100) feet from the right-of-way.

2) **ARTICLE 17 – DEFINITIONS**

   **PLAYGROUND EQUIPMENT, RESIDENTIAL**
   
   Any product in which the support structure remains stationary while the activity is taking place and is intended for a child to perform any of the following activities: climbing, swinging, sliding, rocking, spinning, crawling, or creeping, or combination thereof.

   **TABLE OF USES, USE TYPE ADDED:**
   
   - Playground Equipment – All zoning Districts, Additional Requirements: 7.4.3(Q)

   **TOWN COUNCIL WRITTEN PLAN CONSISTENCY STATEMENT:** Regulating playground equipment is most appropriate in single-family districts where the location of accessory structures have more impact on surrounding properties. Goal 2 of the Town of Butner 2020 Comprehensive Land Use Plan includes preservation and enhancement of existing neighborhoods. Limiting playground equipment to the side and rear of single-family residences in more dense areas could be consistent with that goal.

   Adopted September 7, 2017
JULY 2017 FINANCIAL REPORT

Town Manager Marrow presented the July 2017 Financial Report as summarized below and noted that expenses exceed revenues; however, this is normal for this time of year when insurance payments and debt expenses are paid at the beginning of the fiscal year.

COUNCIL MEMBER JORDON MADE A MOTION, SECONDED BY COUNCIL MEMBER MCKELLAR, TO ACCEPT THE JULY 2017 FINANCIAL REPORT AS PRESENTED. ALL VOTES WERE IN THE AFFIRMATIVE. THE MOTION CARRIED.

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July, 2017 Total Cash & Investments Town-Wide – All Funds

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<th>General Fund</th>
<th>Other Funds</th>
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<tbody>
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<td>$7,954,954</td>
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<td>$8,925,067</td>
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APPROVED GRANVILLE COUNTY RECREATIONAL GRANT APPLICATION & ADDITIONAL FUNDS ($15,000)
LAKE HOLT PLAYGROUND

Planning Director Hodges presented a request to approve a grant application for Granville County Recreational Funds for playground equipment at Lake Holt, near the picnic shelter. The Granville County Recreation Advisory Committee is accepting applications for recreation funds until September 29, 2017. Each grant is limited to a maximum of $25,000. It is competitive and since Butner receives some of the recreation funds for programming related expenses, our grant request is less competitive than entities that are not receiving any other recreation funds from the County. The grant application requests $25,000 for the playground. Staff also asked for an additional $15,000 to ensure the playground had a variety of activities. The funding would include ground preparation, equipment and mulch. Council viewed several types of playground equipment. Planning Director Hodges will sent copies to the Council for further consideration. Once a determination is made on the grant, staff will proceed with a budget amendment and selecting equipment selection.
COUNCIL MEMBER BRANCH MADE A MOTION, SECONDED BY COUNCIL MEMBER SMOAK, TO APPROVE A GRANT APPLICATION FOR GRANVILLE COUNTY RECREATION FUNDS IN THE AMOUNT OF $25,000 WITH ADDITIONAL FUNDING IN THE AMOUNT OF $15,000 FOR PLAYGROUND EQUIPMENT AT LAKE HOLT. ALL VOTES WERE IN THE AFFIRMATIVE. THE MOTION CARRIED.

DOWNTOWN REVITALIZATION GRANT PROPOSAL APPROVED
SIDEWALKS FROM EAST B TO EAST E STREET
AND ADDITIONAL FUNDS ($50,000)

Planning Director Hodges presented for approval a Downtown Revitalization Grant Proposal for Central Avenue sidewalks and a request for additional project funding in the amount of $50,000. The Town was recently awarded a $50,000 grant from the Department of Commerce for downtown revitalization. To receive the funds, the Town has to submit a project proposal by September 15, 2017. A final report on the project is then due by July 15, 2018. Town staff proposes using these funds to add sidewalk to the northeast side of Central Avenue from East B Street to East D Street. This would connect with existing crosswalks along Central Avenue and to the existing sidewalk on D Street. The estimated cost of the project is $100,000, which would require $50,000 from the Town in addition to the $50,000 grant.

Council Member Birdsong was concerned about spending the additional money, especially when there sidewalks across Central Ave. in the same location. It was explained that other options were considered but could not be met due to the project deadline. The projects included gateway signs, sidewalks along Pond Dr., G Street Farmers Market, and a façade improvement program.

COUNCIL MEMBER JORDON MADE A MOTION, SECONDED BY COUNCIL MEMBER BRANCH, TO APPROVE A DOWNTOWN REVITALIZATION GRANT PROPOSAL IN THE AMOUNT OF $50,000 WITH ADDITIONAL FUNDING IN THE AMOUNT OF $50,000 FOR ADDITIONAL SIDEWALKS ALONG CENTRAL AVENUE FROM EAST B ST. TO EAST D ST. ALL VOTES WERE IN THE AFFIRMATIVE. THE MOTION CARRIED.

ENGINEERS EXEMPT FROM MINI-BROOKS FOR CENTRAL AVE. SIDEWALK PROJECT
TOWN MANAGER AUTHORIZED TO NEGOTIATE WITH DAVIS, MARTIN & POWELL

Due to the Downtown Revitalization Grant deadline for completion of July 15, 2018, Planning Director Hodges presented a request to exempt the engineering and design services for the Central Avenue sidewalk project (East B St. to East D St.) from the Mini-Brooks Act and authorize the Town Manager to negotiate a contract with Davis, Martin & Powell.

COUNCIL MEMBER JORDON MADE A MOTION, SECONDED BY COUNCIL MEMBER BRANCH, TO EXEMPT THE ENGINEERING AND DESIGN SERVICES FOR THE CENTRAL AVENUE SIDEWALK (EAST B ST. TO EAST D ST.) FROM THE MINI-BROOKS ACT, AND AUTHORIZE THE TOWN MANAGER TO NEGOTIATE A CONTRACT WITH DAVIS MARIN & POWELL FOR THIS PROJECT. ALL VOTES WERE IN THE AFFIRMATIVE. THE MOTION CARRIED.

APPROVED BUDGET AMENDMENT 005-2018
APPROPRIATE FUNDS FOR SIDEWALK PROJECT – CENTRAL AVE. FROM EAST B TO EAST D STREETS

Planning Director Hodges presented for consideration, budget amendment 005-2018, in the amount of $100,000, to appropriate funds for the Central Ave. sidewalk project from East B St. to East D. St. The Budget Amendment considers the receipt of funds from the Downtown
Revitalization Grant in the amount of $50,000 and appropriates an additional $50,000 to complete the project.

COUNCIL MEMBER BRANCH MADE A MOTION, SECONDED BY MPT EMMORY, TO APPROVE BUDGET AMENDMENT 005-2018, IN THE AMOUNT OF $100,000, TO RECEIVE FUNDS FROM THE DOWNTOWN REVITALIZATION GRANT IN THE AMOUNT OF $50,000 AND TO APPROPRIATE $50,000 FROM THE UNAPPROPRIATED FUND BALANCE FOR COMPLETION OF THE CENTRAL AVE. SIDEWALK PROJECT. ALL VOTES WERE IN THE AFFIRMATIVE. THE MOTION CARRIED.

**TOWN OF BUTNER**
**BUDGET ORDINANCE AMENDMENT**

____005____ - 2018

BE IT ORDAINED by the Council of the Town of Butner, North Carolina, that the following amendment be made to the annual budget ordinance for the fiscal year ending June 30, 2018:

Section 1. To amend the General Fund, the appropriations are to be changed as follows:

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<tbody>
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This will result in a net increase of $100,000 in the appropriations of the General Fund. To provide additional revenue for the above, the following revenue will be increased. There is sufficient available Fund Balance for this appropriation. (To appropriate funds to build a sidewalk along northeast side of Central Avenue.)

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Section 2. Copies of this budget amendment shall be furnished to the Town Clerk, and to the Budget Officer and the Finance Officer for their direction.

Adopted this 7th day of September 2017.

**APPROVED BUDGET AMENDMENT 004-2018**
**APPROPRIATE FUNDS FROM SALE OF CAMP BUTNER 75TH ANNIVERSARY ITEMS**

Town Manager Marrow presented for consideration budget amendment 004-2018 in the amount of $4,619, to appropriate funds received from the sale of Camp Butner 75th Anniversary t-shirts and tickets. The money will be used to offset costs associated with the event. The budget amendment moves revenue from the sale of t-shirts and tickets into the Camp Butner 75th Anniversary line item.

COUNCIL MEMBER MCKELLAR MADE A MOTION, SECONDED BY COUNCIL MEMBER JORDON, TO APPROVE BUDGET AMENDMENT 004-2018 IN THE AMOUNT OF $4,619 TO APPROPRIATE FUNDS RECEIVED FROM THE SALE OF CAMP BUTNER 75TH ANNIVERSARY T-SHIRTS AND TICKETS TO THE CAMP BUTNER 75TH ANNIVERSARY LINE ITEM. ALL VOTES WERE IN THE AFFIRMATIVE. THE MOTION CARRIED.
BE IT ORDAINED by the Council of the Town of Butner, North Carolina, that the following amendment be made to the annual budget ordinance for the fiscal year ending June 30, 2018:

Section 1. To amend the General Fund, the appropriations are to be changed as follows:

<table>
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<tr>
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This will result in a net increase of $4,619 in the appropriations of the General Fund. To provide additional revenue for the above, the following revenue will be increased. There is sufficient available Fund Balance for this appropriation. (To appropriate funds received from the sale of shirts and tickets for the Camp Butner 75th Anniversary Celebration.)

<table>
<thead>
<tr>
<th>Account No.</th>
<th>Decrease</th>
<th>Increase</th>
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<td>Appropriated fund balance</td>
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Section 2. Copies of this budget amendment shall be furnished to the Town Clerk, and to the Budget Officer and the Finance Officer for their direction.

Adopted this 7th day of September 2017.

**APPROVED WYNNGATE STREET IMPROVEMENTS FINAL COST DETERMINATION**

Town Manager Marrow presented for consideration the final determination of costs associated with the Wynngate subdivision street improvements in the amount of $468,675.87 as required by G.S. 160A-226.

At the regular meeting of the Town Council on May 5, 2016, an assessment resolution for street improvements in the Wynngate Subdivision was adopted. The project has been completed and the final cost for assessment is $468,675.87, determined as follows: Paving contractor ($405,013.20), Engineering ($46,941.01), Legal fees ($14,604.06), Advertising ($2,117.60). Costs to be paid by the Town of Butner = $234,337.93. Costs to be assessed to property owners = $234,337.94.

Once the final determination is approved, the Council can move forward with the assessment roll. Property owners will be mailed their assessments and will have an opportunity to talk with the Council at a Public Hearing. Following the Public Hearing, the Council can adopt the final assessments.

COUNCIL MEMBER BRANCH MADE A MOTION, SECONDED BY COUNCIL MEMBER JORDON, TO APPROVE THE FINAL DETERMINATION OF COSTS ASSOCIATED WITH THE WYNNGATE SUBDIVISION STREET IMPROVEMENTS IN THE AMOUNT OF $468,675.87 AS REQUIRED BY G.S. 160A-226. ALL VOTES WERE IN THE AFFIRMATIVE. THE MOTION CARRIED.
PUBLIC HEARING SCHEDULED FOR OCTOBER 4, 2017
PRELIMINARY ASSESSMENT ROLL - WYNNGATE SUBDIVISION STREET IMPROVEMENTS

Mayor Cates presented for consideration calling for a public hearing on Wednesday, October 4, 2017 at 6:00 PM, in the Council Meeting Room, Butner Town Hall, to receive input on the preliminary assessment roll for the Wynngate Subdivision street improvements.

According to G.S. 160A-228, a public hearing on the preliminary assessment roll is required prior to adopting the final assessment roll. The final assessment roll for the Wynngate Subdivision Street Improvement Project will be considered at the October 5, 2017 Regular Meeting of the Butner Town Council.

COUNCIL MEMBER MCKELLAR MADE A MOTION, SECONDED BY MPT EMORY, TO CALL FOR A PUBLIC HEARING ON OCTOBER 4, 2017 AT 6:00 PM, IN THE COUNCIL MEETING ROOM, BUTNER TOWN HALL, ON THE PRELIMINARY ASSESSMENT ROLL FOR THE WYNNGATE SUBDIVISION STREET IMPROVEMENT PROJECT. ALL VOTES WERE IN THE AFFIRMATIVE. THE MOTION CARRIED.

POLICE ESCORT APPROVED 10-7-17 FOR LGAHA TRACTOR PARADE

Presented for consideration was a Street Closing request by the Lord Granville Agricultural Heritage Association (LGAHA) for their annual Parade of Power (tractor parade) on Oct 7 beginning at 1:00 PM. However, Chief Roberts did not recommend closing the roads, and suggested a police escort in the front and back of the parade. This will allow BPS to close and open intersections when needed. Al Gulvin with the LGAHA agreed with the recommendations.

The proposed parade route will be from the show grounds at the corner of G and 12th Streets, left on to G Street (East) up to Central Avenue, then right on Central (South) down to “C” Street then turn right (West) and travel down to 12th Street then turn right (North) back to the show grounds.

COUNCIL MEMBER JORDON MADE A MOTION, SECONDED BY COUNCIL MEMBER SMOAK TO APPROVE A POLICE ESCORT, AS RECOMMENDED BY PBS DIRECTOR ROBERTS, ON OCTOBER 7, 2017 FOR THE LGAHA POWER PARADE. ALL VOTES WERE IN THE AFFIRMATIVE. THE MOTION CARRIED.

PUBLIC HEARING TO REZONE 9.74 AC ON JOE PEED ROAD FROM SUBURBAN RESIDENTIAL (RS) TO RESIDENTIAL MULTI-FAMILY CONDITIONAL DISTRICT (RMF-CD) FOR TOWNHOME DEVELOPMENT

Mayor Cates opened the Public Hearing.

Ordinance Administrator Hodges presented a request from Summit Design and Engineering to rezone 9.74 acres located at 1509 Joe Peed Road to allow a development of 50 townhomes. The property is currently zoned Suburban Residential (RS) and the applicant is requesting Residential Multi-Family Conditional District (RMF-CD) that would allow townhomes according to the submitted concept plan.

The subject property is currently developed with two single-family homes and some accessory buildings. Only the portion of the property west of the power line is proposed for rezoning and
townhome development. The east portion of this parcel will remain as is for now, with a single-family home and accessory buildings. The area is a mix of residential and industrial zoned properties.

The requested rezoning is RMF-CD, with the proposed condition that the property will only be developed as a townhome community, not allowing the other multi-family uses allowed in the RMF district. The requested rezoning would also be limited to the submitted concept plan. The application is complete.

The submitted concept plan appears to meet the standards for this district in the Land Development Ordinance. There is also additional landscaping on the Joe Peed Rd. side of the development for road screening. Council discussed and the Planning Director/Ordinance administrator recommended building a hedge line with a graded hill for safety and privacy.

The engineer has been in contact with South Granville Water and Sewer Authority about requirements for water and sewer service to the proposed development, including an upgrade to the pump station. The developer has also agreed to grant the town a greenway easement under the power lines for a future greenway connection to the southern portion of the East Lyon Greenway.

There are some wetlands shown in areas where pavement and buildings would be. The developer would be required to obtain property permits from NC DEQ to fill a portion of wetland. If the rezoning is approved, all permits from the state for the wetlands, soil and erosion control, state road access, SGWASA, and town stormwater permit and preliminary plat approvals before any work can begin on site. All Zoning Map Amendment Standards were considered and met. Staff has met all statutory requirements for official approval.

**Land Use Plan:** The Town of Butner 2020 Comprehensive Land Use Plan recommends residential development of the subject property, which is consistent with this request.

**Small Scale Rezoning Analysis:** The overall size of the area requested to be rezoned is small and the same type of residential development already exists in the area.

**Ordinance Administrator Recommendation:** The Ordinance Administrator recommends approval of this request.

**Planning Board Recommendation:** The Planning Board considered this request at their August 10, 2017 meeting and recommends approval of this request with the following conditions:

1. The property is limited to townhome development.
2. The property will be developed according to the submitted concept plan.
3. A greenway easement will be provided with the location to be determined when a greenway is being designed and constructed.

Chad Abbott from Summit Design and Engineering reviewed the seven Findings of Fact, and clarified for Council that NCDOT will review the project, but it was his experience, that no turn lanes will be required for this development. The developer has agreed to build a solid hedge with trees along Joe Peed Rd, similar to the Wynngate border. The area has been evaluated for
wetlands with the area considered low priority. The State will review and issue the appropriate permits and require mitigation, if necessary.

No one from the Public Wished to Speak. Mayor Cates Closed the Public Hearing

9.74 AC ON JOE PEED ROAD REZONED FROM SUBURBAN RESIDENTIAL (RS) TO RESIDENTIAL MULTI-FAMILY CONDITIONAL DISTRICT (RMF-CD)
CONSISTENCY STATEMENT ADOPTED

COUNCIL MEMBER MCKELLAR MADE A MOTION, SECONDED BY COUNCIL MEMBER JORDON, TO APPROVE THE RECOMMENDATIONS OF THE PLANNING BOARD AND ORDINANCE ADMINISTRATOR AND TO REZONE 9.74 ACRES AT 1509 JOE PEED ROAD FROM RS TO RMF-CD TO ALLOW FOR A TOWNHOME DEVELOPMENT AS REQUESTED BY SUMMIT DESIGN AND ENGINEERING SERVICES. ALL VOTES WERE IN THE AFFIRMATIVE. THE MOTION CARRIED.

CONSISTENCY STATEMENT & SMALL SCALE ZONING ANALYSIS ADOPTED
9.74 AC ON JOE PEED RD REZONING TO (RMF-CD)

COUNCIL MEMBER JORDON MADE A MOTION, SECONDED BY MPT EMORY, TO ADOPT THE CONSISTENCY STATEMENT AND SMALL SCALE ZONING ANALYSIS FOR REZONING 9.74 ACRES TO RMF-CD ON JOE PEED RD. AS REQUESTED BY SUMMIT DESIGN AND ENGINEERING SERVICES. ALL VOTES WERE IN THE AFFIRMATIVE. THE MOTION CARRIED.

Town Council Written Plan Consistency Statement: The Town of Butner 2020 Comprehensive Land Use Plan recommends residential development of the subject property, which is consistent with this request.

Town Council Small-Scale Rezoning (Spot-Zoning) Analysis: The overall size of the area requested for rezoning is small. The same type of development exists in the area and the proposed townhomes are an addition to the existing townhomes in the Applewood subdivision, as shown on the original concept plan.

TOWN MANAGER REPORT

In addition to his report, Town Manager Marrow explained that negotiations for the VLC project are underway due to the lowest bidder coming in over budget. Modifications to the size of the project may be needed. Marrow explained that it was appropriate to talk with the property owners involved in the realignment of West Lyons Station Rd. now that NCDOT is taking over the project.

- Help coordinate the Rolling Thunder motorcycle fundraiser with Town Hall as their destination.
- Coordinated meeting with staff, County Manager, County Tax Collector and Jim Wrenn to discuss the Wynngate Assessment process.
- Attended the VLC bid opening. The low bidder came in over budget, so there are negotiations taking place to try to get the project within some reasonable budget.
- Attended Website Committee meeting to discuss how to move forward in a timely manner to complete the update of the website.
- Met with the Audio Visual consultant to discuss the new installation of A/V in the Camp Butner Room.
- Met with the property owners along West Lyon Station Road to update them on NCDOT moving ahead to re-align West Lyon Station to create a new intersection into the Butner Gateway property. This project will also make traffic movement along Highway 56 safer.
• On August 23, I hosted a meeting between the Low Bidder and VLC to see if they could negotiate their price within budget. Attended Managers’ meeting at Oxford City Hall, attended website meeting, attended 75th Anniversary meeting, and attended Finance Committee meeting to discuss the Wynngate Assessment process, busy day.
• Met with Davis Martin & Powell to discuss the proposed sidewalk (funding from legislative appropriation) from B Street up to D Street. Also discussed the F Street paving project including culvert replacement. This project was advertised for bid on Thursday, August 31, 2017.
• Continue to work on details for the Camp Butner 75th Anniversary.
• HR Director Davis reports that all employees have been asked to take an online wellness survey. The responses will help guide in creating a Wellness Plan. The survey also asks if anyone would like to be on a Wellness Committee. The survey closes on 9-8.

PLANNING, PARKS AND RECREATION REPORT

In addition to her report, Planning, Parks and Recreation Director Hodges reported that demolition of the Exxon Station was pushed back to Sept. 11.

• The Exxon Station should begin demolition the first week in September. It is expected to take less than a week for the building to be removed.
• The stormwater mapping project is still underway. Our consultant, AECOM, expects to finish the data collection in mid-September and present a draft map to staff in early October.
• The Parks and Recreation Advisory Committee will meet on Monday, September 11, at 6:00 pm in the Mayor’s conference room.
• The Planning Board will meet on Thursday, September 14, at 7:00 pm at Town Hall.
• Waffle House expects to begin construction of their building in October. They have been doing some work on the site recently. The stormwater and site plan permits were issued in February.

PUBLIC SAFETY REPORT

In addition to the Public Safety Report, BPS Chief Roberts responded to questions about the potential threat of Hurricane Irma including shelters and evacuation routes. There are no designated evacuation routes in this area. The first 3 days following a disaster it is considered in-house sheltering. State Emergency Management designates and coordinates with the County then the Town for shelters. Both BPS and Public Works are preparing equipment for emergencies and clean-up activities. Council Member Branch noted the website www.readync.org for emergency preparedness, and Chief Roberts added that the site was listed on the BPS Facebook page.

Fire Services

• Fire Truck on Order: The new Engine #1 is at C.W. Williams in Rocky Mount having equipment mounted. Sgt. Hogue is working with them to complete the striping and decals.

• Notable Fire Incidents for the Month of June

<table>
<thead>
<tr>
<th>Date</th>
<th>Incident Type</th>
<th>Location</th>
</tr>
</thead>
<tbody>
<tr>
<td>08/05/2017</td>
<td>Building Fire</td>
<td>Polk Correctional Institution</td>
</tr>
<tr>
<td>08/05/2017</td>
<td>Building Fire</td>
<td>Sunrock Main Office</td>
</tr>
<tr>
<td>08/15/2017</td>
<td>Vehicle Collision</td>
<td>I-85 South 191 mm Extrication of victim</td>
</tr>
<tr>
<td>08/19/2017</td>
<td>Building Fire</td>
<td>Federal Correctional Complex</td>
</tr>
<tr>
<td>08/25/2017</td>
<td>Vehicle Collision</td>
<td>Granville Oaks Fatality</td>
</tr>
</tbody>
</table>
• Other Fire Calls
  Motor Vehicle Collisions  4
  Fire Alarm Activations  18
  Brush/Grass Fire  2
  Gas leak  1

• Yearly pump service testing was completed on Engine #2 and Ladder #1 on August 28, 2017. Both pieces of apparatus passed without any issues.

Police Services

• Notable Police Calls August 01th through 29th
  10  Arrests
  273  Operations Reports
  53  Citations Issued
  17  Vehicle Crash Reports
  37  Investigation Reports

• BPS working with other Town staff and the BCA on security and traffic control for the 75th Anniversary Celebration.

• Community Watch Mtg: The next Community Watch meeting is October 12, 2017 at 6:00 pm in the Camp Butner Room at Town Hall.

Miscellaneous

• BPS hired five PSO candidates. Four new appropriations and one to replace a vacant position.

MAYOR AND COUNCIL COMMENTS

STAFF DIRECTED TO CONSIDER NO SMOKING RULES FOR GAZEBO PARK

In addition to discussion by Council about emergency preparedness, MPT Emory will be representing the Tourism Board with the TDA at the Hot Sauce Contest in Oxford, and Council Member Jordon reported from a recent TAC meeting that I-85 from Dabney to US 1 will be open before Thanksgiving with the entire construction project complete by February 2018. Mayor Cates asked about regulating smoking in Gazebo Park based on a request from a parent with an asthmatic child. Staff was directed to research no-smoking rules for Gazebo Park.

Council made the following date reminders:
Sept. 14 – BCA Meeting – events and information at BCAserves.org
Sept. 30 – Farm Day at Murdoch
Oct. 3 – National Night Out
Oct. 4 – Walk to School Day – 7:30 AM – meet at Wynngate and walk to Falls Lake
Oct. 6-8 – Lord Granville Agricultural Festival
Oct. 12 – Community Watch
CAMP BUTNER 75TH ANNIVERSARY UPDATE

Mayor Cates updated the Council on the Camp Butner 75th Celebration, and thanked Sgt. Hogue with his help for Friday and Saturday parking.

ADJOURNMENT

WITH THERE BEING NO FURTHER BUSINESS, AT APPROXIMATELY 8:10 P.M., COUNCIL MEMBER JORDON MADE A MOTION, SECONDED BY COUNCIL MEMBER BRANCH, TO ADJOURN. ALL VOTES WERE IN THE AFFIRMATIVE. THE MOTION CARRIED.

____________________________________
Barbara J. Rote, CMC, NCCMC Town Clerk

ATTEST:

_______________________  __________________
Vicky Cates, Mayor


### OUR CASH AND INVESTMENTS

<table>
<thead>
<tr>
<th>Fund</th>
<th>August 2016</th>
<th>August 2017</th>
</tr>
</thead>
<tbody>
<tr>
<td>Operating</td>
<td>$6,313,404</td>
<td>$6,444,867</td>
</tr>
<tr>
<td>Powell Bill</td>
<td>364,115</td>
<td>528,687</td>
</tr>
<tr>
<td>Designated Funds</td>
<td>$416,645</td>
<td>$786,994</td>
</tr>
<tr>
<td><strong>TOTAL GENERAL FUND</strong></td>
<td><strong>$7,094,223</strong></td>
<td><strong>$7,762,548</strong></td>
</tr>
<tr>
<td>Stormwater Fund</td>
<td>$806,139</td>
<td>$951,162</td>
</tr>
<tr>
<td>CDBG Grant Fund</td>
<td>$ -</td>
<td>-</td>
</tr>
<tr>
<td>Capital Projects Fund</td>
<td>$26,059</td>
<td>$33,248</td>
</tr>
<tr>
<td><strong>TOTAL OTHER FUNDS</strong></td>
<td><strong>$832,198</strong></td>
<td><strong>$966,410</strong></td>
</tr>
<tr>
<td><strong>TOTAL CASH &amp; INVESTMENTS TOWN-WIDE</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td><strong>$7,926,421</strong></td>
<td><strong>$8,746,958</strong></td>
</tr>
</tbody>
</table>

### REVENUE COLLECTIONS BY SOURCE

<table>
<thead>
<tr>
<th>Period</th>
<th>FY 08-17</th>
<th>FY 17-18</th>
<th>% Change</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>As of 8/31/16</td>
<td>As of 8/31/17</td>
<td></td>
</tr>
<tr>
<td>ABC Profits</td>
<td>$298,054</td>
<td>$131,234</td>
<td>-55.97%</td>
</tr>
<tr>
<td>Property &amp; Vehicle Taxes</td>
<td>-</td>
<td>-</td>
<td>-100.00%</td>
</tr>
<tr>
<td>Business Licenses</td>
<td>-</td>
<td>-</td>
<td>25.00%</td>
</tr>
<tr>
<td>Granville County Funding</td>
<td>-</td>
<td>-</td>
<td>-100.00%</td>
</tr>
<tr>
<td>DHHS Funding</td>
<td>15,023</td>
<td>46,417</td>
<td>208.97%</td>
</tr>
<tr>
<td>State Fire Protection Grant</td>
<td>1,923</td>
<td>5,000</td>
<td>0.00%</td>
</tr>
<tr>
<td>Grants</td>
<td>7,551</td>
<td>41,573</td>
<td>450.59%</td>
</tr>
<tr>
<td>Franchise &amp; Utility Taxes</td>
<td>1,129</td>
<td>11,064</td>
<td>-99.99%</td>
</tr>
<tr>
<td>Miscellaneous</td>
<td>-</td>
<td>-</td>
<td>0.00%</td>
</tr>
<tr>
<td>Transfer From Other Funds</td>
<td>-</td>
<td>-</td>
<td>0.00%</td>
</tr>
<tr>
<td>Planning Fees</td>
<td>-</td>
<td>-</td>
<td>0.00%</td>
</tr>
<tr>
<td>Loan Proceeds</td>
<td>-</td>
<td>-</td>
<td>0.00%</td>
</tr>
<tr>
<td>Public Safety Fees</td>
<td>-</td>
<td>-</td>
<td>0.00%</td>
</tr>
<tr>
<td>Recreation/Facility Fees</td>
<td>8,895</td>
<td>7,719</td>
<td>-13.22%</td>
</tr>
<tr>
<td>Rent</td>
<td>-</td>
<td>-</td>
<td>-100.00%</td>
</tr>
<tr>
<td>Sale of Assets</td>
<td>-</td>
<td>-</td>
<td>0.00%</td>
</tr>
<tr>
<td>Sales Tax</td>
<td>251,532</td>
<td>282,630</td>
<td>12.36%</td>
</tr>
<tr>
<td>SGWASA Agreement</td>
<td>83,333</td>
<td>83,333</td>
<td>0.00%</td>
</tr>
<tr>
<td>State Shared Revenue</td>
<td>1,246</td>
<td>1,250</td>
<td>0.29%</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>$680,322</strong></td>
<td><strong>$940,649</strong></td>
<td>38.27%</td>
</tr>
</tbody>
</table>

### REVENUE COLLECTIONS BUDGET vs. ACTUAL

<table>
<thead>
<tr>
<th>Period</th>
<th>FY Budget</th>
<th>YTD Actual</th>
<th>% Collected</th>
</tr>
</thead>
<tbody>
<tr>
<td>ABC Profits</td>
<td>$38,000</td>
<td>$ -</td>
<td>0.00%</td>
</tr>
<tr>
<td>Property &amp; Vehicle Taxes</td>
<td>2,134,794</td>
<td>131,234</td>
<td>6.15%</td>
</tr>
<tr>
<td>Business Licenses</td>
<td>-</td>
<td>-</td>
<td>-100.00%</td>
</tr>
<tr>
<td>Granville County Funding</td>
<td>$92,806</td>
<td>25,885</td>
<td>27.89%</td>
</tr>
<tr>
<td>DHHS Funding</td>
<td>756,696</td>
<td>46,417</td>
<td>6.13%</td>
</tr>
<tr>
<td>State Fire Protection Grant</td>
<td>80,804</td>
<td>-</td>
<td>0.00%</td>
</tr>
<tr>
<td>Grants</td>
<td>247,600</td>
<td>5,000</td>
<td>2,00%</td>
</tr>
<tr>
<td>Fund Balance Appropriated</td>
<td>1,183,546</td>
<td>-</td>
<td>0.00%</td>
</tr>
<tr>
<td>Franchise &amp; Utility Taxes</td>
<td>481,733</td>
<td>-</td>
<td>0.00%</td>
</tr>
<tr>
<td>Miscellaneous</td>
<td>50,500</td>
<td>41,573</td>
<td>82.32%</td>
</tr>
<tr>
<td>Planning Fees</td>
<td>10,000</td>
<td>4,305</td>
<td>43.05%</td>
</tr>
<tr>
<td>Loan Proceeds</td>
<td>250,000</td>
<td>300,000</td>
<td>120.00%</td>
</tr>
<tr>
<td>Public Safety Fees</td>
<td>1,050</td>
<td>239</td>
<td>22.76%</td>
</tr>
<tr>
<td>Recreation/Facility Fees</td>
<td>62,665</td>
<td>7,719</td>
<td>12.32%</td>
</tr>
<tr>
<td>Rent</td>
<td>66,000</td>
<td>11,064</td>
<td>16.76%</td>
</tr>
<tr>
<td>Sale of Assets</td>
<td>55,000</td>
<td>-</td>
<td>0.00%</td>
</tr>
<tr>
<td>Sales Tax</td>
<td>1,758,280</td>
<td>282,630</td>
<td>16.07%</td>
</tr>
<tr>
<td>SGWASA Agreement</td>
<td>600,000</td>
<td>83,333</td>
<td>16.67%</td>
</tr>
<tr>
<td>Assessments</td>
<td>58,990</td>
<td>-</td>
<td>0.00%</td>
</tr>
<tr>
<td>State Shared Revenue</td>
<td>30,871</td>
<td>1,250</td>
<td>3.14%</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>$7,874,339</strong></td>
<td><strong>$940,649</strong></td>
<td>11.95%</td>
</tr>
</tbody>
</table>

### EXPENDITURES AT A GLANCE

<table>
<thead>
<tr>
<th>Department</th>
<th>YTD Expenses</th>
<th>% Change</th>
<th>Fiscal Year 2017 Budget</th>
<th>% of Budget Expended</th>
</tr>
</thead>
<tbody>
<tr>
<td>Governing Body</td>
<td>22,481</td>
<td>1.55%</td>
<td>$131,078</td>
<td>17.42%</td>
</tr>
<tr>
<td>Administration</td>
<td>57,229</td>
<td>-1.14%</td>
<td>370,017</td>
<td>15.30%</td>
</tr>
<tr>
<td>Finance</td>
<td>30,499</td>
<td>-12.03%</td>
<td>180,521</td>
<td>14.86%</td>
</tr>
<tr>
<td>Legal</td>
<td>9,815</td>
<td>-3.03%</td>
<td>83,134</td>
<td>11.45%</td>
</tr>
<tr>
<td>Town Hall</td>
<td>9,570</td>
<td>-24.28%</td>
<td>61,900</td>
<td>11.71%</td>
</tr>
<tr>
<td>Landscaping &amp; Beautification</td>
<td>-</td>
<td>-</td>
<td>5,248</td>
<td>0.00%</td>
</tr>
<tr>
<td>Christmas Decorations</td>
<td>887</td>
<td>-28.46%</td>
<td>2,800</td>
<td>1.12%</td>
</tr>
<tr>
<td>EMS Building</td>
<td>229</td>
<td>-33.50%</td>
<td>3,500</td>
<td>0.36%</td>
</tr>
<tr>
<td>600 Central Ave. Property</td>
<td>264</td>
<td>-42.36%</td>
<td>2,900</td>
<td>5.29%</td>
</tr>
<tr>
<td>Non-Departmental</td>
<td>93,171</td>
<td>-8.45%</td>
<td>151,096</td>
<td>56.67%</td>
</tr>
<tr>
<td>Public Safety</td>
<td>520,880</td>
<td>-12.92%</td>
<td>3,733,807</td>
<td>15.75%</td>
</tr>
<tr>
<td>Public Works</td>
<td>57,892</td>
<td>-13.75%</td>
<td>377,877</td>
<td>15.59%</td>
</tr>
<tr>
<td>Recycling Center</td>
<td>821</td>
<td>-24.25%</td>
<td>16,500</td>
<td>14.60%</td>
</tr>
<tr>
<td>Forestry &amp; Nursery</td>
<td>-</td>
<td>-</td>
<td>8,300</td>
<td>0.00%</td>
</tr>
<tr>
<td>Planning &amp; Zoning</td>
<td>25,759</td>
<td>-12.57%</td>
<td>156,839</td>
<td>14.36%</td>
</tr>
<tr>
<td>Recreation</td>
<td>16,159</td>
<td>-5.13%</td>
<td>100,560</td>
<td>15.51%</td>
</tr>
<tr>
<td>Butner Athletic Park</td>
<td>35,323</td>
<td>-27.02%</td>
<td>206,991</td>
<td>12.81%</td>
</tr>
<tr>
<td>D Street Ball Field</td>
<td>35</td>
<td>-21.60%</td>
<td>7,920</td>
<td>0.37%</td>
</tr>
<tr>
<td>Gazebo Park</td>
<td>887</td>
<td>-48.46%</td>
<td>12,300</td>
<td>3.72%</td>
</tr>
<tr>
<td>Lake Holl</td>
<td>1,327</td>
<td>-78.16%</td>
<td>4,500</td>
<td>6.44%</td>
</tr>
<tr>
<td>Sports Arena</td>
<td>5,245</td>
<td>-34.49%</td>
<td>44,100</td>
<td>7.78%</td>
</tr>
<tr>
<td>Community Events</td>
<td>(538)</td>
<td>7,385</td>
<td>41,919</td>
<td>17.60%</td>
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<tr>
<td>Capital Outlay</td>
<td>50,224</td>
<td>762.71%</td>
<td>1,667,467</td>
<td>25.98%</td>
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<tr>
<td>Debt Service</td>
<td>364,620</td>
<td>58.58%</td>
<td>449,005</td>
<td>75.86%</td>
</tr>
<tr>
<td>Sales Tax</td>
<td>3,031</td>
<td>-71.91%</td>
<td>40,000</td>
<td>29.48%</td>
</tr>
</tbody>
</table>

**Total** | $1,306,411 | 32.06% | $7,874,339 | 21.91% |
TOWN OF BUTNER  
BUDGET ORDINANCE AMENDMENT  

006 - 2018

BE IT ORDAINED by the Council of the Town of Butner, North Carolina, that the following amendment be made to the annual budget ordinance for the fiscal year ending June 30, 2018:

Section 1. To amend the General Fund, the appropriations are to be changed as follows:

<table>
<thead>
<tr>
<th>Account No.</th>
<th>Decrease</th>
<th>Increase</th>
</tr>
</thead>
<tbody>
<tr>
<td>10-4910-5126</td>
<td></td>
<td>$2,400</td>
</tr>
<tr>
<td>10-4910-5181</td>
<td>$0</td>
<td>$2,584</td>
</tr>
</tbody>
</table>

This will result in a net increase of $2,584 in the appropriations of the General Fund. To provide additional revenue for the above, the following revenue will be increased. There is sufficient available Fund Balance for this appropriation. (To appropriate funds to pay an intern to work on website.)

<table>
<thead>
<tr>
<th>Account No.</th>
<th>Decrease</th>
<th>Increase</th>
</tr>
</thead>
<tbody>
<tr>
<td>10-0000-3991</td>
<td>$0</td>
<td>$2,584</td>
</tr>
</tbody>
</table>

Section 2. Copies of this budget amendment shall be furnished to the Town Clerk, and to the Budget Officer and the Finance Officer for their direction.

Adopted this ____5th____ day of  __October__, 2017.

[SEAL]

____________________________________
Barbara J. Rote, Town Clerk
Gazebo Park Rules

1. Use of the gazebo is not permitted unless coordinated with the Town of Butner. For reservation information, please call (919)575-3032.
2. Park is open dawn to dusk unless otherwise coordinated through the Town of Butner for special events.
3. No smoking allowed on the premises.
4. No drugs allowed on the premises.
5. No alcohol allowed on the premises unless otherwise approved by the Town of Butner.
6. No guns, knives or other weapons allowed on the premises.
7. No cooking and/or grilling on the premises unless otherwise approved by the Town of Butner.
   a. Dumping grease is prohibited.
8. No loud, boisterous or profane language allowed on the premises.
9. No littering.
10. All advertising and promotion of the event is the responsibility of the licensee, person and/or organization hosting the event, and shall comply with regulations as described in the Town of Butner Land Development Ordinance.
11. No animals or pets allowed inside the mulched playground area except those permitted by the American with Disabilities Act (ADA). Outside the playground, pets are allowed in the Park as long as they are on a leash.
   a. Please pick up after your pet.
12. Stay off landscaping. Do not hang or pull on tree limbs, stomp on bushes, etc.
13. The Town of Butner or its agents will not be responsible for lost or stolen goods.
14. The facility shall be left as it was found, including but not limited to the following:
   a. All trash, paper, cups, bottles, cans, cardboard, etc. shall be picked up and properly disposed of by the licensee.
   b. No open food containers shall be left in the Gazebo.
15. Intentional damage to the facility such as the gazebo, statue, playground, restrooms, etc. will result in a ban of that individual from the facility for the rest of the year.
16. The Town of Butner reserves the right to require the licensee to provide security for its event. Security to be provided must be approved by the Town of Butner.
17. The Town of Butner reserves the right to require the licensee to obtain insurance for their event including coverage of the facility and persons in the group or attendance.

By signing below, you accept and will abide by each of the rules during the lease period for Gazebo Park.

Printed Name of Licensee

Name of Organization

Signature of Licensee

Date
D Street Field Rules

1. Use of the field and facilities is not permitted unless coordinate with the Town of Butner Parks & Recreation Department. For reservation information, please call (919)575-3032.
2. Field is available dawn to dusk unless otherwise coordinated through the Butner Parks & Recreation Department for athletic events.
   a. The field shares parking with the church. Field reservations are coordinated not to conflict with church events.
3. No alcohol or drugs are allowed on the premises.
4. No smoking allowed on the premises.
5. No guns, knives or other weapons shall be allowed on the premises.
6. No steel spikes allowed on the premises.
7. No animals or pets allowed except those permitted by the Americans with Disabilities Act (ADA).
8. No cooking and/or grilling on the premises.
9. No loud, boisterous or profane language will be allowed on the premises.
10. No littering.
11. Intentional damage to facility such as field, fence, mound, restrooms, etc. will result in banning the individual from the facility for the remainder of the season or year, whichever is appropriate.
12. The Town of Butner or its agents will not be responsible for lost or stolen goods.
13. Any violation will result in being expelled from the D Street Field.

By signing below, you accept and will abide by each of the rules during the lease period for the Butner Athletic Park.

Printed Name of Licensee

Name of Organization

Signature of Licensee

Date
September 26, 2017

Re: Town of Butner
    Central Avenue – Sidewalk Improvements
    B Street to D Street
    Proposed Engineering Services

Mr. Thomas Marrow
Town of Butner
415 Central Avenue
Butner, NC 27509

Dear Tommy:

Davis • Martin • Powell (DMP) is pleased to offer our proposal for Engineering Services for the planned sidewalk additions along Central Avenue from B Street to D Street.

Understanding of the Project

The project will include the installation of a sidewalk along the north side of Central Avenue from B Street to D Street. The proposed improvements will be designed and constructed to the Town of Butner and NCDOT Standards. The specific corridor will include sidewalk sections behind the street curb and gutter, between various drives that have concrete approaches suitable for sidewalk connections, similar to how sidewalks were extended on the south side of Central Avenue previously.

It is anticipated that the acquisition of private property easements will not be necessary to install the proposed sidewalk. We also understand the project will be financed in part by a DOC grant, and we assume all grant administration services will be provided by Town staff.

Scope of Work

DMP will provide planning and design services, assist the Town in bidding and award of the construction contract, and provide limited construction administration services for the proposed improvements as described herein, including the following specific Tasks:

Task A – Engineering Planning and Design Services

- Conduct field locations and prepare plans created from County aerial photographic background data and the previous plans we prepared for sidewalk additions to the south side of Central Avenue.
- Prepare technical specifications suitable for submission for permitting, bidding and construction
- Prepare an estimate of probable cost based on proposed quantities and estimated unit costs for respective work items.

Stability... Value... Experience... let our experience make yours better!
Task B -- Bidding Assistance Services

- Prepare the bid advertisement
- Attend pre-bid meeting (if necessary)
- Respond to Contractor’s questions during the advertisement period
- Issue addenda (as necessary)
- Conduct the bid opening
- Prepare a recommendation of award letter
- Compile contract documents for execution by the Town, Town Attorney, and Contractor

Task C -- Construction Administration and Limited RPR Services

- Attend pre-construction meeting
- Review Contractor’s material and equipment submittals
- Review and approve partial payment requests
- Attend periodic progress meetings
- Provide limited RPR construction inspection as work progresses (Town staff to provide daily inspections)
- Attend final inspection meeting

Compensation

DMP proposes to undertake the Engineering Services for this project as an Amendment to our original September 30, 2009 Technical Services Agreement that included general contract language approved by the Town Board and your Attorney. Your attorney can prepare the amendment. Tasks and cost included in the Amendment for the proposed street improvements are proposed as follows:

- Engineering Planning and Design Services $6,000 Lump Sum
- Bidding Assistance Services $2,500 Lump Sum
- Construction Administration and Limited RPR Services Hourly not-to-exceed $6,500

DMP will provide engineering services based on our Understanding of the Project and the Scope of Work presented above, in accordance with the attached Standard Terms & Conditions (Attachment A) and either for lump sum fees or our Standard Hourly Rates (Attachment B).

Compensation does not include any advertisement, review or permit fees required by Federal, State or Local agencies as part of the proposed improvements. Our services also do not include any cost associated with Grant administration for the project. All fees will be paid for separately by the Town or paid for by DMP and reimbursed by the Town.

No work associated with property line surveys, mapping, or the preparation of legal descriptions are included in this proposal. If such services become necessary, the task can be added as Additional Services prior to beginning the easement related work.
DMP is available to provide additional services in conjunction with this project. Any additional services requested by the Town or required because of other circumstances which are not specifically outlined in the Scope of Work, can be provided on an hourly basis, or negotiated as an amendment to this proposal.

Closing

If you find this letter proposal letter and the Amendment acceptable (as prepared by your Attorney), please send the Amendment to us and we will execute the Amendment and return for your execution.

We appreciate the opportunity to undertake this project for the Town and if you have any questions please let us know.

Sincerely,

DAVIS • MARTIN • POWELL & ASSOCIATES

[Signature]
Randy L. McNeill, PE

C: File

Enclosures: Attachment A – Standard Terms & Conditions
Attachment B – Standard Rate Schedule
These Standard Terms and Conditions are incorporated by reference in the accompanying Proposal or Agreement (Agreement) between Davis-Martin-Powell & Associates, Inc. (Consultant) and its Client for the performance of Engineering, Surveying, Planning, or other services (Services) as indicated.

1. Period of Offer: This Agreement is valid for a period of 60 days from the date unless otherwise extended in writing by Consultant. Consultant may withdraw an Agreement at any time prior to its expiration date.

2. Performance of Services: Consultant shall perform the Services as outlined in this Agreement in consideration of the stated fee and payment methods.

3. Access to Site: Unless otherwise stated, Client shall provide Consultant right-of-access to the project site(s) for activities necessary for the performance of the services. Consultant will take reasonable precautions to minimize damage due to these activities, but has not included in the fee the cost of restoration of any resulting damage and will not be responsible for such costs.

4. Additional Services: In the event Client requests Consultant to provide services not specifically described in the Agreement, or in the event Consultant, or anyone employed by Consultant, is called upon to be deposed or to testify in a matter to which Consultant is not a named party as a result of Services performed hereunder, Client agrees to compensate Consultant in accordance with the Billing Rate Schedule set forth in this Agreement unless both parties agree in writing to a compensation basis.

5. Rate Schedule: If no Rate Schedule is set forth, compensation shall be at the Consultants' then effective Rate Schedule. Consultant may adjust the Rate Schedule annually to reflect equitable changes in the various categories.

6. Period of Service: This Agreement and the compensation set forth herein are established in anticipation of the continuous progress of the services. In the event of suspension of Services by Client, Consultant may at its option terminate this Agreement or request adjustment in amount of compensation.

7. Payment Terms: Client agrees to pay Consultant for all services performed and all costs incurred. Prior to providing services, Client shall deposit a Retainer with Consultant if so specified in Agreement. The Retainer shall be credited on the final invoice and remaining balance, if any, refunded to Client. Invoices for the Consultant's services shall be submitted to Consultant's option, either upon completion of such services or on a monthly basis. Invoices shall be due and payable upon receipt. If Client reasonably objects to any portion of an invoice, Client shall notify Consultant in writing within 10 days from the date of receipt of invoice, give reasons for the objection, and pay that portion not in dispute. Failure to provide such written notice shall be deemed a waiver of all objections to that invoice.

Accounts unpaid 30 days after the invoice date may be subject to a monthly finance charge of 1.5% on the unpaid balance. If any invoice is not paid within 60 days, Consultant may, without waiving any claim or right against Client, and without liability whatsoever to Client, suspend or terminate the performance of services. In the event any portion of an account remains unpaid 90 days after the billing, Consultant may institute collection action. Client shall pay all costs of collection, including reasonable attorney's fees.

8. Indemnification: Client shall, to the fullest extent permitted by law, indemnify and hold harmless Consultant, its or her officers, directors, employees, agents, and sub-consultants from and against all damage, liability and cost, including reasonable attorney's fees and defense costs, arising out of or in any way connected with the performance of Services under this Agreement, excepting only those damages, liabilities or costs attributable to the negligence or willful misconduct of Consultant.

9. Limitation of Liability: Consultant's liability to Client for any claim, loss or damage asserted by Client, its agents or employees, or any third party claiming through Client, arising out of an alleged breach of this Agreement or any other act, error or omission of Consultant, shall not exceed the greater of $50,000.00 or the fees actually paid Consultant. If Client desires a higher limit of liability, the parties may agree to an increased fee to offset the increased limit of liability.

10. Disclaimer of CONSEQUENTIAL Damages: In no event shall Consultant be liable to Client for any special, indirect, incidental or consequential loss or damages, including but not limited to lost profits and loss of use arising from or relating to the Services.

11. Information for the Sole Use and Benefit of the Client: All opinions and conclusions of Consultant, whether written or oral, and any plans, specifications or other documents and services provided by Consultant are for the sole use and benefit of Client on the named project and are not to be provided to any other person or entity without the prior written consent of Consultant. Nothing contained in this Agreement shall create a contractual relationship with or a cause of action in favor of any third party against either Consultant or Client. There are no intended third-party beneficiaries of this Agreement.

12. Ownership of Documents: All documents produced by Consultant under this Agreement are instruments of Consultant's professional service and shall remain...
the property of Consultant and may not be used by Client for any other purpose without the prior written consent of Consultant.

13. Assignment: This Agreement may not be assigned by either party without prior written approval by the other party. Client acknowledges that Consultant may subcontract portions of these Services without the approval of the Client.

14. Certifications, Guarantees and Warranties: Consultant will perform Services using the degree of skill and care ordinarily exercised under similar conditions by members of the Consultants profession practicing in the same or similar locality at the time of this Agreement. Consultant shall not be required to execute any document that would result in Consultant certifying, guaranteeing or warranting the existence of any conditions. This Agreement considers only those regulations in effect 60 days prior to Agreement date. No portion of this Agreement or other representations by Consultant, its agents or employees shall be construed or interpreted as a guarantee of approval by any board or agency.

15. Dispute Resolution: Any claims or disputes between Client and Consultant arising out of the services to be provided by Consultant or out of this Agreement shall be submitted to non-binding mediation. Client and Consultant agree to include a similar mediation agreement with all contractors, sub-consultants, subcontractors, suppliers and fabricators, providing for mediation as the primary method for dispute resolution among all parties.

16. Accrual of Actions: As between the parties to this Agreement: as to all acts or failures to act by either party to this Agreement, any applicable statute of limitations shall commence to run and any alleged cause of action shall be deemed to have accrued in any and all events not later than the relevant Date of Substantial Completion, and as to any acts or failures to act occurring after the relevant Date of Substantial Completion, not later than the date of Consultant's final invoice for the Services.

17. Termination of Services: This Agreement may be terminated at any time by either party should the other party fail to perform its obligations hereunder. In the event of termination for any reason whatsoever, Client shall pay Consultant for all services rendered to the date of termination, and all reimbursable expenses incurred prior to termination and reasonable termination expenses incurred as the result of termination.

18. Site Responsibility: The presence of Consultant's representatives will not relieve any contractor, subcontractor, or consultant not employed by Consultant, of their responsibility to perform their work in accordance with applicable laws and regulations.

Client agrees that each contractor, subcontractor, or consultant not employed by Consultant shall solely be responsible for working conditions; security and safety of persons and property; compliance with OSHA regulations; and providing all safety equipment and training necessary for the protection of its personnel. Consultant's monitoring of others performance is not intended to include supervision of the others; review of safety procedures; nor is Consultant responsible for the safety or security at the site, other than its own employees. Consultant is not responsible for the contractor's failure to perform the work in accordance with the Contract Documents. Consultant does not have the right or duty to halt the work of others.

19. Cost Estimates: Consultant may provide opinions of construction and other project related costs as part of these Services. Consultant assumes no responsibility for such cost estimates as Consultant has no control over the costs of labor, materials, or services furnished by others, or the competitive bidding and market conditions.

20. Insurance: Consultant will maintain the following insurance coverage: Workers Compensation; Commercial General Liability; Automobile Liability; and Professional Errors and Omissions. Should Client request to be a named insured, or request the Consultant provide additional insurance coverage, Client agrees to reimburse the Consultant for any additional cost associated with such requests. Client acknowledges that it cannot be an additional named insured under any policy of insurance providing coverage for Professional Errors and Omissions.

21. Deliverables. Consultant shall select the methods, software, and format of any deliverables utilized or created during performance of the work, unless otherwise stated in the Agreement or requested by the Client prior to commencement of work. Electronic deliverables shall be compatible with current industry standards and conversion to other formats shall be the responsibility of the recipient.

22. Severability: If any part of this Agreement is held to be illegal or unenforceable, the validity and enforceability of the remaining parts shall not be affected, and the rights of Consultant and Client shall be enforced as if the Agreement did not contain the illegal or unenforceable part.

These Standard Terms and Conditions and any other documents expressly referenced in the Agreement constitute the entire Agreement between the parties.
## STANDARD RATE SCHEDULE

<table>
<thead>
<tr>
<th>Position</th>
<th>Rate</th>
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<tbody>
<tr>
<td>Senior Associate</td>
<td>$175</td>
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<tr>
<td>Associate</td>
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<tr>
<td>Senior Project Manager</td>
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<td>Project Manager</td>
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<td>Project Engineer/Surveyor</td>
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<tr>
<td>Senior Technician</td>
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<td>Engineering/Surveying Technician I</td>
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<tr>
<td>Engineering/Surveying Technician II</td>
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<tr>
<td>Construction Manager</td>
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<tr>
<td>Senior Construction Representative</td>
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<tr>
<td>Construction Representative</td>
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<tr>
<td>3-Man Surveying Crew</td>
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<td>Standard Surveying Crew</td>
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<tr>
<td>Administrative Assistant</td>
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<tr>
<td>Travel Mileage</td>
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<tr>
<td>Meals and Lodging</td>
<td>At Cost</td>
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<tr>
<td>Reimbursable Expenses (sub-consultants, courier, etc.)</td>
<td>At Cost+15%</td>
</tr>
</tbody>
</table>

Rev. September, 2015
Manager’s Report
October 7, 2017

1. Attended meeting with Veterans Life Center (VLC), General Contractor (low bidder) and Hager Smith to discuss ways to reduce cost (Value Engineering) in order to get the project within budget. This meeting was held on 9-6-17 and continues to be ongoing. I’m optimistic we are getting close to budget with the General Contractor. VLC has a tentative groundbreaking scheduled for Friday, October 27, 2017. You will be notified once the date and time has been confirmed.

2. Worked many hours, daily on the 75th Anniversary. Staff did the same if not more.

3. Met with developer to discuss potential water issues (flooding) with new home. He has agreed to address this issue to our satisfaction.

4. Met with Granville County School’s Land Use consultant to discuss future residential, commercial and Industrial growth in the Butner area. This information will be used to determine future needs for more/less classrooms, schools, etc.

5. Hosted Granville County Managers’ meeting here at Town Hall.

6. Attended the Camp Butner 75th Anniversary activities on Friday and Saturday.

7. Interviewed intern to help update the Town’s website. Though the student has never worked on websites, he has a four-year degree from Appalachian and is pursuing an associate’s degree in IT at VGCC. He has had many courses that will quickly bring him up to speed. We think he will be able to complete many of our task. He will be employed from October 12 to December 11 (the end of the college semester) and will receive college credits. VGCC requires him to complete three measurable task. It just so happens we have those measurable tasks!

8. Attended bid opening for the F Street resurfacing and the F Street culvert. Davis Martin & Powell will evaluate the bids and will I will submit them Thursday night.
Planning and Recreation Director’s Report

- The Town submitted an application for a Parks and Recreation Grant for playground equipment at Lake Holt. Once grant awards are announced I will let Council know and bring quotes for specific equipment to Town Council for a decision.

- Following up on the presentation on the Granville County Comprehensive Transportation Plan update at the August 3, 2017 Butner Town Council Meeting, there will be a public workshop for the Plan on October 10, 2017 from 4:00 p.m.-7:00 p.m. at the South Branch Library, 1550 South Campus Drive, Creedmoor. There is no formal presentation. Anyone can come by anytime between 4:00 p.m. and 7:00 p.m. to view the proposed plan and make comments.

- The Stormwater Advisory Committee will meet on Tuesday, October 10, from 7:30-8:30 at Town Hall in the Camp Butner Meeting Room.

- The Planning Board will meet on Thursday, October 12, at 7:00 pm at Town Hall.

- The Community Campfire will be on Saturday, November 4 from 6:00-7:30 at Lake Holt picnic shelter. We will have s’more’s for everyone to make. Come socialize with your fellow citizens.

- The stormwater mapping project is almost complete. Our consultant, AECOM, has finished the data collection and should present a draft map to staff in early October.

- We still need to add at least four members to our Parks and Recreation Advisory Committee. If you know anyone that might be interested, please tell them to contact Melissa or Jessica at Town Hall.

- Waffle House has begun construction.
Butner Town Council Meeting
Butner Public Safety Monthly Report
October 05, 2017
By Chief DR Roberts

Fire Services

- Fire Truck on Order: The new Engine #1 should be here by this meeting??

- Notable Fire Incidents for the Month of September

<table>
<thead>
<tr>
<th>Date</th>
<th>Location</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>09/05/2017</td>
<td>Building Fire/Electrical</td>
<td>Federal Corr. Complex</td>
</tr>
<tr>
<td>09/22/2017</td>
<td>Brush Fires</td>
<td>I-85 South 189 to 188 mm</td>
</tr>
</tbody>
</table>

- Other Fire Calls

  - Motor Vehicle Collisions 6
  - Fire Alarm Activations 17
  - Brush/Grass Fire 3
  - Smoke Scare/Odor 3

Police Services

- Notable Police Calls September 01st through 25th

  - 16 Arrests
  - 41 Citations Issued
  - 17 Vehicle Crash Reports
  - 50 Investigation Reports

- BPS worked with security and traffic control for the 75th Anniversary Celebration events.

- Granville Central High School Special Needs Class visited our department on Thursday, September 21, 2017 with 25 kids and staff.

- BPS will work Murdoch’s Farm Day, Saturday, September 30, 2017, 1000 hours until 1600 hours.

- National Night Out held Tuesday, October 03, 2017 at the BAP.

- Falls Lake Academy Walk to School event on Wednesday, October 04, 2017.

- BPS to assist with the Lord Granville Harvest Show October 06 thru 08, 2017 and their Parade of Power.

- BPS to assist with the BSES Harvest Show at the school Friday, October 06, 2017.

- BPS to visit Butner Presbyterian Daycare for Fire Prevention twice in October.
BPS staff took part in the Mt. Vernon Missionary Baptist Church of Creedmoor’s Law Enforcement Day Event on September 24, 2017.

Community Watch Mtg: The next Community Watch meeting is October 12, 2017 at 6:00 pm in the Camp Butner Room at Town Hall.

Miscellaneous

Wellness Update

Wellness survey results:
- 44 surveys completed
- Majority of employees agree to Strongly Agree that their health is important.
- Most employees also agree to Strongly Agree that the town provides a healthy work environment, cares about employee’s well-being, encourages/supports healthy behaviors, etc. There were however, 3-4 employees that Strongly Disagreed with the questions focused on the town and its role in the health of its employees.
- Employees are most interested in receiving info on Physical Activity, Nutrition and Personal Health
- Employees would most like to see the town offer Health screenings, weight management, lunch and learns, and coaching opportunities
- Majority of employees want to receive health improvement information via email.
- 19 employees want to be engaged/outreached about health improvement weekly and 16 said monthly.
- Employees are most interested in learning more about Exercise and Fitness, Food and Nutrition, and Stress Reduction
- There are several employees that want tobacco cessation info
- 14 employees volunteered for the Wellness committee!

6 employees were chosen to be on the committee, not including Liz Davis. BPS, Public Works, and Town Hall are all represented on the committee. At the first meeting on Thursday, Sept 28, a Cigna Rep will be on hand to explain what can be done with the wellness dollars they provide to the town. The committee will also start working on a written plan.