



Butner Town Council Meeting Agenda

7:00 PM Thursday, December 7, 2023
Council Meeting Room – Butner Town Hall
415 Central Avenue
Butner, NC 27509

1. Welcome, Remarks and Call to Order - Mayor Turner
2. Roll Call - Clerk Rote
3. Invocation and Pledge of Allegiance - Council Member Judy Cheek
4. Adjustments to and/or Approval of the Meeting Agenda

OLD BUSINESS

5. Approval of November 2, 2023 Meeting Minutes (Attachment 5)
6. Recognition of the 2023 Veterans' Day essay winners:
 - 1st Place – Genevieve Keigley – Granville Early College
 - 2nd Place – Laila Oakley – Granville Early College
 - 3rd Place – Matilda Travis – Granville Early College
7. 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.
8. Consider Land Development Ordinance (LDO) Text Amendment TA.23.06 to Article 15 - Water Supply Watershed and Article 17 – Definitions to bring our ordinance into compliance with changes made by the Environmental Management Commission.

On March 9, 2023, the Updated Draft Water Supply Watershed Model Ordinance was approved by the Environmental Management Commission (EMC). Changes to the LDO Article 15 and Article 17 include: edits for clarity, Allowed/Not Allowed Use table and Density Average section added, Density and Built-Upon Area table updated per 2019 rules, and added definitions. The Planning Board reviewed the request on November 9, 2023. Statutory requirements have been met. **(Attachment 8)**

- Public Hearing

- Consistency Statement
Recommended Action: The Town Council must adopt a statement indicating if the amendment is/is not consistent with the Butner 2040 Plan’s Goals and Objectives, and relative to public interest.
- Consider approval of Text Amendment TA.23.06
Recommended Action: The Ordinance Administrator recommends approval of TA.23.06 to the *LDO Article 15 – Water Supply Watershed and Article 17 – Definitions*, as presented, effective upon adoption. The Planning Board recommends the same.

9. Consider Land Development Ordinance (LDO) Text Amendment TA.23.08 to Sections 7.5.3(H) Temporary Uses – Food Trucks and 7.5.2 - General Standards for Temporary Uses and Structures to amend restrictions on food trucks and to allow them to operate outside of Town-sponsored events.

Currently, Code only allows food trucks as part of Town sponsored events. Staff proposes to allow food trucks as part of events throughout Town, with restrictions and permits. Food trucks are defined in Article 17 as “A licensed, motorized vehicle or mobile food unit that is designed and equipped to serve food and is temporarily located for the purpose of selling food items to customers. This use includes ice cream trucks.” The Planning Board reviewed the request on November 9, 2023. Statutory requirements have been met. **(Attachment 9)**

- Public Hearing
- Consistency Statement
Recommended Action: The Town Council must adopt a statement indicating if the amendment is/is not consistent with the Butner 2040 Plan’s Goals and Objectives, and relative to public interest.
- Consider approval of Text Amendment TA.23.08
Recommended Action: The Ordinance Administrator recommends approval of TA.23.08 to the *LDO Sections 7.5.3(H) Temporary Uses – Food Trucks and 7.5.2 - General standards for temporary uses and structures*, as presented, effective upon adoption. The Planning Board recommends the same.

10. October 2023 Financial Report & Acceptance– Finance Director Ung (Attachment 10)

11. Consider providing a School Resource Officer (SRO) to Granville County Schools.

Granville County Schools has requested to contract with the Town to provide an SRO for three of their campuses. The school system would pay \$89,906 per year to fund the position. This amount would cover the average cost of a PSO position, benefits, uniforms, and the annual cost of providing a vehicle for the position. When school is on break, the Officer would be available to cover for other positions that are vacant or on leave. This agreement is very similar to the Town’s existing contract with Falls Lake Charter.

A budget amendment is needed to accept the pro-rated amount of \$44,953 from Granville County Schools for the position from January-June 2024 and appropriate the funding over the respective expense accounts for salary, benefits, and other related expenses. It also appropriates funds for the purchase of an additional police vehicle. **(Attachment 11)**

Recommended Action: Authorize the Public Safety Director, Town Manager and Town Attorney to finalize a contract with Granville County Schools for providing a Town employed School Resource Officer for Butner-Stem Elementary, Butner-Stem Middle School and the Early College, approve the creation of a 2nd SRO position within Butner Public Safety and approve Budget amendment 010-2024 for \$100,950 to fund the position from January - June 2024 and provide an additional vehicle.

12. Presentation and consider approving 12-7-23 Town of Butner Timber Sales Map and authorize the Town Manager and Forester to finalize timber areas based on field conditions.

Staff held information and input sessions for the public October 23rd and November 9th concerning the Town's upcoming timber harvest. Staff has revised the original plans based on input received during the public meetings. The changes include adding a 45-acre and 15-acre area to be harvested (labeled on the map), increasing the buffer from 50 feet to 300 feet behind 12th Street and seeking to access these three areas from West H Street. The revisions reduce the impact on residents along 12th Street and was well received by those in attendance at information sessions. This plan remains in line with the Town's forest management plan and allows for removal of trees along the residential properties for liability purposes. **(Attachment 12)**

Recommended Action. Approve the 12-7-2023 Town of Butner Timber Sales Map and authorize the Town Manager and Forester to finalize timber areas based on field conditions.

13. Consider appointing PIO/Events Coordinator Mallory Richard to the Granville County Tourism Authority (TDA) to fill unexpired term of Councilmember Smoak. Term expires September 2024.

Councilmember Smoak recommended appointing Ms. Richard for this position based on her responsibilities and experience. Councilmember Smoak was the only elected official on the TDA. Other municipalities appointed staff.

Recommended Action: Appoint Mallory Richard to the Granville County TDA with term expiring September, 2024.

14. Consider accepting the official results of the municipal election held November 7, 2023.

Recommended Action: Accept the official results of Nov. 7, 2023 election **(Attachment 14)**

15. Reports (Attachment 15)
 - Manager
 - Planning Director
 - Public Safety Director
16. Recognize Outgoing Mayor and Councilmembers
 - Mayor Terry Turner
 - Councilmember Bill McKellar
 - Councilmember Vickie Smoak
17. Call for motion – Adjournment sine die.

Sine Die concludes the 2-year legislative session held by the seated Council also officially ends this portion of the meeting.

Brief Reception in the Town Hall Gallery (15 min)

REORGANIZATION OF COUNCIL (Pursuant to NCGS §160A-68 and §160A-70)

18. Call to Order for the purpose of administering Oaths of Office by Councilmember Lane.
19. Administering the Oath of Office to the following elected officials by Granville County Clerk of Court, Yancey Washington
 - a. Linda Jordon, Mayor elect, 2-yr. term
 - b. Vicky Daniels, Councilmember elect, 4-yr. term
 - c. Ed Sosa, Councilmember elect, 4-yr. term
20. Administer Oath of Office to Councilmember elect, Josh Shank (4-yr. term) by Wake County Notary Public Christopher Riitano.
21. Roll Call - Clerk Rote

NEW BUSINESS

22. Call to Order for the purpose of conducting New Business by Mayor Jordon.
23. Elect Mayor Pro Tempore
24. Administer Oath of Office to Mayor Pro Tempore by Granville County Clerk of Court, Yancey Washington

25. Appointment to Kerr-Tar Council of Government Board with term expiring 2025.
 26. Appointment as alternate to the Kerr-Tar Council of Government RPO-TAC Committee. Term is indefinite. Councilmember Lane is the primary.
 27. Appointment to South Granville Water Authority to fill unexpired term of Councilmember McKellar. Term expires November 2024.
 28. Appointment to the Upper Neuse River Basin Association previously held by Councilmember McKellar. Term is indefinite.
 29. Mayor and Council Comments
 30. Closed Session if needed
 31. Adjournment
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REMINDERS:

If you need additional information about the following items, please visit **Butnernc.org** for updates and additions.

December 9	Shop with a Cop (Butner Public Safety)
December 12	New Councilmember Orientation – 9:00 AM, Town Hall
December 14	Senior Christmas Social – 8 AM, Sports Arena Stocking & Cooke Decorating Party - 5 PM, Butner Public Safety Planning Board Meeting – 6:30 PM, Town Hall
December 15	Firetruck Drive with Santa – 6:00 PM, Town-wide
December 25-27	Christmas Holiday Observed, Town offices closed for regular business
January 1	New Year’s Holiday Observed – Town offices closed for regular business

**THURSDAY, NOVEMBER 2, 2023 – 7:00 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: Mayor Terry Turner, Councilmembers Michel Branch, Linda Jordon, Tom Lane, and Vickie Smoak. Also present: Town Manager Jordan McMillen, Attorney Jim Wrenn, Town Clerk Barbara Rote, and Deputy Town Clerk Anita Thomasson.

Absent: Mayor Pro Temp Bill McKellar, Councilmember Cheek

CALL TO ORDER & ROLL CALL

Mayor Turner called the meeting to order. Clerk Rote called the roll for Council attendance. Councilmember Branch gave the prayer and led the Pledge to the American Flag.

AGENDA APPROVAL

COUNCILMEMBER LANE MADE A MOTION, SECONDED BY COUNCILMEMBER SMOAK, TO ACCEPT THE AGENDA AS PRESENTED. ALL VOTES WERE IN THE AFFIRMATIVE. **THE MOTION CARRIED.**

MINUTES ACCEPTED
OCTOBER 5, OCTOBER 25 2023

MEETING MINUTES WERE ACCEPTED ON MOTION BY COUNCILMEMBER BRANCH, SECONDED BY COUNCILMEMBER SMOAK. ALL VOTES WERE IN THE AFFIRMATIVE. **THE MOTION CARRIED.**

ADOPTED 2024 TOWN COUNCIL MEETING CALENDAR

There is one change to the Regular Schedule. The July 4th meeting will be moved to July 11th due to the holiday.

COUNCILMEMBER SMOAK MADE A MOTION, SECONDED BY COUNCILMEMBER JORDON, TO ADOPT THE 2024 BUTNER TOWN COUNCIL MEETING SCHEDULE AS PRESENTED. ALL VOTES WERE IN THE AFFIRMATIVE. **THE MOTION CARRIED.**

**2023
BUTNER TOWN COUNCIL
REGULAR MEETING DATES
COUNCIL MEETING ROOM, BUTNER TOWN HALL
415 CENTRAL AVENUE
7:00 PM**

January 4	May 2	September 5
February 1	June 6	October 3
March 7	July 11*	November 7
April 4	August 1	December 5

**Regular meeting schedule is the first Thursday of each month
*Date changed due to 4th of July holiday**

ADOPTED RES-23-11-01 – ROAD CLOSING FOR 2023 CHRISTMAS PARADE

The Annual Christmas Parade begins at 2:00 PM on December 2, 2023. Central Avenue will be closed between G & A Streets from 1-4 PM.

COUNCILMEMBER LANE MADE A MOTION, SECONDED BY COUNCILMEMBER JORDON, TO ADOPT RES-23-11-01 TO CLOSE CENTRAL AVENUE ON DECEMBER 2, 2023 BETWEEN 1-4 PM FOR THE ANNUAL CHRISTMAS PARADE. ALL VOTES WERE IN THE AFFIRMATIVE. **THE MOTION CARRIED.**

RES-23-11-01

RESOLUTION DECLARING A ROAD CLOSURE FOR THE 2023 BUTNER CHRISTMAS PARADE

WHEREAS, the Town Council of Butner acknowledges a long tradition of an annual Christmas parade for the pleasure of its citizens; and

WHEREAS, the Town Council of Butner acknowledges its citizens realize a financial benefit from holding an annual Christmas parade; and

WHEREAS, the Town Council of Butner acknowledges a parade requires approximately one (1) hour to install signing and traffic control, and also requires approximately one (1) hour for removing signs, traffic control, and litter retrieval;

NOW THEREFORE BE IT RESOLVED by the Town Council of Butner pursuant to the authority granted by G.S. 20-169 that they do hereby declare a temporary road closure during the day(s) and times set forth below on the following described portion of a State Highway System route:

Date(s):	Saturday, December 2, 2023
Times:	1:00 p.m. to 4:00 p.m.
Route Description:	Central Avenue (SR 1103) between G Street and A Street

This resolution is to become effective when adopted.

Adopted this 2nd day of November, 2023

SEPTEMBER 2023 FINANCE REPORT ACCEPTED

Finance Director Ung reviewed the September 2023 Financial Report.

COUNCILMEMBER JORDON MADE A MOTION, SECONDED BY COUNCILMEMBER BRANCH, TO ACCEPT THE SEPTEMBER 2023 FINANCIAL REPORT AS PRESENTED. ALL VOTES WERE IN THE AFFIRMATIVE. **THE MOTION CARRIED.**

<u>SEPTEMBER 2023 Financial Report</u> <i>25% of FY Complete</i>	<u>General Fund</u>	<u>Stormwater Fund</u>
REVENUES		
YTD	\$ 3,627,692	\$ 30,325
YTD Percent of Budget	31.55%	4.41%
EXPENSES		
YTD	\$ 2,877,591	\$ 40,281
Budget	\$ 11,497,916	\$ 687,197
YTD Percent of Budget	25.03%	5.86%
SEPTEMBER 2023 Total Cash & Investments Town-Wide – All Funds		
General Fund \$13,189,131	Other Funds \$3,418,436	Total \$16,607,567

APPROVED D-12-E STS. SIDEWALK CONSTRUCTION PROJECT CLOSE-OUT ITEMS
CAPITAL PROJECT ORDINANCE AMENDMENT 003
BUDGET AMENDMENT 007-2024
CAPITAL PROJECT ORDINANCE CLOSE-OUT RESOLUTION

FD Ung presented three items related to the D-12-E Sts. Sidewalk Construction Project close-out. The project is now complete. Total project costs of \$925,364.61 came in under budget by \$205,861.91. Funding for this project came from the Powell Bill Fund; therefore, any unspent money must be returned accordingly.

- **Budget Amendment 003 to Capital Project Ordinance in the amount of \$205,861.91** – releases unspent budgeted revenue from the Capital Project Fund and returns it to the Powell Bill Fund. This moves the money out of the Capital Project Fund.
- **Budget Amendment 007-2024 in the amount of \$205,861.91** – transfers and re-appropriates the funds to the Powell Bill Fund. This moves the money back into the Powell Bill Fund.
- **Resolution to Close-Out Capital Project.**

COUNCILMEMBER LANE MADE A MOTION, SECONDED BY COUNCILMEMBER SMOAK, TO APPROVE THE D-12-E STS. CONSTRUCTION ORDINANCE BUDGET AMENDMENT 003 IN THE AMOUNT OF \$205,861.91, TO APPROVE BUDGET AMENDMENT 007-2024 RE-APPROPRIATING \$205,861.91 TO THE POWELL BILL FUND AND TO ADOPT THE RESOLUTION TO CLOSE-OUT THE D-12-E STS. SIDEWALK CONSTRUCTION CAPITAL PROJECT. ALL VOTES WERE IN THE AFFIRMATIVE. **THE MOTION CARRIED.**

**Town of Butner, North Carolina
Capital Project Ordinance
For D-12-E Streets Sidewalk Construction Project
Amendment 003**

BE IT ORDAINED by the Council of the Town of Butner, North Carolina that, pursuant to Section 13.2 of Chapter 159 of the General Statutes of North Carolina, the following Capital Project Ordinance is here by amended:

Section 1.

The Council hereby amends the Capital Project Ordinance to reflect the actual cost of the construction of sidewalks along West D Street, 12th Street and West E Street.

Section 2.

The officers of this governmental unit are hereby directed to proceed with this capital project within the guidelines set by the budget contained herein.

Section 3.

The following revenues will be reduced to reflect the final cost of the Capital Project and are hereby re-appropriated and/or referenced by prior action of the Council.

	<u>Decrease</u>
40-7014-3831 Investment income	\$ 20,241.52
40-7014-3811-11 Contributions from Powell Bill Fund	<u>\$ 185,620.39</u>
	<u>\$ 205,861.91</u>

Section 4.

Total cost came in at \$925,364.61, the following general ledger accounts represented the balances at the competition of the Capital Project.

40-7014-5700.01 General Contractor	\$	728,324.90
40-7014-5194 Professional services – Engineering		182,070.96
40-7014-5192 Professional services – legal		6,093.75
40-7014-5199 Professional services – other		<u>8,875.00</u>
	\$	<u>925,364.61</u>

Section 5.

The Finance Director is directed to make the final adjustments to the General Ledger to reflect the actual cost for revenues and expenses for the Capital Project. Finance Director will provide report to the Council on the financial status of the project as a part of the normal monthly reporting process.

Section 6.

Copies of this capital project ordinance shall be furnished to the Budget Officer, the Finance Officer and to the Town Clerk.

Adopted this 2nd day of November, 2023.

**TOWN OF BUTNER
BUDGET ORDINANCE AMENDMENT**

POWELL BILL FUND

007 - 2024

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, 2024:

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

<u>Account No.</u>	<u>Decrease</u>	<u>Increase</u>
11-9840-5980 Transfer to Capital Projects Fund	<u>\$ 205,861.91</u>	
	<u>\$ 205,861.91</u>	

This will result in a net saving in the amount of \$205,861.91 re-appropriations back to the Powell Bill Fund for D-12-E Sidewalk Project.

<u>Account No.</u>	<u>Decrease</u>	<u>Increase</u>
11-0000-3811.40 Transfer from Capital Projects	\$0	<u>\$ 205,861.91</u>
	\$0	<u>\$ 205,861.91</u>

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 2nd day of November, 2023.

RESOLUTION
Close-out of Capital Project
For D-12-E Streets Sidewalk Construction Project

WHEREAS, the Town of Butner began a capital project in November 4, 2021 for D-12-E Streets Sidewalk Construction Project, and

WHEREAS, the Town transferred \$925,364.61 from the Powell Bill Fund to finance the project, and

WHEREAS, the architects on the project have submitted their Certificate of Substantial Completion on August 18, 2023, and

NOW THEREFORE, BE IT RESOLVED BY THE BUTNER TOWN COUNCIL that the Town of Butner’s D-12-E Streets Sidewalk Construction Project is complete and all documentation will be preserved in Town files to comply with recordkeeping requirements. A summary of revenues and expenditures is attached.

Adopted this 2nd day of November, 2023.

APPROVED BUDGET AMENDMENT 008-2024
REPLACE LIGHTS AT D STREET BALLFIELD
APPROVED CONTRACT WITH R.D. GRAHAM ELECTRIC
MANAGER & ATTORNEY TO FINALIZE

FD Ung presented Budget Amendment 008-2024 in the amount of \$57,625 for the replacement of lights at the D Street Ballfield. A recent inspection of the poles, fixtures and wiring at the ballfield has determined the need to replace them immediately for continued operation. Until they are replaced, the lights have been deemed inoperable. Staff had obtained quotes for replacing the four wooden poles, 18 LED sports lights, overhead wiring and necessary electrical components with quotes ranging from \$57,625 to \$86,000. The recommendation was to contract with R.D. Graham Electric, LLC, totaling \$57,625. There is some lead time for the poles and various items, and we anticipate work being completed before the spring season begins.

COUNCILMEMBER LANE MADE A MOTION, SECONDED BY COUNCILMEMBER BRANCH, TO APPROVE BUDGET AMENDMENT 008-2024 FOR THE REPLACEMENT OF LIGHTING AT THE D STREET BALLFIELD AND TO AUTHORIZE THE TOWN MANAGER AND ATTORNEY TO FINALIZE A CONTRACT WITH R.D. GRAHAM ELECTRIC TOTALING \$57,625 FOR THE PROJECT UTILIZING UNAPPROPRIATED GENERAL FUND BALANCE. ALL VOTES WERE IN THE AFFIRMATIVE. **THE MOTION CARRIED.**

**TOWN OF BUTNER
BUDGET ORDINANCE AMENDMENT**

008 - 2024

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, 2024:

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

<u>Account No.</u>	<u>Decrease</u>	<u>Increase</u>
10-8170-5599 – Other Structures and Improvements		\$ 57,625
	\$ 0	\$ 57,625
	\$ 0	\$ 57,625

This will result in a net increase of \$57,625 in the appropriations of the General Fund. To provide additional revenue for the above, the following revenue will come from the unrestricted Fund Balance.

<u>Account No.</u>	<u>Decrease</u>	<u>Increase</u>
10-0000-3991 Appropriated fund balance		\$ 57,625
	\$ 0	\$ 57,625
	\$ 0	\$ 57,625

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 2nd day of November, 2023.

**APPROVED UMSTEAD CORRECTION DEMOLITION GRANT PROJECT ITEMS
HAGERSMITH ENGINEERING CONTRACT – PROPERTY ABATEMENT & DEMOLITION
MANAGER & ATTORNEY TO FINALIZE & EXECUTE CONTRACT
BUDGET AMENDMENT 009-2024
GRANT PROJECT ORDINANCE BUDGET AMENDMENT 001**

TM McMillen presented for consideration the following Umstead Correction Demolition Grant Project items and engineering contract for the property abatement and demolition.

We have met with HagerSmith and negotiated pricing for completion of the engineering design, asbestos survey and report, and bidding related to demolition of Umstead. The cost has been lowered from \$187,630 to \$123,162 through adjusting the scope and negotiating prices. As reported previously, this cost is not grant eligible. We anticipate the design process taking 4-6 months with demolition bidding in spring, 2024.

- **Authorize the Town Manager and Town Attorney to finalize and to execute a contract with HagerSmith totaling \$123,162 for engineering, design, and oversight necessary for the property abatement and demolition.**
- **Budget Amendment 009-2024 in the amount of \$123,162** –transfers money from the Unappropriated General Fund Balance to the Umstead Correction Center Demolition Grant Project Ordinance.
- **Umstead Correction Center Demolition Grant Project Ordinance Budget Amendment 001 in the amount of \$ 123,162** - receives funding from the Unappropriated General Fund Balance to the Umstead Correction Center Demolition Grant Project Ordinance.

COUNCILMEMBER SMOAK MADE A MOTION, SECONDED BY COUNCILMEMBER JORDON, TO AUTHORIZE THE TOWN MANAGER AND TOWN ATTORNEY TO FINALIZE AND TO EXECUTE A CONTRACT WITH HAGERSMITH TOTALING \$123,162 FOR DESIGN AND OVERSIGHT NECESSARY FOR THE PROPERTY ABATEMENT AND DEMOLITION, TO APPROVE BUDGET AMENDMENT 009-2024 IN THE AMOUNT OF \$123,162, PAYABLE FROM THE UNAPPROPRIATED GENERAL FUND BALANCE, AND TO APPROVE UMSTEAD CORRECTION CENTER DEMOLITION GRANT PROJECT ORDINANCE BUDGET AMENDMENT 001 IN THE AMOUNT OF \$123,162. ALL VOTES WERE IN THE AFFIRMATIVE. **THE MOTION CARRIED.**

**TOWN OF BUTNER
BUDGET ORDINANCE AMENDMENT**

009 - 2024

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, 2024:

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

<u>Account No.</u>	<u>Decrease</u>	<u>Increase</u>
10-9840-5980 Transfer to other funds		\$123,162
	\$ 0	\$ 123,162

This will result in a net increase of \$123,162 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. (Provide funding for the engineering design, asbestos survey and report, and bidding related to demolition of Umstead).

<u>Account No.</u>	<u>Decrease</u>	<u>Increase</u>
10-0000-3991 Appropriated fund balance		<u>\$ 123,162</u>
	\$ 0	\$ 123,162

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 2nd day of November, 2023.

**Town of Butner, North Carolina
Grant Project Ordinance
For Butner Umstead Correction Center Demolition Project
Amendment 001**

BE IT ORDAINED by the Council of the Town of Butner, North Carolina that, pursuant to Section 13.2 of Chapter 159 of the General Statutes of North Carolina, the following Grant Project Ordinance is here by established:

Section 1. The project authorized is the Rural Transformation Project described in the work statement contained in the Grant Agreement between this unit and the North Carolina Department of Commerce, Rural Economic Development Division. This project is more familiarly known as the Butner Umstead Correction Center Demolition Project.

Section 2 The officers of this unit are hereby directed to proceed with the grant project within the terms of the grant document(s), the rules and regulations of the Department of Commerce, Rural Economic Development Division and the budget contained herein.

Section 3. The following revenues are anticipated to be available to complete this project and are hereby appropriated and/or referenced by prior action of the Council:

Proceeds from REDD Grant	\$ 825,000
Transfer from General Fund	<u>123,162</u>
	\$ 948,162
	=====

Section 4. The following amounts are available for expenditures for this project:

Clearance & Demolition Activities	\$ 800,000
Other administrative expenses	25,000
Engineering	<u>123,162</u>
	\$ 948,162
	=====

Section 5. The Finance Officer is hereby directed to maintain within the Grant Project Fund sufficient specific detailed accounting records to provide the accounting information to the grantor agency as required by the grant agreement(s) and federal and state regulations.

Section 6. Requests for funds should be made to the grantor agency in an orderly and timely manner as funds are obligated and expenses incurred.

Section 7. The Finance Officer is directed to report quarterly on the financial status of each project element in Section 4 and on the total grant revenues received or claimed.

Section 8. The Finance Officer is directed to include a detailed analysis of past and future costs and revenues on this grant project in every budget submission made to this board.

Section 9. Copies of this Grant Project Ordinance shall be made available to the Finance Officer for direction in carrying out this project.

Adopted this 2nd day of November, 2023.

**APPROVED \$10.00/HR. PER COURT FEE FOR BUTNER RESIDENTS
PLAY PICKLE BALL @ SMSA, MONDAY-FRIDAY – EFFECTIVE UPON ADOPTION**

TM McMillen presented a \$10.00/hr. per court fee for Butner residents to use the Sports Arena to play Pickleball, Monday through Friday.

The Town recently introduced Pickleball at the Sports Arena. It is necessary to adjust the Town's fee schedule. The Town is not able to offer annual memberships or provide open play periods as done in surrounding municipalities because we do not have dedicated recreation staff or staff at the facility.

COUNCILMEMBER JORDON MADE A MOTION, SECONDED BY COUNCILMEMBER BRANCH, TO ADD A FEE OF \$10.00/HR. PER COURT FOR BUTNER RESIDENTS TO USE THE SPORTS ARENA FOR PICKLEBALL, MONDAY-FRIDAY, EFFECTIVE UPON ADOPTION. ALL VOTES WERE IN THE AFFIRMATIVE. **THE MOTION CARRIED.**

**APPROVED RESOLUTION APPROVING A MUNICIPAL ACCOUNTING SERVICES,
CYBERSECURITY AND TECHNICAL ASSISTANCE MEMORANDUM OF AGREEMENT
WITH THE NCLM.**

TM McMillen presented a resolution approving a Municipal Accounting Services, Cybersecurity and Technical Assistance Memorandum of Agreement with the NC League of Municipalities. (NCLM)

The NCLM is rolling out American Recovery Plan grant funded services for Towns. The services include accounting, legal, cybersecurity, grant, engineering & planning, and communication services. There are funding limits and restrictions within each service, but we anticipate Butner could receive up to approximately \$60,000 in service expenses. The resolution is necessary to further explore options for utilizing these services. We anticipate exploring the grant, cybersecurity, engineering & planning, and communication services. No match is required for the grant funding and the League has already secured vendors that would carry out the services for the Town. Staff are prioritizing ideas for the services, but we anticipate receiving an assessment of our cybersecurity practices, assistance with identifying grant opportunities and completion of a relevant engineering and planning study for the Town.

COUNCILMEMBER LANE MADE A MOTION, SECONDED BY COUNCILMEMBER JORDON, TO APPROVE A RESOLUTION FOR MUNICIPAL ACCOUNTING SERVICES, CYBERSECURITY AND TECHNICAL ASSISTANCE MEMORANDUM OF AGREEMENT WITH THE LEAGUE OF MUNICIPALITIES. ALL VOTES WERE IN THE AFFIRMATIVE. **THE MOTION CARRIED.**

RES-23-11-02

**RESOLUTION TO APPROVE A MUNICIPAL ACCOUNTING SERVICES, CYBERSECURITY
AND TECHNICAL ASSISTANCE MEMORANDUM OF AGREEMENT**

WITNESSETH:

WHEREAS, the North Carolina State Budget Act of 2021 (SL 2021-180, as amended by SL 2021-189, and SL 2022-6) provided to the NC League of Municipalities (League) grant funds provided to the State of North Carolina by the U.S. Treasury pursuant the Coronavirus State and Local Fiscal Recovery Funds of H.R. 1319, American Rescue Plan Act of 2021 (ARP); and

WHEREAS, the League received two Award Agreements (OSBM-NCLM-65) from the Office of State Budget and Management (OSBM) and the North Carolina Pandemic Recovery Office (NCPRO); and

WHEREAS, the first Award Agreement is identified as OSBM-NCLM-65. This grant enables the League to provide “financial software and assistance programs for units of local government for expenses related to the COVID-19 pandemic...” This grant is referred to as the Municipal Accounting Services and Cybersecurity Grant; and

WHEREAS, the second Award Agreement is identified as OSBM-NCLM-66. This grant enables the League “to provide guidance and technical assistance to units of local government in the administration of funds from the Local Fiscal Recovery Fund, as established in Section 2.6 of S.L. 2021-25, and in the administration of projects funded through the State Fiscal Recovery Fund, as established in Section 2.2 of S.L. 2021-25.” This grant is referred to as the Guidance and Technical Assistance Grant; and

WHEREAS, the Municipal Accounting Services and Cybersecurity Grant and the Guidance and Technical Assistance Grant are collectively referred to herein as the “League Grants.”

WHEREAS, the League Grants are deemed part of US Treasury Expenditure Category: 6, Revenue Replacement and shall only be spent on governmental services; and

WHEREAS, pursuant to US Treasury Guidance, units of local government that receive services that are funded by one or both of the League Grants are beneficiaries of one or both of the League Grants, respectively, and such services are provided at no cost to these local governments; and

WHEREAS, the League has established a Municipal Accounting Services, Cybersecurity and Technical Assistance Memorandum of Agreement pursuant to the terms of the League’s Municipal Accounting Systems and Cybersecurity Grant and the Guidance and Technical Assistance Grant; and

WHEREAS, this Municipal Accounting System, Cybersecurity and Technical Assistance Memorandum of Agreement will offer local municipalities:

- (1) Services rendered by the League (League Services) including but not limited to capital expenditures for special purpose software and computer equipment as set forth in §2 C.F.R. 200.439; and
- (2) Services rendered by one or more service providers (Contractor Services), retained by the League on behalf of the Municipality, who are members of a particular profession or possess a special skill as set forth in §2 C.F.R. 200.459; and
- (3) Equipment, including information technology systems, and supplies, including computing devices, as set forth in §2 C.F.R. 200.439 and §2 C.F.R. 200.453; and

WHEREAS, the Municipal Accounting Services, Cybersecurity and Technical Assistance Memorandum of Agreement, is attached hereto as Exhibit A; and

NOW, THEREFORE BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF BUTNER:

1. That the Town Manager and Town Attorney finalize the Municipal Accounting Services, Cybersecurity and Technical Assistance Memorandum of Agreement.
2. That the Town Manager execute the Memorandum of Agreement (or one substantially equivalent thereto) and such other agreements as necessary in accordance with the League’s Municipal Accounting Services and Cybersecurity Grant and the Guidance and Technical Assistance Grant.

Adopted, this the 2nd day of November, 2023

APPROVED FINAL LOCATION FOR GAZEBO PARK PERFORMANCE STAGE - DATED 09-20-23

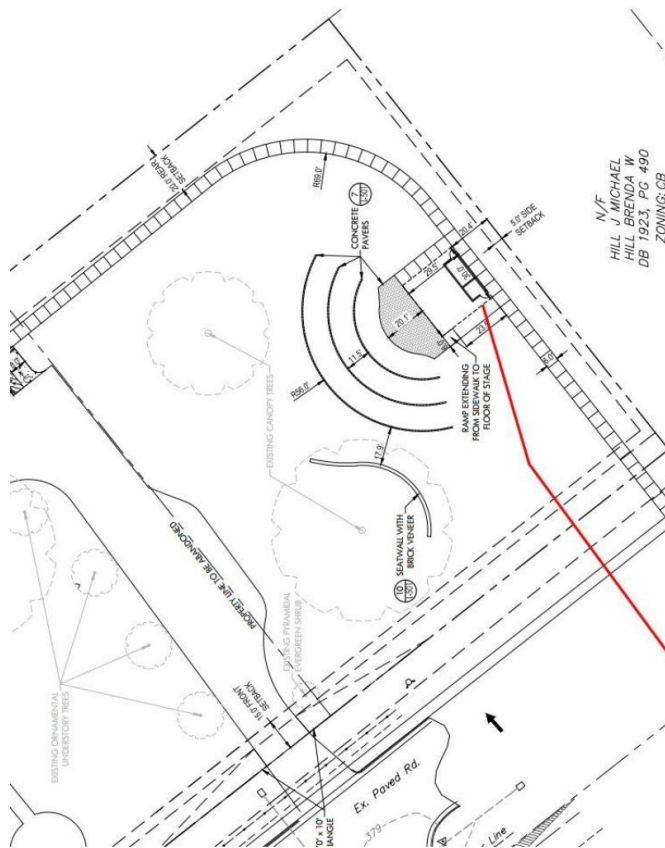
TM McMillen presented for consideration the final location of the Gazebo Park Performance Stage as reflected on the layout plan dated September 20, 2023.

HagerSmith is finalizing design for the proposed performance stage and anticipates releasing the project for bidding in late 2023. As a result of the initial surveying and engineering, the landscape architect is recommending a slight change to the orientation and location from the approved master plan. The recommended location centers the stage along the southeastern property line of the former flower shop lot vs. the previous location in the southwestern corner near Central Avenue. The revised location would create better flow and visibility from inside the park as well as better site lines from the road. This is also a better location with the canopy of the existing trees.

After some discussion, it was noted that the change in location should not interfere with a proposed playground that was part of the master plan.

COUNCILMEMBER LANE MADE A MOTION, SECONDED BY COUNCILMEMBER SMOAK, TO APPROVE THE FINAL LOCATION OF THE GAZEBO PARK PERFORMANCE STAGE AS REFLECTED ON THE LAYOUT PLAN DATED SEPTEMBER 20, 2023. ALL VOTES WERE IN THE AFFIRMATIVE. **THE MOTION CARRIED.**

Closeup – Location of Proposed Stage Location



APPROVED FRINGE BENEFIT OFFSET POLICY
BPS ASSIGNED PATROL VEHICLE PROGRAM
EFFECTIVE UPON ADOPTION

FD Ung presented a Fringe Benefit Offset Policy as related to the Butner Public Safety Assigned Patrol Vehicle Program.

The Butner Public Safety Assigned Patrol Vehicle Program is considered a taxable fringe benefit by the IRS. Therefore, participants must have taxable benefits included on their form W-2 at the end of each calendar year. The Town of Butner only deducts FICA taxes on the cost of this benefit. No Federal or State Income taxes are deducted by the Town. The payment of these taxes will be the responsibility of the employee, when his or her personal income tax return is filed. Because the Town desires for officers assigned an APV to not be negatively impacted by this IRs requirement, officers will receive \$20 per assigned month to offset the taxable fringe benefit. The number of months the officer has an APV will be multiplied by \$20 for a total annual amount. The offset amount will be paid to officers in their first December paycheck pending Butner Public Safety funding availability. The estimated amount for 2023 is \$3600. Funding this year will come from lapsed salaries and the BPS budget.

COUNCILMEMBER JORDON MADE A MOTION, SECONDED BY COUNCILMEMBER SMOAK, TO APPROVE A FRINGE BENEFIT OFFSET POLICY AS RELATED TO THE BPS ASSIGNED PATROL VEHICLE PROGRAM. EFFECTIVE UPON ADOPTION. ALL VOTES WERE IN THE AFFIRMATIVE. **THE MOTION CARRIED.**

TOWN MANAGER MONTHLY REPORT

TM McMillen reviewed the following report. A revised Timber Harvest Map should be ready for the December Council meeting. Emphasis was placed on the long time to begin/complete the Veazey Rd. Roundabout project and the responsibility of the Town to manage the project.

Butner Public Safety Parking Lot – Work on the parking lot and new handicapped spaces has been completed. Work was finished ahead of the 60-day timeline for the project. *For Your Information*

Shades at BAP – The two shades were delivered this month. Public Works is working to finalize the installation. *For Your Information*

School Resource Officer (SRO) – Chief Champion and I met with the Granville County School System superintendent (Dr. Stan Winborne) and there is continued interest in the Town providing an SRO for schools within Town limits (Butner-Stem Elementary, Butner-Stem Middle, and early college). The Town would be compensated for providing this service similar to our arrangement with Falls Lake Charter School. We are developing a draft contract and discussing further with the school system. *For Your Information*

Timber Harvest – Town staff held a public information and input session for the public on October 23rd and has an additional session scheduled for Thursday, November 9th from 5-7PM in the Camp Butner Room (Town Hall). The meetings are informal opportunities to meet and educate the public on the timbering project and seek feedback. Enclosed is a revised map from last month indicating initial areas recommended for timbering, and we are investigating alternatives based on public input received to date. Our intent is to provide a final recommendation to the Council for consideration at the December meeting. The timbering project is planned in accordance with the Town's Timber Management plan and on the recommendation of our professional Forester. In addition to managing the timber we are seeking to lessen the Town's liability with trees falling on neighboring properties. *For Your Information*

Veazey Road Roundabout – Carbon Reduction Program - The Town was recently awarded a Federal Carbon Reduction Program Grant (CRP) in the amount of \$2,034,744 through the North Carolina Department of Transportation for a roundabout at the intersection of Veazey Road, Central Avenue, and Westbrook Drive. The total project funding is \$2,543,430 which includes a required 20% match totaling \$508,686. NCDOT has indicated they may be in position to contribute as much as \$447,936 towards the construction local match and local Powell Bill Funds can be utilized for the match as well. We anticipate the Town being responsible for approximately \$107,000 as our local match for the engineering portion. Depending upon the needs for acquiring right-of-way or to relocate utilities, the Town may be responsible for more should we proceed with construction. The grant is a reimbursement grant which requires the Town to commit to the full cost upfront prior to reimbursement. The project is intended to provide congestion relief, traffic flow improvements and safety improvements for the intersection. We anticipate a number of hurdles with this being Federal Funds and due to the various requirements could take 3 to 5 years to complete. Town staff are beginning the process of obtaining an agreement with NCDOT – we anticipate it being several months before the agreement is in hand and ready for council consideration. Our recent call with NCDOT let us know this will not be an easy project, but it is an opportunity to improve transportation safety in Town if successful. *For Your Information*

BRIC Grant – The Town was informed we were not successful in applying for a Federal Building Resilient Infrastructure and Communities (BRIC) grant. Town staff applied for a BRIC planning grant for creating a resilient electric grid by burying utility lines along Central Avenue and Hwy 56. *For Your Information*

Lake Holt Sign – The new entrance sign at Lake Holt was installed this week. Here is a view of the installed sign. *For Your Information*



PLANNING MONTHLY REPORT

Planning Director Jennifer Ganser reviewed the Planning Report.

Meetings

- Staff met with DOT to discuss the process for Carbon Reduction Program Funding grant for a Veazey Road roundabout.
- Staff met with DFI at UNC for updates to the Gateway Area study.
- Staff met with Meritage, ESP Associates, and SGWASA to discuss the proposed Meritage project.
- Staff met with several companies to discuss software options for online permits. This will transition the system entirely online allowing for faster permitting and improve record keeping for staff.
- Staff attended the APA-NC Conference in Durham.

Board of Adjustment / Planning Board

Planning Board is scheduled to meet November 9th to discuss two text amendments.

The Board of Adjustment will meet on November 30th.

Code Enforcement

- There are currently 6 open violations within the Town of Butner, two were resolved this month.

Development Project Updates

The following are ongoing projects that have not received final zoning inspection: Altec Gen II Expansion, Stream RV, Tarpey Solar Farm Creedmoor Fuel. A new set of plans are being reviewed for Meritage, it is anticipated they will go before the Planning Board in December and Council in January. Five sets of plans have been submitted by SGWASA for new lift stations throughout Town.

PUBLIC SAFETY MONTHLY REPORT

BPS Director Champion reviewed the following report. He showed a sample of a TOB firefighter patch that will be worn by the volunteer firefighters.

FIRE SERVICES

Notable Fire Calls and Calls for Services since the last meeting

Fire Incidents October

September 26-October 23

Fire Incidents

Fire Alarm Activations	16
Motor Vehicle Collisions	13
Smoke Scare/Removal	5
Cancelled Enroute/No incident	4
Electrical Arcing	2
Assist EMS	2
Structure Fire	1
Total Number of Incidents	43

Notable Events

Butner Public Safety responded to a structure fire at Edgewood Bridge Apartments, 704 West B St. Upon arrival firefighters found an apartment building with heavy fire coming from the roof. BPS firefighters made an initial search and attack of the fire. Creedmoor, Stem, Providence, and Redwood Fire Departments were called in for assistance as well as off duty BPS personnel. The fire destroyed one apartment and 7 others were damaged by smoke or water. The Red Cross and 1-800-Board Up were called in to assist the residents that were displaced by the fire. The cause of the fire is still under investigation.

POLICE SERVICES**Police Calls and Services for October 2023 (September 26-October 23)**

911 Hang Up Calls -	36
Animal Complaints -	2
Arrest -	24
Breaking and Entering	0
B & E Motor Vehicles -	0
Communicating Threats -	2
Disturbances -	14
DWI -	3
EMS Calls -	12
Juvenile Complaints -	1
Larcenies -	1
Larceny of Motor Vehicles	1
Traffic Stops -	232
Citations issued -	69
Traffic Check Points-	2
Vehicle Crashes"10-50's" -	13
Ride Along -	1
Robbery -	0
Property Checks-	278
Operations Reports Code#5-	261
Calls Resolved without Reports-	608

Notable Events

On 10/22/2023, a vehicle pursuit occurred. Sgt. Rigsbee observed a black Honda Accord driving recklessly on West B Street. The Honda was tailgating other vehicles and illegally passed them. Sgt. Rigsbee attempted a vehicle stop. A vehicle pursuit began on West B street and ended when the Honda pulled into 1002 East E Street and stopped. The vehicle ran multiple stop signs as well and illegally passed multiple vehicles. The driver, Cavaricci Edwards of 1002 East E Street was taken into custody. He was charged with Felony Flee to Elude, failing to stop for a stop sign, reckless driving to endanger, no operators license, following too closely, and illegal passing. Mr. Edwards was remanded to the Granville County detention center and placed under a \$60,000 secure bond.

On 10/16/2023, Sgt. Lomena stopped a vehicle on East C Street. The stop resulted in multiple narcotics being seized and the arrest of the passenger of the vehicle. Marijuana, Methamphetamines, and Ecstasy was seized along with scales and baggies. Mr. Ricquantis Drumgold of Henderson was charged with Felony possession of Marijuana, Felony possession of schedule I, Felony possession of schedule II, Possession with intent to manufacture, sell, and/or deliver marijuana, Possession with intent to manufacture, sell, and/or deliver schedule II, Possession with intent to

manufacture, sell, and/or deliver schedule I, and resist, obstruct or delay. Mr. Drumgold was remanded to the Granville County Detention Center and placed under a \$65,000 bond.

Lt. N. Williams began investigating a case involving the theft of over \$100,000 and the exploitation of an elder on 8/10/2023. After an extensive investigation, Lt. Williams was able to charge Mr. Kyle Harris of 109 Dogwood Circle with a class C Felony charge of obtaining over \$100,000 by false pretenses and a felony charge of elder abuse. Multiple search warrants were executed which ultimately led to Mr. Harris being taken into custody. Mr. Harris was remanded to the Granville County Detention Center under a \$150,000 secured bond. Mr. Marvin Turner of 109 Dogwood Circle was also taken into custody with the same charges. He also received a secured bond of \$150,000. Ms. Donna Terry has been charged but has not yet been located.

Chief's Notes

Training hours overview- From September 26-October 23, Butner Public Safety employees participated in 557 hours of fire training and 112 hours of law enforcement training. This includes all training that is attended by Public Safety Officers, Firefighters, Telecommunicators, and civilian personnel.

Butner Public Safety visited 6 schools and daycares for Fire Prevention week and gave out educational information.

Butner Public Safety's National Night Out was a big success. Thank you to all who came and participated and to those that assisted us with the event.

Butner Public Safety participated in the National Faith & Blue weekend by partnering with Community Methodist Church. At the heart of this initiative is the reinforcement of connections between law enforcement professionals and the communities they serve through the reach of houses of worship. There is no resource that can match the depth of the faith community in facilitating productive engagement with law enforcement, which is needed now more than ever. These connections are built through activities that are held in neighborhoods of every kind across the United States, jointly hosted by houses of worship and local law enforcement entities.

Butner Public Safety hosted a Pumpkin Painting with the Police on October 14. Children got to visit the Butner Public Safety building to paint pumpkins with the officers and firefighters and got fire prevention information to take home and learn. There were approximately 30 children that were able to participate.

Butner Public Safety participated in the first ever Granville County Firefighter Rookie School. The class trains firefighters in the basic skills and abilities to participate in live burn fire training evolutions and once the live burn training is completed the firefighters are able to participate and extinguish live structure fires. There were multiple practical scenarios that the students had to complete and pass and an end of the course written test. Four full-time employees and four volunteer firefighters participated in the training. Butner Public Safety was the primary training agency for this class and Stovall Volunteer Fire Department provided the training facility and the classroom. Oxford Fire Department also assisted with training and manpower for this event. Over 20 firefighters from throughout the county were able to attend this 40-hour training.

Butner Public Safety will hold its first ever Shop with a Cop event this year. Typically, we assist Creedmoor with their event, but this year, through donations, we have been able to have enough funds to sponsor our own kids. We will team up with Creedmoor Police Department on the day of the event and then come back to Butner to wrap the gifts and have other activities. BPS is still accepting donations and whatever funds do not get spent this year will be carried over to next year's event.

The annual Crimestopper's banquet and awards presentation was held on October 24, 2023 at Pleasant Grove Baptist Church in Creedmoor. Butner Public Safety's recipient of the Crimestopper of the Year award was presented to PSO Joseph Mennella. Some of PSO Mennella's accomplishments that helped solidify his nomination was 65% of PSO Mennella's incident reports were closed by arrest. Of those 46 reports, PSO Mennella made 45 of the arrests in the case. Regarding traffic enforcement, PSO Mennella made 8 DWI arrests in which 3 were in one week. PSO Mennella wrote numerous traffic citations over the past year as well which in turn makes the roads safer for the motoring public.

MAYOR'S REPORT

Mayor Turner reviewed the following report.

- I enjoyed the Lord Granville Agricultural Heritage Association’s Harvest Festival. After taking part in the opening ceremony, I had fun with the grandchildren.
- I had to split my time with the Harvest Festival to participate in the Veteran’s Health Fair. It too had many fun things available plus many benefits for veterans.
- Our Military Holiday Committee met to work out some last-minute details.
- I attended the Granville County Chamber of Commerce Board of Directors meeting and met the new Office Manager, Jennifer Cufalo. We covered routine Chamber business. I apologize for inviting the Council to the appreciation picnic at our last Town Council meeting. Apparently, it had been postponed and for some reason I did not receive the e-mail. It will probably be in the spring.
- I went to Representative Sossamon’s NCDOT forum. It was very informative on guidelines, projects, and more. I questioned the signage at D St. and Central Ave. and the left turn signal at C St. and Central, that were approved at the same time as the traffic light at B St. The DOT officials are going to look into those projects, plus a traffic light at F St. and Central.
- I joined in the reading of a proclamation by the County and all its Mayors at the Families Living Violence Free vigil. It was a very moving ceremony.
- I had the pleasure of attending the Crime Stoppers Banquet. It was good to see such community support for our law enforcement agencies and congratulations to all the well deserving award winners.
- The Planning Department, Town Manager, and I had a refreshing discussion about our Town’s ordinances concerning political signage. Hopefully, it will be helpful for next year’s general elections.

COUNCIL COMMENTS

In general, Councilmembers thanked staff for a successful Campfire and Movie Night and offered congratulations to Officer Mennella for receiving the BPS Crimestopper of the Year award.

CM Branch – Christmas in the Park is December 1 and the Christmas Parade December 2. The BCA meets on November 16, 2023. Visit BCAServes.org for more information.

CM Jordon – SGWASA is working to address the PFAS and PFOS in the water.

CM Lane – Members of the Community Methodist Church enjoyed meeting Butner Public Safety officers during the Faith in Blue Service that was held there. Working with NCDOT on projects has always been a long process. He acknowledged the length of time for both the Veazey Rd. and W. Lyon Station Rd. projects.

CM Smoak – Her last Granville Co. TDA Board meeting will be this month. She recommended appointing PIO/Event Coordinator Mallory Richard as her replacement. She noted that she is the only elected official on the Board. The rest are municipal staff or business owners.

ADJOURNMENT

WITH THERE BEING NO FURTHER BUSINESS, AT APPROXIMATELY 815 PM, COUNCILMEMBER BRANCH MADE A MOTION, SECONDED COUNCILMEMBER JORDON, TO ADJOURN. ALL VOTES WERE IN THE AFFIRMATIVE. **THE MOTION CARRIED.**

Minutes prepared by
Barbara J. Rote, MMC, NCCMC Town Clerk

ATTEST:

Terry Turner, Mayor



STAFF REPORT FOR A.23.06 – Water Supply Watershed

PUBLIC HEARING DATE: December 7, 2023

SUBJECT: Revisions to Article 15 – Water Supply Watershed and Article 17 – Definitions

FROM: Katie Rhyne, CZO, Planner

SUMMARY

Town staff requests an amendment to the Land Development Ordinance to Article 15 and 17 due to the North Carolina Division of Water Quality (DWQ) updating their model ordinance for the Water Supply Watershed. This proposed amendment is to bring our ordinance in compliance with these changes by simplifying elements of Article 15 of the LDO. The proposed amendment also adds definitions to Article 17. This is a continuation of the report and discussion at the August 10, 2023 Planning Board meeting.

PROPOSED AMENDMENTS

Proposed amendments are attached.

ANALYSIS

On March 9, 2023, the Updated Draft Water Supply Watershed Model Ordinance was approved by the Environmental Management Commission (EMC). Changes include: edits for clarity, Allowed/Not Allowed Use table and Density Average section added, Density and Built-Up Area table updated per 2019 rules, and added definitions.

LAND DEVELOPMENT ORDINANCE TEXT AMENDMENT STANDARDS

In determining whether to approve or deny a proposed amendment, the following factors shall be considered:

- 1. Whether the proposed amendment is consistent with the Land Use Plan and any other relevant plans;**
The proposed amendment is consistent with the 2040 Land Use Plan and will ensure Butner complies with updated regulations from the State.
- 2. Whether the proposed amendment addresses a demonstrated community need;**
The proposed amendments will address our watershed article and allow for development that meets the requirements of the State.

3. Whether the proposed amendment is in conflict with any other provision of this Ordinance or other related Town regulations;

The proposed amendment is not in conflict with any other provisions of the Town.

4. Whether the proposed amendment is consistent with the purpose of the zoning districts in this Ordinance, or will improve compatibility among uses and will ensure efficient development in the Town; and,

The amendment is consistent with the current plans and ordinances of the Town. This will ensure efficient development as watershed regulations are being updated in this text amendment to comply with the State.

5. Whether the proposed amendment would result in significantly adverse impacts on the natural environment.

No adverse impacts on the natural environment are anticipated from this request.

LAND USE PLAN

The eighth objective of the 2040 Goals and Objectives states: “The Town will maintain and strengthen its relationships with the County, neighboring municipalities, and the State and Federal agencies that call Butner home to ensure that growth and development are adequately coordinated, and opportunities for partnerships are realized as they become available.” Keeping the Land Development Ordinance consistent with the North Carolina DWQ is crucial to ensure a strong relationship with nearby municipalities, the State, and the public at large.

ORDINANCE ADMINISTRATOR RECOMMENDATION

The Ordinance Administrator recommends APPROVAL of this request.

PLANNING BOARD RECOMMENDATION

On November 9, 2023 the Town of Butner Planning Board recommended APPROVAL of this request, with one change to a reference of Code that is incorporated in this document.

LEGAL NOTICE

Butner-Creedmoor News ran a legal notice for public hearing in the November 17, 2023 and November 24, 2023 editions of the newspaper.

§ 15.1 WATER SUPPLY WATERSHED PROTECTION RULES.

15.1.1 Authority and general regulations.

(C) Exceptions to applicability.

(1) Nothing contained herein shall repeal, modify, or amend any federal or state law or regulation, or any ordinance or regulation pertaining thereto except any ordinance which these regulations specifically replace; nor shall any provision of this article amend, modify, or restrict any provisions of the LDO or the Code of Ordinances of the town; however, the adoption of this article shall and does amend any and all ordinances, resolutions, and regulations in effect in the town at the time of the adoption of this article that may be construed to impair or reduce the effectiveness of this article or to conflict with any of its provisions.

(2) It is not intended that these regulations interfere with any easement, covenants, or other agreements between parties. However, if the provisions of these regulations impose greater restrictions or higher standards for the use of a building or land, then the provisions of these regulations shall control.

(3) Existing development, as defined in § 17.1, is not subject to the requirements of § 15.1. Expansions to structures classified as existing development must meet the requirements of § 15.1, however, the built-upon area of the existing development is not required to be included in the density calculations.

(4) Expansions to existing development must meet the requirements of this ordinance, except single-family residential development or unless expansion is part of common plan of development. In any expansion, the built-upon area of the existing development is not required to be included in the density calculations. Where there is a net increase of built-upon area, only the area of net increase is subject to this ordinance. Where existing development is being replaced with new built-upon area, and there is net increase of built-upon area, only areas of net increase shall be subject to this ordinance.

(45) If a nonconforming lot of record is not contiguous to any other lot owned by the same party, then that lot of record shall not be subject to the development restrictions of this article if it is developed for single-family residential purposes. Any lot or parcel created as part of a family subdivision after the effective date of these rules shall be exempt from these rules if it is developed for one single-family detached residence and if it is exempt from the subdivision regulations set out in the LDO. Any lot or parcel created as part of any other type of subdivision that is exempt from the LDO's subdivision ordinance, shall be subject to the land use requirements (including impervious surface requirements) of this article, except that such a lot or parcel must meet the minimum buffer requirements to the maximum extent practicable.

(6) An applicant may exceed the density limits in [15.1.3(B)] if all of the following circumstances apply:

- a) The property was developed prior to the effective date of the local water supply watershed program.
- b) The property has not been combined with additional lots after January 1, 2021.

- c) The property has not been a participant in a density averaging transaction under G.S. 143-214.5(d2)
- d) The current use of the property is nonresidential.
- e) In the sole discretion, and the voluntary election, of the property owner, the stormwater from all of the existing and new built-upon area on the property is treated in accordance with all applicable local government, state, and federal laws and regulations.
- f) The remaining vegetated buffers on the property are preserved in accordance with the requirements of this Ordinance.

15.1.2 Subdivision regulations.

(B) Subdivision application and review procedures.

(3) The Ordinance Administrator shall review the completed application and shall either approve, approve conditionally, or disapprove each application. The Ordinance Administrator shall take final action within 45 days of submission of the application. The Ordinance Administrator or the Planning Board may provide public agencies an opportunity to review and make recommendations. However, failure of the agencies to submit their comments and recommendations shall not delay action within the prescribed time limit. Said public agencies may include, but are not limited to, the following:

(i) The North Carolina Department of Transportation (NCDOT) District Highway Engineer with regard to proposed streets and highways that will be maintained by the NCDOT;

(ii) The Health Department with regard to proposed private water system or sewer systems normally approved by the Health Department;

(iii) ~~The North Carolina Department of Environmental Quality (NCDEQ)~~ North Carolina State Division of Water Resources (DWR) with regard to proposed water and sewer systems normally approved by the Division;

(iv) The South Granville Water and Sewer Authority with regard to proposed public water and sewer systems normally approved by the Authority; and

(v) Any other agency or official designated by the Ordinance Administrator or Planning Board.

(C) Subdivision standards and required improvements.

(1) Adequate building space. All lots shall provide adequate building space in accordance with the development regulations contained in division 15.1.3. Existing lots of record which are smaller than the minimum required for residential lots may be developed using built-upon area criteria in accordance with division 15.1.3.

(2) For the purpose of calculating built-upon area, total project area shall include total acreage in the tract on which the project is to be developed.

~~(23)~~ Storm water drainage facilities. The application shall be accompanied by a description of the proposed method of providing storm water drainage. The subdivider shall provide a drainage system that diverts stormwater runoff away from surface waters and incorporates best management practices to minimize water quality impacts.

(34) Erosion and sedimentation control. The application shall, where required, be accompanied by a written statement that a sedimentation and erosion control plan has been submitted to and approved by the state’s Division of Land Quality.

(45) Roads constructed in critical areas and watershed buffer areas. Where possible, roads should be located outside of critical areas and watershed buffer areas. Roads constructed within these areas shall be designed and constructed to minimize their impact on water quality.

15.1.3 Development regulations.

(A) Establishment of watershed areas. For purposes of this article the town and its extraterritorial jurisdiction are hereby divided into the following areas, as appropriate.

WS-I

WS-II-CA (Critical Area)

WS-II-PBW (Protected Area)

WS-III-CA (Critical Area)

WS-III-PBW (Protected Area)

WS-IV-CA (Critical Area)

WS-IV-PA (Protected Area)

Activity/Use	Water Supply Watershed Classification ¹							
	WS-I	WS-II IICA	WS-II BW	WS-III CA	WS-III BW	WS-IV CA	WS-IV PA	WS-V
New Landfills	No	No	Yes	No	Yes	No	Yes	Yes
New permitted residual land application	No	No	Yes	No	Yes	No	Yes	Yes
New permitted petroleum contaminated soils	No	No	Yes	No	Yes	No	Yes	Yes
NPDES General or Individual Stormwater discharges	Yes ^a	Yes	Yes	Yes	Yes	Yes	Yes	Yes
NPDES General Permit Wastewater Discharges pursuant to 15A NCAC 02H .0127	Yes ^a	Yes	Yes	Yes	Yes	Yes	Yes	Yes
NPDES Individual Permit trout farm discharges	Yes ^a	Yes	Yes	Yes	Yes	Yes	Yes	Yes
New NPDES Individual Permit domestic treated wastewater discharge	No	No	No	No	Yes	Yes	Yes	Yes
New NPDES Individual Permit industrial treated wastewater discharge	No	No	No ^b	No ^b	No	Yes	Yes	Yes
Non-process industrial waste	No	No	No	Yes	Yes	Yes	Yes	Yes
New industrial connections and expansions to existing municipal discharge with pretreatment program pursuant to 15A NCAC 02H .0904	No	No	No	No	No	Yes	Yes	Yes
Sewage	No	No ^c	No ^c	No ^c	No ^c	No ^c	No ^c	Yes ^d
Industrial Waste	No	No ^c	No ^c	No ^c	No ^c	No ^c	No ^c	Yes ^d
Other wastes	No	No ^c	No ^c	No ^c	No ^c	No ^c	No ^c	Yes ^d

Groundwater remediation project discharges ^e	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes
Agriculture ^f	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes
Silviculture ^g	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes
Residential Development ^h	No ⁱ	Yes	Yes	Yes	Yes	Yes	Yes	Yes
Non-residential Development ^{hi}	No ⁱ	Yes	Yes	Yes	Yes	Yes	Yes	Yes
Nonpoint Source Pollution ^k	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes
Animal Operations ^l	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes

Notes:

- a. Permitted pursuant to 15A NCAC 02B .0104
- b. Except non-process industrial processes allowed
- c. Only allowed if specified in 15A NCAC 02B .0104
- d. Not allowed if activity(ies) has/have an adverse impact on human health
- e. Where no other practical alternative exists
- f. In WS-I watershed and Critical Areas of WS-II, WS-III, and WS-IV watersheds, agricultural activities conducted after 1/1/1993 shall maintain a minimum of 10-foot vegetated setback or equivalent control as determined by Soil and Water Conservation Commission among all perennial waters indicated on most recent version of USGS 1:24000 scale (7.5 minute) topographic maps or as determined by local government studies.
- g. Subject to Forest Practice Guidelines Related to Water Quality (02 NCAC 60C .0100 to .0209) Effective 4/12/2018
- h. See density requirements in 15A NCAC 02B .0624
- i. See different allowed and not allowed in this table
- j. Watershed shall remain undeveloped except for the following uses when they cannot be avoided: power transmission lines, restricted access roads, and structures associated with water withdrawal, treatment, and distribution of WS-I waters. Built upon area shall be designed and located to minimize stormwater runoff impact to receiving waters
- k. Non Point Source pollution shall not have adverse impact, as defined in 15A NCAC 02H .1002, on use as water supply or any other designated use.
- l. Deemed permitted, as defined in 15A NCAC 02T .0103 and permitted under 15A NCAC 2H .0217

(B) Watershed Areas – Density and Built-Up Limits

PROJECT DENSITY – The following maximum allowable project densities and minimum lot sizes shall apply to a project according to the classification of the water supply watershed where it is located. Its relative location in the watershed, its project density, and the type of development.

Water Supply Classification	Location in the Watershed	Maximum Allowable Project Density or Minimum Lot Size		
		Low Density Development		High Density Development
		Single-family detached residential	Non-residential and all other residential	All types
WS-I	Not Applicable. Watershed shall remain undeveloped except for the following uses when they cannot be avoided: power transmission lines, restricted access roads, and structures associated with water withdrawal treatment and distribution of the WS-I water. Build-upon area shall be designed and located to minimize stormwater runoff impact to receiving waters			
WS-II	Critical Area	1 dwelling unit (du) per 2 acres or	6% built-upon area	6 to 24% built-upon area

		1 du per 80,000 square foot lot excluding roadway right-of-way or 6% built-upon area		
	¹ Balance of Watershed	1 du per 1 acre or 1 du per 40,000 square foot lot excluding roadway right-of-way or 12% built-upon area	12% built-upon area	12 to 30% built-upon area ¹
WS-III	Critical Area	1 du per 1 acre or 1 du per 40,000 square foot lot excluding roadway right-of-way or 12% built-upon area	12% built-upon area	12 to 30% built-upon area
	Balance of Watershed	1 du per one-half acre or 1 du per 20,000 square foot lot excluding roadway right-of-way or 24% built-upon area	24% built-upon area	24 to 50% built-upon area
WS IV	Critical Area	1 du per one-half acre or 1 du per 20,000 square foot lot excluding roadway right-of-way or 24% built-upon area	24% built-upon area	24 to 50% built-upon area
	Protected Area	1 du per one-half acre or 1 du per 20,000 square foot lot excluding roadway right-of-way or 24% built-upon or 3 dus per acre or 36% built-upon area without curb and gutter street system	24% built-upon area, or 36% built-upon area without curb and gutter street system	24 to 70% built-upon area
WS-V	Not Applicable			

1 New development in WS II Balance of Watershed may occupy 10% of the watershed area which is outside the critical area, with 70% built-upon area when approved as a special intensity allocation (SIA). The Ordinance Administrator is authorized to approve SIAs consistent with the provisions of this ordinance. Projects must, to the maximum extent practicable, minimize built-upon surface area, direct stormwater away from surface waters and incorporate stormwater control measures to minimize water quality impacts. Non-discharging landfills and residuals application sites are allowed.

~~—(B) Watershed areas described.~~

~~—(1) WS II Watershed Areas – Critical Area (WS II-NSW-C).~~

~~— Low density option. In order to maintain a predominately undeveloped land use intensity pattern, single family residential uses shall be allowed at a maximum of one dwelling unit per two acres. No residential lot shall be less than two acres, except within an approved cluster development. All other residential and nonresidential development shall be allowed at a maximum 6% built-upon area. New residuals application sites and landfills are specifically prohibited. Low density developments shall comply with division 15.1.3(D), Low Density Design Standards.~~

~~— High density option. If the development density exceeds the low density requirements above, then permanent stormwater control measures are required in accordance with division 15.1.3(E) High Density Design Standards; new residential and nonresidential development density shall not exceed 24% built-upon area.~~

~~—(i) Allowed uses.~~

~~—(a) Agriculture subject to the provisions of the Food Security Act of 1985, Pub. Law 99-198, and the Food, Agriculture, Conservation, and Trade Act of 1990, 104 Stat. 3359, and the rules and regulations of the Soil and Water Conservation Commission;~~

~~—(b) Silviculture, subject to the provisions of the Forest Practices Guidelines Related to Water Quality (15 NCAC 11.6101-.0209);~~

~~—(c) Residential development; and~~

~~—(d) Nonresidential development, excluding: 1) landfills and 2) sites for land application of residuals or petroleum contaminated soils.~~

~~—(2) WS II Watershed Areas – Balance of Watershed (WS II-NSW-P).~~

~~— Low density option. In order to maintain predominantly undeveloped land use intensity, single family residential uses shall be allowed at a maximum of one dwelling unit per acre (1 du/ac), except with an approved cluster development. All other residential and nonresidential development shall be allowed a maximum of 12% built-upon area. Low density developments shall comply with division 15.1.3(D), Low Density Design Standards.~~

~~— High density option. If the development density exceeds the low density requirements above, then permanent stormwater control measures are required in accordance with division 15.1.3(E), High~~

~~Density Design Standards; new residential and nonresidential development density shall not exceed 30% built-upon area.~~

~~— In addition, new development may occupy 10% of the watershed area which is outside the critical area, with 70% built-upon area when approved as a special intensity allocation (SIA). The Ordinance Administrator is authorized to approve SIAs consistent with the provisions of this ordinance. Projects must, to the maximum extent practicable, minimize built-upon surface area, direct stormwater away from surface waters and incorporate stormwater control measures to minimize water quality impacts. Non-discharging landfills and residuals application sites are allowed.~~

~~— (i) Allowed uses:~~

~~— (a) Agriculture, subject to the provisions of the Food Security Act of 1985 and the Food, Agricultural, Conservation, and Trade Act of 1990;~~

~~— (b) Silviculture, subject to the provisions of the Forest Practices Guidelines Related to Water Quality (15 NCAC 11.0101-.0209);~~

~~— (c) Residential development; and~~

~~— (d) Nonresidential development excluding discharging landfills.~~

~~— (3) WS-III Watershed Areas – Critical Area (WS-III-C).~~

~~— Low density option. In order to maintain low to moderate land use intensity, single-family residential uses are allowed at a maximum of one dwelling unit per acre (1 du/ac), except within an approved cluster development. All other residential and nonresidential development shall be allowed to at a maximum of 12% built-upon area. New residuals application sites and landfills are specifically prohibited. Low density developments shall comply with division 15.1.3(D), Low Density Design Standards.~~

~~— High density option. If the development density exceeds the low density requirements above, then permanent stormwater control measures are required in accordance with division 15.1.3(E), High Density Design Standards; new residential and nonresidential development density shall not exceed 30% built-upon area.~~

~~— (i) Allowed uses:~~

~~— (a) Agriculture, subject to the provisions of the Food Security Act of 1985 and the Food, Agriculture, Conservation, and Trade Act of 1990 and the rules and regulations of the Soil and Water Conservation Commission;~~

~~— (b) Silviculture, subject to the provisions of the Forest Practices Guidelines Related to Water Quality (15 NCAC 11.0101-.0209);~~

~~— (c) Residential; and~~

~~— (d) Nonresidential development, excluding: 1) landfills and 2) sites for land application of residuals or petroleum contaminated soils.~~

~~— (4) WS-IV Watershed Areas – Critical Area (WS-IV-NSW-C).~~

— Low density option. Only new development activities that require an erosion/sedimentation control plan under state law or approved local program are required to meet the provisions of this ordinance when located in a WS-IV watershed. In order to address a moderate to high land use intensity pattern, single family residential uses are allowed at a maximum of two dwelling units per acre. No residential lot shall be less than one-half acre (or 20,000 square feet excluding roadway right-of-way), except within an approved cluster development. All other residential and nonresidential development shall be allowed at a maximum of 24% built-upon area. New residuals application sites and landfills are specifically prohibited. Low density developments shall comply with division 15.1.3(D), Low Density Design Standards.

— High density option. If the development density exceeds the low density requirements above, then permanent stormwater control measures are required in accordance with division 15.1.3(E), High Density Design Standards; new residential and nonresidential development density shall not exceed 50% built-upon area.

— (i) Allowed uses.

— (a) Agriculture subject to the provisions of the Food Security Act of 1985 and the Food, Agriculture, Conservation, and Trade Act of 1990 and the rules and regulations of the Soil and Water Conservation Commission;

— (b) Silviculture, subject to the provisions of the Forest Practices Guidelines Related to Water Quality (15 NCAC 11.0101-.0209);

— (c) Residential; and

— (d) Nonresidential development, excluding:

— 1. Landfills; and

— 2. Sites for land application of residuals or petroleum contaminated soils.

— (5) WS-IV Watershed Areas—Protected Area (WS-IV-NSW-P).

— Low density option. Only new development activities that require an erosion/sedimentation control plan under state law or approved local government program are required to meet the provisions of this ordinance when located in a WS-IV Watershed. In order to accommodate moderate to high land use intensity, single family residential uses shall develop at a maximum of two dwelling units per acre (2 du/ac). No residential lot shall be less than one-half acre (or 20,000 square feet excluding roadway right-of-way), or one-third acre for projects without a curb and gutter street system, except within an approved cluster development.

— All other residential and nonresidential development shall be allowed at a maximum of 24% built-upon area. A maximum of three dwelling units per acre (3 du/ac) or 36% built-upon area is allowed for projects without a curb and gutter street system.

— High density option. If the development density exceeds the low density requirements above, then permanent stormwater control measures are required in accordance with division 15.1.3(E), High Density Design Standards; new residential and nonresidential development density shall not exceed 70% built-upon area.

~~— (i) Allowed uses:~~

~~— (a) Agriculture, subject to the provisions of the Food Security Act of 1985 and the Food, Agricultural, Conservation, and Trade Act of 1990;~~

~~— (b) Silviculture, subject to the provisions of the Forest Practices Guidelines Related to Water Quality (15 NCAC 11.0101-.0209);~~

~~— (c) Residential development; and~~

~~— (d) Nonresidential development.~~

(C) CALCULATION OF PROJECT DENSITY

(1) The following requirements shall apply to the calculation of project density:

(i) Project density shall be calculated as the total built-upon area divided by the total project area;

(ii) A project with existing development ~~as defined in this ordinance~~ [article 17.1](#) may use the calculation method in ~~division 15.1.2(C)(1)(i) Sub-Item (1)~~ [division 15.1.2\(C\)\(1\)\(i\)](#) above or shall have the option of calculating project density as the difference of total built-upon area minus existing built-upon area divided by the difference of total project area minus existing built-upon area;

~~(iii) Expansions to Existing Development shall be subject to 15A NCAC 02B .0624 except as excluded in Rule 15A NCAC 02B .0622(1)(d)~~

~~(iv) When there is a net increase of built-upon area, only the area of net increase shall be subject to density and built-upon area limits.~~

~~(v) Where Existing Development is being replaced with new built-upon area and there is a net increase of built-upon area only the area of net increase shall be subject to density and built-upon area limits.~~

~~(iii)(vi)~~ Total project area shall exclude the following:

(a) Areas below the normal high water line (NHWL); and

(b) Areas defined as “coastal wetlands” pursuant to 15A NCAC 07H .0205 ~~herein~~ [herein](#) incorporated by reference including subsequent amendments and editions, and available at no cost at <http://reports.oah.state.nc.us/ncac.asp> as measured landward from the normal high water line (NHWL); and

~~(iv)(vii)~~ On a case-by-case basis as determined by the Ordinance Administrator during application review, projects may be considered to have both high and low density areas based on one or more of the following criteria:

(a) Natural drainage area boundaries;

(b) Variations in land use throughout the project; and

(c) Construction phasing.

(D) Low density design standards.

(1) Low density projects **in addition to complying with the project density requirements of Item (BA) of this Rule**, shall meet the following minimum design criteria.

~~— (i) Density thresholds. Low density projects shall not exceed the low density development thresholds set forth in this article. For projects subject to the requirements for non-coastal high-quality waters and outstanding resource waters, dwelling unit per acre may be used instead of density to establish low density status for single-family detached residential development as set forth in Rule .1021 (15A NCAC 2H .1021).~~

~~— (ii) Dispersed flow. Projects shall be designed to maximize diffuse dispersed flow through vegetated areas and minimize channelization of flow.~~

~~(iii) Vegetated conveyances. Stormwater that cannot be released as diffuse dispersed flow shall be transported by vegetated conveyances. A minimal amount of non-vegetated conveyances for erosion protection or piping for driveways or culverts under a road shall be allowed when it cannot be avoided. Vegetated conveyances shall meet the following requirements:~~ **Stormwater runoff from the project shall be released to vegetated areas as dispersed flow or transported by vegetated conveyances to the maximum extent practicable. In determining whether this criteria has been met, the local government shall take into account site-specific factors such as topography and site layout as well as protection of water quality. Vegetated conveyances shall be maintained in perpetuity to ensure that they function as designed. Vegetated conveyances that meet the following criteria shall be deemed to satisfy the requirements of this Sub-Item:**

(a) Side slopes shall be no steeper than 3:1 (horizontal to vertical) unless it is demonstrated to the Ordinance Administrator that the soils and vegetation will remain stable in perpetuity based on engineering calculations and on-site soil investigation; and

(b) The conveyance shall be designed so that it does not erode during the peak flow from the ten-year storm as demonstrated by engineering calculations.

~~(iv)~~ (i) Curb outlet systems. Low density projects may use curb and gutter with outlets to convey stormwater to grassed swales or vegetated areas. Requirements for these curb outlet systems are as follows:

(a) The curb outlets shall be designed such that the swale or vegetated area can carry the peak flow from the ten-year storm at a non-erosive velocity;

(b) The longitudinal slope of the swale or vegetated area shall not exceed 5%, where practicable. Where not practical due to physical constraints, devices to slow the rate of runoff and encourage infiltration to reduce pollutant delivery shall be provided;

(c) The swale's cross-section shall be trapezoidal with a minimum bottom width of two feet;

(d) The side slopes of the swale or vegetated area shall be no steeper than 3:1 (horizontal to vertical);

(e) The minimum length of the swale or vegetated area shall be 100 feet;

(f) Low density projects may use treatment swales designed pursuant to 15A NCAC 02H .1061 in lieu of the requirements specified in divisions (a) through (e) above; and

~~(g) Stormwater outlets shall be designed so that they do not cause erosion immediately downslope of the discharge point during the peak flow from the ten-year storm event as shown by engineering calculations.~~

(E) High density design standards.

(1) ~~In addition to complying with the project density requirements of 15.1.3(B) Item A of this Rule, high density projects are projects that exceed the low density development thresholds as defined in this Article. High density projects shall meet the following minimum design criteria.~~

(i) ~~Treatment requirements. SCMs shall be designed, constructed, and maintained so that the project achieves either "runoff treatment" or "runoff volume match" as those terms are defined in 15A NCAC 2H .1002.~~

(ii) ~~Off-site stormwater. Stormwater runoff from off-site areas and existing development that pre-dates the effective dates of these rules is not required to be treated in the SCM. Runoff from off-site areas or existing development that is not bypassed shall be included in the sizing of on-site SCMs at its full built-out potential. For high density projects designed to achieve runoff treatment, the required storm depth shall be one inch. Applicants shall have to option to design projects to achieve runoff volume match in lieu of runoff treatment;~~

(iii) ~~Off-site SCM. A project that controls runoff through an off-site SCM shall be allowed on a case-by-case basis as determined by the Watershed Administrator; if the off-site SCM meets the provisions of this article. Stormwater runoff from off-site areas and Existing Development shall not be required to be treated in the SCM. Runoff from off-site areas or existing development that is not bypassed shall be included in sizing of on-site SCMs;~~

(iv) ~~Replacement and expansion of existing development. Expansions to existing development shall be subject to this article. Where there is a net increase of built-upon area, only the area of net increase shall be subject to this article. Where existing development is being replaced with new built-upon area, and there is a net increase of built-upon area, only the area of net increase shall be subject to this article. Stormwater outlets shall be designed so that they do not cause erosion downslope of the discharge point during peak flow from the 10-year-storm event as shown by engineering calculations.~~

~~(v) Minimum design criteria (MDC) for stormwater control measures (SCM). SCMs shall meet the relevant MDC set forth in 15A NCAC 2H .1050 through .1062 except in accordance with division (F) below.~~

~~(vi) Project shall have no adverse impact to downstream properties.~~

~~(vii) Development that increases the peak runoff rate from the one-year storm from pre-development conditions shall provide stormwater control measures in accordance with the town stormwater standards such that there is no net increase in peak runoff rate.~~

~~(viii) Developments that increases the peak runoff rate from either the two-year or the ten-year storm from predevelopment conditions shall be required to provide stormwater management facilities to address the impact, unless otherwise determined by the Ordinance Administrator.~~

~~—(ix) Developments that increases the peak runoff from the 100-year storm may be required to install stormwater management facilities to address the impact, as determined by the Ordinance Administrator.~~

(F) Variations from division 15.1.3(D) and (E). The Ordinance Administrator may approve projects that do not comply with all of the provisions of this section on a case-by-case basis as follows.

(1) If the variation pertains to an SCM design that does not meet all of the MDC, then the applicant shall provide technical justification based on engineering calculations and the results of research studies showing that the proposed design is equally or more protective of water quality than the requirements of this section and that it shall function in perpetuity. The Ordinance Administrator shall have the option to require compliance with the MDC in the event that the alternative SCM design fails.

(2) If the variation pertains to other aspects of the project, then the applicant shall demonstrate that the project provides equal or better stormwater control and equal or better protection of waters of the state.

(G) Density Averaging

~~(1i) An applicant may average development density on up to two noncontiguous properties for the purpose of achieving compliance with the water supply watershed development standards if all of the following circumstances exist:~~

~~—(ii) The properties are within the same water supply watershed. However, if one of the properties is located in the critical area of the watershed, the critical area property shall not be developed beyond the applicable density requirements for its classification.~~

~~—(iii) Overall project density meets applicable density or stormwater control requirements under 15A NCAC 2B .0200.~~

~~—(iiiiv) Vegetated setbacks on both properties meet the minimum statewide water supply watershed protection requirements.~~

~~—(iv) Built-upon area designed and located to minimize stormwater runoff impact to the receiving waters, minimize concentrated stormwater flow, maximize concentrated stormwater flow, maximize the use of street flow through vegetated areas and maximize the flow length through vegetated areas.~~

~~—(vi) Areas of concentrated density development are located in upland areas and, to the maximum extent practicable, away from the surface waters and drainageways.~~

~~—(vii) The property or portions of the properties that are not being developed will remain in a vegetated or natural state and will be managed by a homeowner's association as common area, conveyed by a local government as a park or greenway, or placed under a permanent conservation or farmland preservation easement unless it can be demonstrated that the local government can ensure long-term compliance through deed restrictions and an electronic permitting mechanism. A metes and bounds description of the areas to remain vegetated and limits on use shall be recorded on the subdivision plat in homeowners' covenants, and on individual deeds. Any such limitations or restrictions on use shall be irrevocable.~~

~~(2viii)~~ Development permitted under density averaging and meeting applicable low density requirements shall transport stormwater runoff by vegetated conveyances to the maximum extent practicable.

~~(3ix)~~ A special use permit shall be obtained from the Butner Board of Adjustment to ensure that both properties are considered together to meet the standards of the watershed ordinance and that potential owners have record of how the watershed regulations were applied to the properties.

~~(GH)~~ Cluster development. Cluster development is allowed in all Watershed Areas [except WS-I] under the following conditions:

(1) Minimum lot sizes are not applicable to single-family cluster development projects; however, the total number of lots shall not exceed the number of lots allowed for single-family detached developments in division 15.1.3. Density or built-upon area for the project shall not exceed that allowed for the critical area, balance of watershed, or protected area, whichever applies.

(2) All built-upon area shall be designed and located to minimize stormwater runoff impact to the receiving waters and minimize concentrated stormwater flow, maximize the use of sheet flow through vegetated areas, and maximize the flow length through vegetated areas.

(3) Areas of concentrated density development shall be located in upland area and away, to the maximum extent practicable, from surface waters and drainageways.

(4) The remainder of the tract shall remain in a vegetated or natural state. The title to the open space area shall be conveyed to an incorporated homeowners' association for management; to a local government for preservation as a park or open space; or to a conservation organization for preservation in a permanent easement. Where a property association is not incorporated, a maintenance agreement shall be filed with the property deeds.

(5) Cluster developments that meet the applicable low density requirements shall transport stormwater runoff by vegetated conveyances to the maximum extent practicable.

~~(HI)~~ Buffer areas required.

(1) A minimum 100-foot vegetative buffer is required for all new development activities that exceed the low density option; otherwise, a minimum 30-foot vegetative buffer for development activities is required along all perennial waters indicated on the most recent versions of U.S.G.S. 1:24,000 (7.5 minute) scale topographic maps or as determined by local government studies. Desirable artificial streambank or shoreline stabilization is permitted.

(2) No new development is allowed in the buffer except for water dependent structures, other structures such as flag poles, signs, and security lights which result in only diminutive increases in impervious area and public projects such as road crossings and greenways where no practical alternative exists. These activities should minimize built-upon surface area, direct runoff away from the surface waters, and maximize the utilization of stormwater control measures.

~~(J)~~ Rules governing the interpretation of watershed area boundaries. Where uncertainty exists as to the boundaries of the watershed areas, as shown on the Watershed Map, the following rules shall apply.

(1) Where area boundaries are indicated as approximately following either street, alley, railroad, or highway lines or centerlines thereof, such lines shall be construed to be said boundaries.

(2) Where area boundaries are indicated as approximately following lot lines, such lot lines shall be construed to be said boundaries. However, a surveyed plat prepared by a registered land surveyor may be submitted to the town's planning and zoning jurisdiction as evidence that one or more properties along these boundaries do not lie within the watershed area.

(3) Where the watershed area boundaries lie at a scaled distance more than 25 feet from any parallel lot line, the location of watershed area boundaries shall be determined by use of the scale appearing on the Watershed Map.

(4) Where the watershed area boundaries lie at a scaled distance of 25 feet or less from any parallel lot line, the location of watershed area boundaries shall be construed to be the lot line.

(5) Where other uncertainty exists, the Watershed Administrator shall interpret the Watershed Map as to location of such boundaries. This decision may be appealed to the Watershed Review Board.

(JK) Application of regulations.

(1) No building or land shall hereafter be used and no development shall take place except in conformity with the regulations herein specified for the watershed area in which it is located.

(2) No area required for the purpose of complying with the provisions of this ordinance shall be included in the area required for another building.

(3) If a use or class of use is not specifically indicated as being allowed in a watershed area, such use or class of use is prohibited.

(KL) Existing development. Existing development as defined in § 17.1 may be continued and maintained subject to the provisions provided herein. Expansions to structures classified as existing development must meet the requirements of § 15.1, however, the built-upon area of the existing development is not required to be included in the built-upon area calculations.

(1) Uses of land. This category consists of uses existing at the time of adoption of this ordinance where such use of the land is not permitted to be established hereafter in the watershed area in which it is located. Such uses may be continued except as follows.

(i) When such use of land has been changed to an allowed use, it shall not thereafter revert to any prohibited use.

(ii) Such use of land shall be changed only to an allowed use.

(iii) When such use ceases for a period of at least one year, it shall not be reestablished.

(2) Reconstruction of buildings or built-upon areas. Any existing building or built-upon area not in conformance with the restrictions of this ordinance that has been damaged or removed may be repaired and/or reconstructed, except that there are no restrictions on single-family residential development, provided:

(i) Repair or reconstruction is initiated within 12 months and completed within two years of such damage; and

(ii) The total amount of space devoted to built-upon area may not be increased unless stormwater control that equals or exceeds the previous development is provided.

~~(L)~~M) Stormwater management permit.

(1) Except where a single-family residence is constructed on a lot deeded prior to the effective date of this ordinance, no building or built-upon area shall be erected, moved, enlarged, or structurally altered, nor shall any building permit be issued nor shall any change in the use of any building or land be made until a watershed protection permit has been issued by the Watershed Administrator. No watershed protection permit shall be issued except in conformity with the provisions of this ordinance.

(2) Stormwater management permit applications shall be filed with the Ordinance Administrator. The application shall include a completed application form and supporting documentation deemed necessary by the Ordinance Administrator.

(3) Prior to issuance of a stormwater management permit, the Ordinance Administrator may consult with qualified personnel for assistance to determine if the application meets the requirements of this ordinance.

(4) A stormwater management permit shall expire if a building permit or occupancy permit for such use is not obtained by the applicant within 12 months from the date of issuance.

~~(M)~~N) Building permit required. No permit required under the state's Building Code shall be issued for any activity for which a stormwater management permit is required until that permit has been issued.

~~(N)~~O) Watershed protection occupancy permit.

(1) The Ordinance Administrator shall give approval for an occupancy permit certifying that all requirements of this ordinance have been met prior to the occupancy or use of a building hereafter erected, altered, or moved and/or prior to the change of use of any building or land.

(2) An occupancy permit, either for the whole or part of a building, shall be applied for coincident with the application for a stormwater management permit and shall be issued or denied within ten days after the erection or structural alterations of the building.

(3) When only a change in use of land or existing building occurs, the Ordinance Administrator shall approve issuance of an occupancy permit certifying that all requirements of this ordinance have been met coincident with the stormwater management permit.

(4) If the occupancy permit is denied, the Ordinance Administrator shall notify the applicant in writing stating the reasons for denial.

(5) No building or structure which has been erected, moved, or structurally altered may be occupied until the Ordinance Administrator has approved the issuance of an occupancy permit.

15.1.5 Administration, enforcement, and appeals.

(A) Ordinance Administrator and duties thereof. The Town Council shall appoint an Ordinance Administrator, who shall be duly sworn in. It shall be the duty of the Ordinance Administrator to administer and enforce the provisions of this ordinance as follows.

(1) The Ordinance Administrator shall issue stormwater management permits and approve issuance of occupancy permits as prescribed herein. A record of all permits shall be kept on file and shall be available for public inspection during regular office hours of the Administrator.

(2) The Ordinance Administrator shall keep records of all amendments to the local water supply watershed protection ordinance and shall provide copies of all amendments upon adoption to the ~~water quality section of the division of water quality.~~ Stormwater Branch of the Division of Energy, Mineral, and Land Resources.

(3) The Ordinance Administrator shall keep records of the jurisdiction's use of the provision that a maximum of 10% of the non-critical area of WS-II, and WS-III, and WS-IV watersheds may be developed with new development at a maximum of seventy percent (70%) built-upon surface area. ~~and, for local governments that do not choose to incorporate the high density option, 10% of the protected area of WS-IV watersheds may be developed with new development at a maximum of 70% built-upon surface area.~~ Records for each watershed shall include the total acres of non-critical watershed area, total acres eligible to be developed under this option, total acres approved for this development option, and individual records for each project with the following information: location, number of developed acres, type of land use, and stormwater management plan (if applicable).

(4) The Ordinance Administrator or his or her designee is granted the authority to administer and enforce the provisions of this ordinance, exercising in the fulfillment of his or her responsibility the full police power of the town. The Ordinance Administrator, or his or her duly authorized representative, may enter any building, structure, or premises, as provided by law, to perform any duty imposed upon him or her by this ordinance.

(5) The Ordinance Administrator shall keep a record of variances to the local Water Supply Watershed Protection Ordinance. ~~This record shall be submitted for each calendar year to the Water Quality Section of the Division of Environmental Management on or before January 1 of the following year and shall provide a description of each project receiving a variance and the reasons for granting the variance.~~

(6) The Ordinance Administrator is responsible for ensuring that Stormwater Control Measures are inspected at least once a year and shall keep a record of SCM inspections.

(B) Appeal from the Ordinance Administrator.

Any order, requirement, decision, or determination made by the Ordinance Administrator may be appealed to and decided by the Board of Adjustment.

An appeal from a decision of the Ordinance Administrator must be submitted to the Board of Adjustment within 30 days from the date the order, interpretation, decision, or determination is made. All appeals must be made in writing stating the reasons for appeal. Following submission of an appeal, the Ordinance Administrator shall transmit to the Board all papers constituting the record upon which the action appealed from was taken.

An appeal stays all proceedings in furtherance of the action appealed, unless the officer from whom the appeal is taken certifies to the Board after the notice of appeal has been filed with him or her, that by reason of facts stated in the certificate, a stay would in his or her opinion cause imminent peril to life or property. In such case, proceedings shall not be stayed otherwise than by a restraining order which may be granted by the Board or by a court of record on application of notice of the officer from whom the appeal is taken and upon due cause shown.

All appeals of Ordinance Administrator decisions shall follow the procedures for appeals of administrative decisions in GS 160D-405.

The Board shall fix a reasonable time for hearing the appeal and give notice thereof to the parties and shall decide the same within a reasonable time. At the hearing, any party may appear in person, by agent or by attorney.

(C) Changes and amendments to this article.

(1) The Town Council may, on its own motion or on petition, after public notice and hearing, amend, supplement, change, or modify the watershed regulations and restrictions as described herein.

(2) No action shall be taken until the proposal has been submitted to the Planning Board for review and recommendations. If no recommendation has been received from the Planning Board within 45 days after submission of the proposal to the Chairperson of the Planning Board, the Town Council may proceed as though a favorable report had been received.

(3) Under no circumstances shall the Town Council adopt such amendments, supplements, or changes that would cause this ordinance to violate the watershed protection rules as adopted by the state's Environmental Management Commission. All amendments must be filed with the N.C. Division of Energy, Mineral, and Land Resources, ~~state's Division of Water Quality, the state's Division of Environmental Health, and the state's Division of Community Assistance.~~

(D) Public notice and hearing required. Before adopting or amending this ordinance, the Council shall hold a public hearing on the proposed changes. A notice of the public hearing shall be given once a week for two successive calendar weeks in a newspaper having general circulation in the area. The notice shall be published for the first time not less than ten nor more than 25 days before the date for the hearing.

(E) Establishment of Watershed Review Board. The Board of Adjustment shall serve as the Watershed Review Board.

(F) Powers and duties of the Watershed Review Board.

(1) Administrative review. The Watershed Review Board shall hear and decide appeals from any decision or determination made by the Ordinance Administrator in the enforcement of this ordinance.

(2) Variances. The Watershed Review Board shall have the power to authorize, in specific cases, minor variances from the terms of this article and may review major variance requests and make recommendations to the Environmental Management Commission regarding the same. In addition, the Town shall notify and allow 30 days for all other local governments having jurisdiction in the designated watershed where the variance is being considered. ~~as will not be contrary to the public interests where, owing to special conditions, a literal enforcement of this article will result in practical difficulties or~~

~~unnecessary hardship, so that the spirit of this article shall be observed, public safety and welfare secured, and substantial justice done. In addition, the town shall notify and allow a reasonable comment period for all other local governments having jurisdiction in the designated watershed where the variance is being considered.~~

§ 17.1 GENERAL.

BALANCE OF WATERSHED (BW). The area adjoining and upstream of the critical area in a WS-II and WS-III water supply watershed. The "balance of watershed" is comprised of the entire land area contributing surface drainage to the stream, river, or reservoir where a water supply intake is located.

BUFFER. An area of natural or planted vegetation through which stormwater runoff flows in a diffuse manner so that the runoff does not become channelized and which provides for infiltration of the runoff and filtering of pollutants. The buffer is measured landward from the normal pool elevation of impounded structures and from the bank of each side of streams or rivers.

~~BUILDING.~~ Any structure ~~used or intended for supporting or sheltering any use or occupancy.~~ having a roof supported by columns or by walls, and intended for shelter, housing or enclosure of persons, animals, or property. The connection of two buildings by means of an open porch, breezeway, passageway, carport, or other such open structure, with or without a roof, shall not be deemed to make them one building.

COMMON PLAN OF DEVELOPMENT. Site with multiple lots where there is a single development plan for all of the lots, usually represented by a master plan or a set of declarations of restrict covenants.

CRITICAL AREA. The area adjacent to a water supply intake or reservoir where risk associated with pollution is greater than from the remaining portions of the watershed. The critical area is defined as extending either one-half mile from the normal pool elevation of the reservoir in which the intake is located or to the ridge line of the watershed (whichever comes first); or one-half mile upstream from the intake located directly in the stream or river (run-of-the-river), or the ridge line of the watershed (whichever comes first). Local governments may extend the critical area as needed. Major landmarks such as highways or property lines may be used to delineate the outer boundary of the critical area if these landmarks are immediately adjacent to the appropriate outer boundary of one-half mile.

DEVELOPMENT. The initiation, construction, change, or enlargement of any use or structure, the disturbance of land through the removal of trees or ground cover, the division of land into two or more parcels, or any land disturbing activity which adds to or changes the amount or nature of impervious or partially impervious cover on a land area, or which otherwise decreases the infiltration of precipitation into the soil. DEVELOPMENT shall include, but not be limited to, the following:

- (A) Construction or enlargement of a building or structure;
- (B) Change in the type of use of a building, structure, or land;
- (C) Material increase in the intensity of use of land, such as an increase in the number of businesses, offices, manufacturing establishments, or dwelling units located in a building or structure or on the land;
- (D) Commencement or expansion of resource extraction, agricultural, horticultural, or forestry activities on a parcel of land;

- (E) Demolition of a structure or the removal of trees from a parcel of land;
- (F) Deposition of refuse, solid or liquid waste, or fill on a parcel of land;
- (G) Alteration, either physically or chemically, of the shore, bank, or channel of any stream, lake, or other body of water or alteration of any wetland; and
- (H) Any land disturbing activity that adds to or changes the amount of impervious or partially impervious cover on a land area or which otherwise decreases the infiltration of precipitation into the soil.

Any land-disturbing activity that increases the amount of built-upon area or that otherwise decreases the infiltration of precipitation into the subsoil. When additional development occurs at a site that has existing development, the built-upon area of the existing development shall not be included in the density calculations for additional stormwater control requirements, and stormwater control requirements cannot be applied retroactively to existing development, unless otherwise required by federal law (from G.S. § 143-214.7)

EXISTING LOT. A lot which is part of a subdivision, a plat of which has been recorded in the Office of the Register of Deeds prior to the adoption of this ordinance, or a lot described by metes and bounds, the description of which has been so recorded prior to the adoption of this ordinance.

FAMILY. One or more persons occupying a single dwelling unit, provided that unless all members are related by blood or marriage or adoption, no such family shall contain over five persons, but further provided that domestic servants employed or living on the premises may be housed on the premises without being counted as a family or families.

FAMILY SUBDIVISION. Family subdivision means a division of a tract of land: (a) to convey the resulting parcels, with the exception of parcels retained by the grantor, to a relative or relatives as a gift or for nominal consideration, but only if no more than one parcel is conveyed by the grantor from the tract to any one relative; or (b) to divide land from a common ancestor among tenants in common, all of whom inherited by intestacy or by will.

INDUSTRIAL DEVELOPMENT (STORMWATER). Any non-residential development that requires an NPDES permit for an industrial discharge and/or requires the use or storage of any hazardous material for the purpose of manufacturing, assembling, finishing, cleaning, or developing any product or commodity.

LANDFILL. A facility for the disposal of solid waste on land in a sanitary manner in accordance with Chapter 130A Article 9 of the N.C. General Statutes. For the purpose of this ordinance, this term does not include composting facilities.

MAJOR WATERSHED VARIANCE. A variance from stormwater regulations that is not a Minor Variance as defined in this ordinance.

MINOR WATERSHED VARIANCE. A variance from the minimum statewide watershed protection rules that results in a relaxation, by a factor of up to five (5) percent of any buffer, density or built-upon area requirement under the high-density option; or that results in a relaxation, by a factor of up to ten (10) percent, of any management requirement under the low-density option. For variances to a vegetated setback requirement, the percent variation shall be calculated using the footprint of built-upon area proposed to encroach with the vegetated setback divided by the total area of vegetated setback within the project.

NON-RESIDENTIAL DEVELOPMENT. All development other than residential development, agriculture and silviculture.

~~PERENNIAL STREAM. A stream or other channel that holds flowing water 365 days a year.~~

PERENNIAL WATERBODY. A natural or man-made basin, including lakes, ponds, and reservoirs, that stores surface water permanently at depths sufficient to preclude the growth of non-hydrophilic rooted plants.

PROTECTED AREA. The area adjoining and upstream of the critical area of WS-IV watersheds. The boundaries of the protected area are defined as within five miles of and draining to the normal pool elevation of the reservoir or to the ridgeline of the watershed; or within 10 miles upstream and draining to the intake located directly in the stream or river or to the ridgeline of the watershed.

RESIDENTIAL DEVELOPMENT. Buildings constructed for human habitation such as attached and detached single-family dwellings, apartment complexes, condominiums, townhouses, cottages, etc. and their associated outbuildings such as garages, storage buildings, gazebos, etc. and customary home occupations.

RESIDUALS. Any solid or semi-solid waste generated from a wastewater treatment plant, water treatment plant or air pollution control facility permitted under the authority of the Environmental Management Commission.

SURFACE WATERS. All waters of the State as defined in NCGS 143-212 except underground waters.

TOXIC SUBSTANCE. Any substance or combination of substances (including disease causing agents), which after discharge and upon exposure, ingestion, inhalation, or assimilation into any organism, either directly from the environment or indirectly by ingestion through food chains, has the potential to cause death, disease, behavioral abnormalities, cancer, genetic mutations, physiological malfunctions (including malfunctions or suppression in reproduction or growth), or physical deformities in such organisms or their off spring or other adverse health effects.

WATER DEPENDENT STRUCTURES. A structure that requires access, proximity to, or siting within surface waters to fulfill its basic purpose, such as boat ramps, boat houses, docks, or bulkheads. Ancillary facilities such as restaurants, outlets for boat supplies, parking lots, and boat storage areas shall not be considered WATER DEPENDENT STRUCTURES.

WATERSHED. The entire land area contributing surface drainage to a specific point (e.g. the water supply intake) or alternatively, the geographic region within which water drains to a particular river, stream or body of water.

WATERSHED ADMINISTRATOR. An official or designated person of the Town of Butner responsible for administration and enforcement of this ordinance.



STAFF REPORT FOR A.23.08

PUBLIC HEARING DATE: December 7, 2023

SUBJECT: Revisions to Article 7.5.3(H) – Temporary Uses – Food Trucks

FROM: Jennifer Ganser, AICP, Planning Director
Katie Rhyne, CZO, Planner

SUMMARY

Town staff requests an amendment to the Land Development Ordinance Sections 7.5.3(H) and 7.5.2 to amend restrictions on food trucks and to allow them to operate outside of Town-sponsored events. This is a continuation of the report and discussion at the August 10, 2023 Planning Board meeting.

Food trucks have become a common addition to restaurant businesses. There are restaurants, such as Tru Soul Food, in Town that store food trucks on site and utilize them for events outside of Town limits to promote their business. Currently, Code only allows food trucks as part of Town sponsored events. Staff proposes to allow food trucks as part of events throughout Town, with restrictions and permits. Food trucks are defined in Article 17 as “A licensed, motorized vehicle or mobile food unit that is designed and equipped to serve food and is temporarily located for the purpose of selling food items to customers. This use includes ice cream trucks.”

Staff researched regulations from the Town of Cary, City of Raleigh, City of Durham, and the Town of Franklinton.

PROPOSED AMENDMENTS

Below are proposed amendments to Section 7.5.3(H) and 7.5.2. Additions are in bold underline and deletions are in strikethrough.

7.5.3 Specific regulations for certain temporary uses and structures.

(H) Food trucks.

(1) Food trucks shall obtain a food truck permit from the town, which must be displayed on the rear bumper at all times.

~~(2) Food trucks shall only be allowed at town-sponsored events.~~

(2) Food trucks may not be operated on public property such as parks or plazas, parking lots, public street rights-of-way, or public sidewalks except as specifically authorized by the Town or as part of an official public event sponsored or co-sponsored by the Town of Butner.

(3) The vendor shall provide evidence of having obtained any applicable permits from Granville-Vance Public Health and any other required governmental approvals, a North Carolina sales and

use certificate for collecting and paying the proper sales taxes and prepared meals taxes, and a means for the disposal of grease within an approved grease disposal facility as part of their food truck application. All required town, county, and state permits and licenses shall be clearly displayed on the food truck.

(4) Food trucks shall be located at least 15 feet from fire hydrants, utility boxes and vaults, and handicapped ramps.

(5) Food trucks shall not impede parking or traffic or encroach upon fire lanes, vehicular access ways, or pedestrian walkways.

(6) The food truck operator shall not make excessive noise or cause a nuisance that interferes with the peace and quiet of the surrounding area.

(7) The food truck operator shall maintain the premises in a clean and orderly condition and shall not leave litter or other debris on the premises or in the surrounding area.

(8) Food trucks are not permitted on vacant property, residential lots with the primary use being a single-family home, or a manufactured home on an individual lot.

(9) Food trucks may only operate between the hours of 6:00 a.m. to midnight. Food trucks must be removed from all permitted locations during the hours when they are not permitted to be in operation, and may not be stored, parked, or left overnight on any public street or sidewalk.

(104) If at any time, required permits are revoked by any other governmental agency, the town approval of the food truck permit shall be immediately revoked or suspended.

7.5.2 General standards for temporary uses and structures. Temporary uses, structures, or events shall:

(2) Only 12 temporary uses and/or structures per lot in a calendar year, **provided however Town sponsored events are exempt from this regulation;**

ANALYSIS

The proposed amendments will allow all Town sponsored events to have food trucks and will allow private events to have food trucks twelve (12) times per year. Private events could include events by a private business (such as an employee picnic), an event by an institution such as a school, or the Butner Community Association.

LAND DEVELOPMENT ORDINANCE TEXT AMENDMENT STANDARDS

In determining whether to approve or deny a proposed amendment, the following factors shall be considered:

1. Whether the proposed amendment is consistent with the Land Use Plan and any other relevant plans;

The proposed amendment is consistent with the 2040 Land Use Plan.

2. Whether the proposed amendment addresses a demonstrated community need;

The proposed amendments will allow for food trucks at additional events throughout the Town.

3. Whether the proposed amendment is in conflict with any other provision of this Ordinance or other related Town regulations;

The proposed amendment is not in conflict with any other provisions of the Town.

4. Whether the proposed amendment is consistent with the purpose of the zoning districts in this Ordinance, or will improve compatibility among uses and will ensure efficient development in the Town; and,

The amendment is consistent with the current plans and ordinances of the Town. This will allow for food trucks and additional events

5. Whether the proposed amendment would result in significantly adverse impacts on the natural environment.

No adverse impacts on the natural environment are anticipated from this request.

LAND USE PLAN

The proposed amendment is consistent with the Town's goal for future development to occur in a manner which makes the most efficient use of the Town's land resources by utilizing design techniques which produce compact, interconnected, and complementary residential neighborhoods, commercial areas, employment centers and civic facilities.

ORDINANCE ADMINISTRATOR RECOMMENDATION

The Ordinance Administrator recommends APPROVAL of this request.

PLANNING BOARD RECOMMENDATION

On November 9, 2023 the Town of Butner Planning Board recommended APPROVAL of this request, with one change to Article 7.5.3(H)(2) that is incorporated in this document.

LEGAL NOTICE

Butner-Creedmoor News ran a legal notice for public hearing in the November 17, 2023 and November 24, 2023 editions of the newspaper.



TOWN OF BUTNER

Monthly Financial Dashboard

FISCAL YEAR ENDING June 30, 2024

ATTACHMENT 10

Reporting Period: October 2023

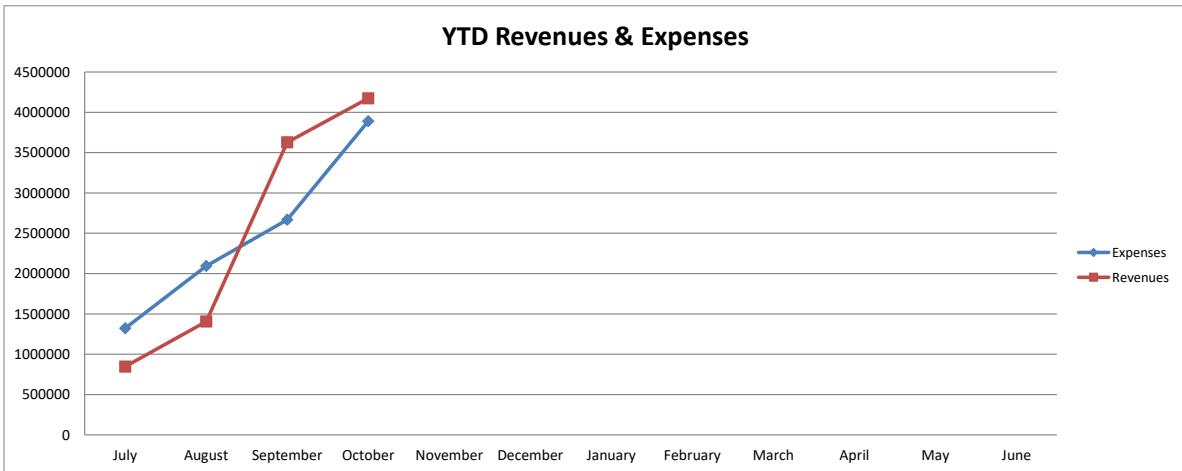
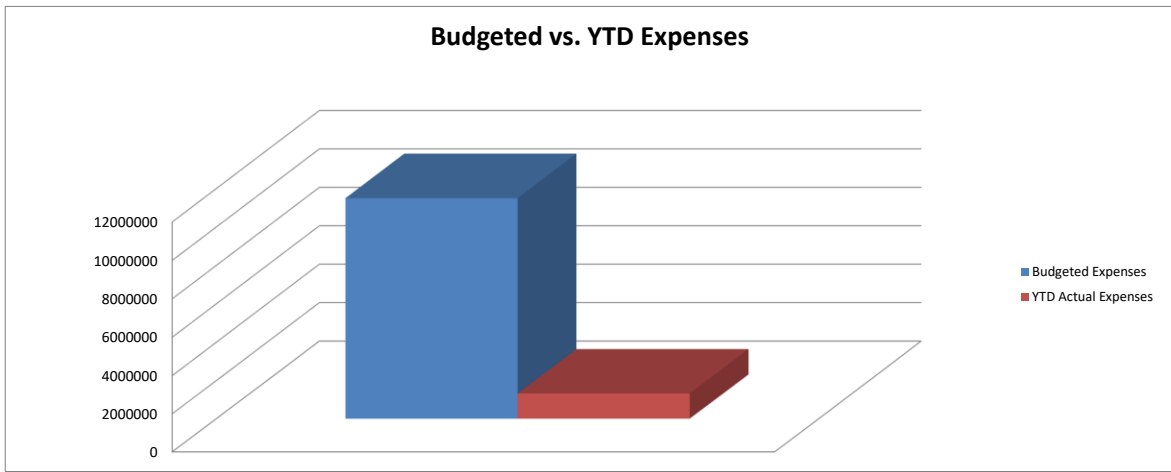
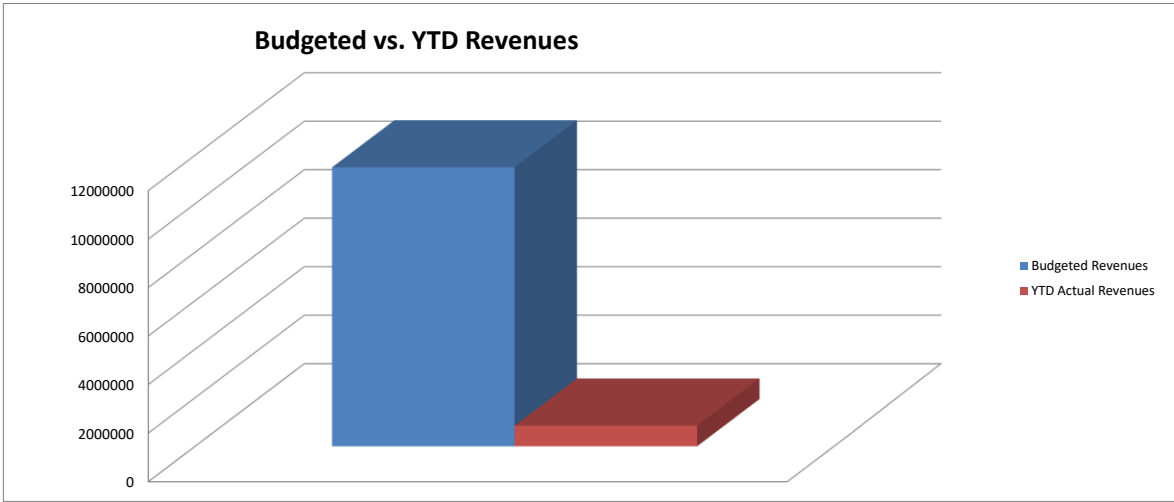
OUR CASH AND INVESTMENTS		
Balances on October 31, 2023, in whole dollars		
CASH & INVESTMENTS BY FUND		
GENERAL FUND		
	October 2022	October 2023
Operating	\$ 9,376,867	\$ 12,107,298
Powell Bill	555,279	155,989
Designated Funds	\$ 443,289	\$ 366,235
TOTAL GENERAL FUND	\$ 10,375,435	\$ 12,629,522
OTHER FUNDS		
	October 2022	October 2023
Stormwater Fund	\$ 1,425,184	\$ 1,832,642
Local Vehicle Taxes	101,243	139,103
Capital Improvement Fund	442,754	910,528
ARPA Funds	2,524,035	-
Capital Projects Fund	\$ 439,684	\$ 519,188
TOTAL OTHER FUNDS	\$ 4,932,900	\$ 3,401,461
TOTAL CASH & INVESTMENTS TOWN-WIDE		
	October 2022	October 2023
ALL FUNDS	\$ 15,308,335	\$ 16,030,983

REVENUE COLLECTIONS BY SOURCE			
	FY 22-23		% Change
	As of 10/31/22	As of 10/31/23	
ABC Profits	\$ 5,702	\$ 17,105	199.98%
Property & Vehicle Taxes	\$ 1,828,102	2,091,351	14.40%
Granville County Funding	28,634	-	-100.00%
DHHS Funding	454,828	468,122	2.92%
Falls Lake Academy SRO	-	-	
State Fire Protection Grant	-	-	
Grants	15,449	19,531	26.42%
Franchise & Utility Taxes	104,646	106,444	1.72%
Miscellaneous	114,681	36,042	-68.57%
Interest Earned	-	208,154	
Transfer From Other Funds	-	-	
Planning Fees	2,590	2,155	-16.80%
Loan Proceeds	-	-	
Public Safety Fees	3,584	7,726	115.57%
Recreation/Facility Fees	18,171	27,230	49.85%
Rent	22,825	22,866	0.18%
Sale of Assets	-	10,600	
Sales Tax	965,759	987,724	2.27%
SGWASA Agreement	166,667	166,667	0.00%
Assessments	8	-	-100.00%
State Shared Revenue	1,466	1,689	15.21%
Total	\$ 3,733,112	\$ 4,173,406	

REVENUE COLLECTIONS BUDGET vs. ACTUAL			
	FY Budget		% Collected
	YTD Actual		
ABC Profits	\$ 22,806	\$ 17,105	75.00%
Property & Vehicle Taxes	2,970,953	2,091,351	70.39%
Granville County Funding	109,476	-	0.00%
DHHS Funding	936,243	468,122	50.00%
Falls Lake Academy SRO	89,906	-	0.00%
State Fire Protection Grant	69,854	-	0.00%
Grants	49,200	19,531	39.70%
Fund Balance Appropriated	2,322,309	-	0.00%
Franchise & Utility Taxes	464,998	106,444	22.89%
Miscellaneous	50,500	36,042	71.37%
Interest Earned	384,530	208,154	54.13%
Planning Fees	5,000	2,155	43.10%
Public Safety Fees	11,250	7,726	68.68%
Recreation/Facility Fees	51,850	27,230	52.52%
Rent	66,000	22,866	34.65%
Sale of Assets	105,000	10,600	10.10%
Sales Tax	3,203,616	987,724	30.83%
SGWASA Agreement	500,000	166,667	33.33%
Transfer From Other Funds	225,000	-	0.00%
State Shared Revenue	40,212	1,689	4.20%
Total	\$ 11,678,703	\$ 4,173,406	35.74%

OUR CASH FLOWS...			
		Comparison of FYTD %	
GENERAL FUND REVENUES & EXPENDITURES		Prior FYTD %	Current FYTD %
		\$ 11,170,609	\$ 11,678,703
Fiscal Year Budget			
Revenues Fiscal Year to Date	\$ 4,173,406	33.42%	35.74%
Expenses Fiscal Year to Date	\$ 3,890,027	34.89%	33.31%
POWELL BILL FUND			
		\$ 207,349	\$ 211,000
Fiscal Year Budget			
Revenues Fiscal Year to Date	\$ 106,851	52.01%	50.64%
Expenses Fiscal Year to Date	\$ -	0.00%	0.00%
STORMWATER FUND			
		\$ 622,170	\$ 687,197
Fiscal Year Budget			
Revenues Fiscal Year to Date	\$ 338,965	42.88%	49.33%
Expenses Fiscal Year to Date	\$ 71,295	12.25%	10.37%
Local Vehicle Tax Fund			
		\$ 29,850	\$ 29,850
Fiscal Year Budget			
Revenues Fiscal Year to Date	\$ 12,151	51.16%	40.71%
Expenses Fiscal Year to Date	\$ -	0.00%	0.00%
D-12-E Sidewalk Project			
		\$ 475	\$ 1,110,985
Project Budget			
Revenues to Date	\$ 1,134,070	100.00%	102.08%
Expenses to Date	\$ 925,365	9.80%	83.29%

EXPENDITURES AT A GLANCE...					
Comparison of Monthly Expenses					
GENERAL FUND DEPARTMENTS	YTD Expenditures		% Change	Fiscal Year 2024 Budget	% of Budget Expended
	Prior FY	Current FY			
Governing Body	\$ 58,394	\$ 60,186	3.07%	\$ 173,510	34.69%
Administration	200,859	154,603	-23.03%	473,702	32.64%
Finance	85,353	80,740	-5.40%	320,565	25.19%
Human Resources	11,128	56,411	406.93%	205,644	27.43%
Legal	53,776	36,173	-32.73%	161,636	22.38%
Town Hall	16,570	27,497	65.94%	69,800	39.39%
Landscaping & Beautification	547	384	-29.80%	15,500	2.48%
Christmas Decorations	1,415	191	-86.50%	12,500	1.53%
EMS Building	312	326	4.49%	2,100	15.52%
600 Central Ave. Property	539	1,717	218.55%	3,200	53.66%
Non-Departmental	119,207	140,565	17.92%	150,385	93.47%
Umstead Property	2,435	2,198	-9.73%	3,899	56.37%
ADA Transition	-	-		20,000	0.00%
Information Technology	42,304	78,486	85.53%	214,742	36.55%
Public Safety	1,460,201	1,709,682	17.09%	5,020,193	34.06%
BPS Training Center	2,468	1,764	-28.53%	15,250	11.57%
Public Works	174,419	188,788	8.24%	532,568	35.45%
Recycling Center	6,499	7,007	7.82%	24,500	28.60%
Forestry & Nursery	874	1,850	111.67%	23,000	8.04%
Planning & Zoning	56,843	46,400	-18.37%	295,943	15.68%
Butner Athletic Park	138,586	123,984	-10.54%	391,374	31.68%
D Street Ball Field	647	1,335	106.34%	2,500	53.40%
Gazebo Park	4,335	2,480	-42.79%	16,600	14.94%
Lake Holt	3,480	1,823	-47.61%	13,350	13.66%
Sports Arena	9,817	15,926	62.23%	40,300	39.52%
Community Events	305	112	-63.28%	-	0.00%
Special Events	633	41,677	6484.04%	138,607	30.07%
Capital Outlay	585,268	554,631	-5.23%	2,612,330	21.23%
Sales Tax	8,405	23,878	184.09%	50,000	47.76%
Contingency	-	-		86,843	0.00%
Transfers to Other Funds	440,000	440,000	0.00%	588,162	74.81%
	\$ 3,485,619	\$ 3,800,814	9.04%	\$ 11,678,703	32.54%
Encumbrances		\$ 89,213			
Total Expenses		\$ 3,890,027			33.31%



TOWN OF BUTNER
BUDGET ORDINANCE AMENDMENT

010 - 2024

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, 2024:

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

Table with 3 columns: Account No., Decrease, Increase. Rows include Salaries and Wages- Regular, Medical, Vision, Dental, LEO 401 (k), LGERS Retirement Contribution, Social Security Contribution, and Vehicles (BPS). Total increase is \$100,950.

Butner Public Safety department's expense budget will increase by \$100,950, use of the unrestricted General Fund Balance \$55,997. Granville County will provide \$44,953 for the additional funding for the SRO officer.

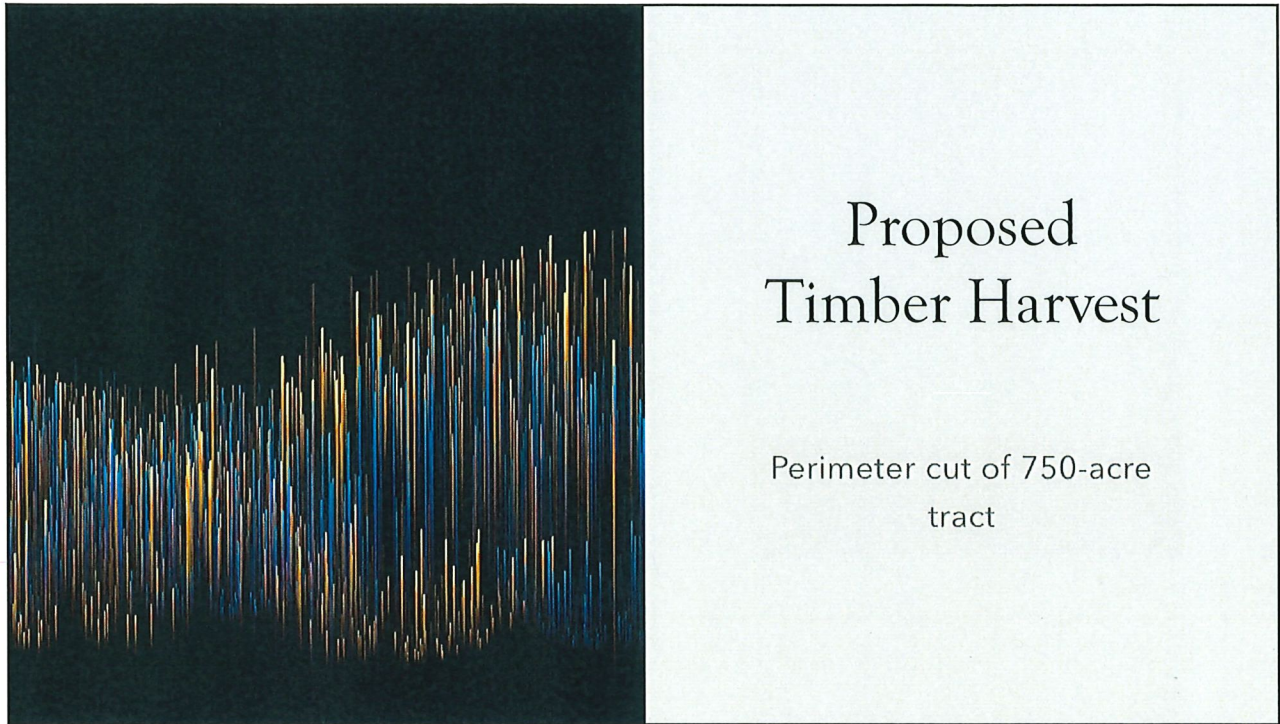
Table with 3 columns: Account No., Decrease, Increase. Rows include Appropriated fund balance and SRO Fee. Total increase is \$100,950.

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 December, 2023.

[SEAL]

Barbara J. Rote, Town Clerk



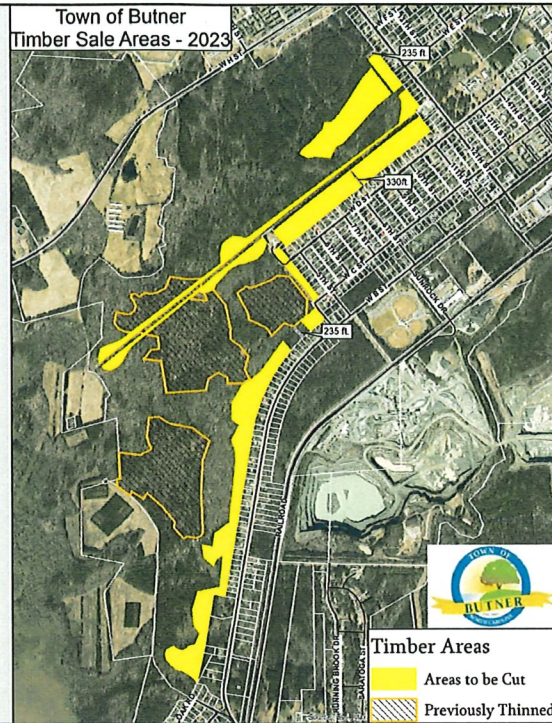
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2

Proposed Harvest Area Version 1

- Duke Transmission Line
- 21-Acre Tract Buffer
- Natural Heritage Site
- North End
- Wisteria and Kudzu



3

Proposed Harvest Area Version 2

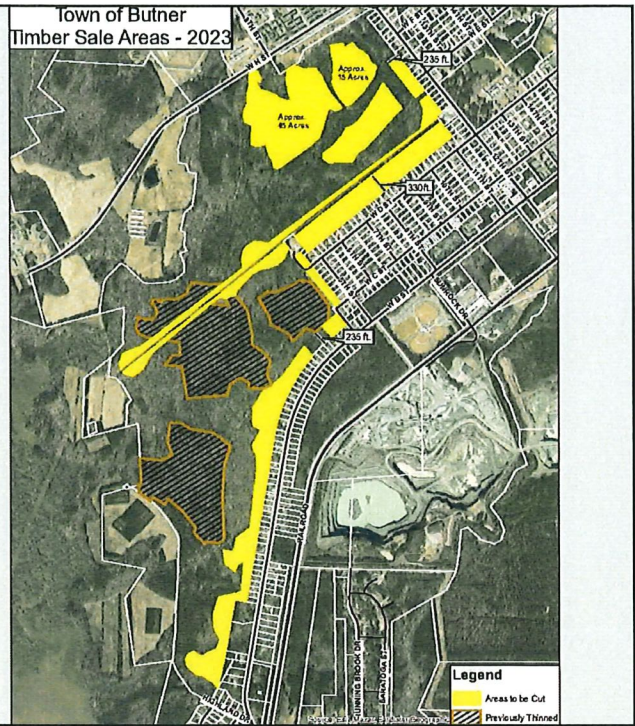
- Includes 50-foot buffer adjacent to 21-acre area
- Includes selective cutting - additional 60 acres included
- Duke Transmission Line
- Natural Heritage Site
- North End
- Wisteria and Kudzu
- Proposed Thinning Areas



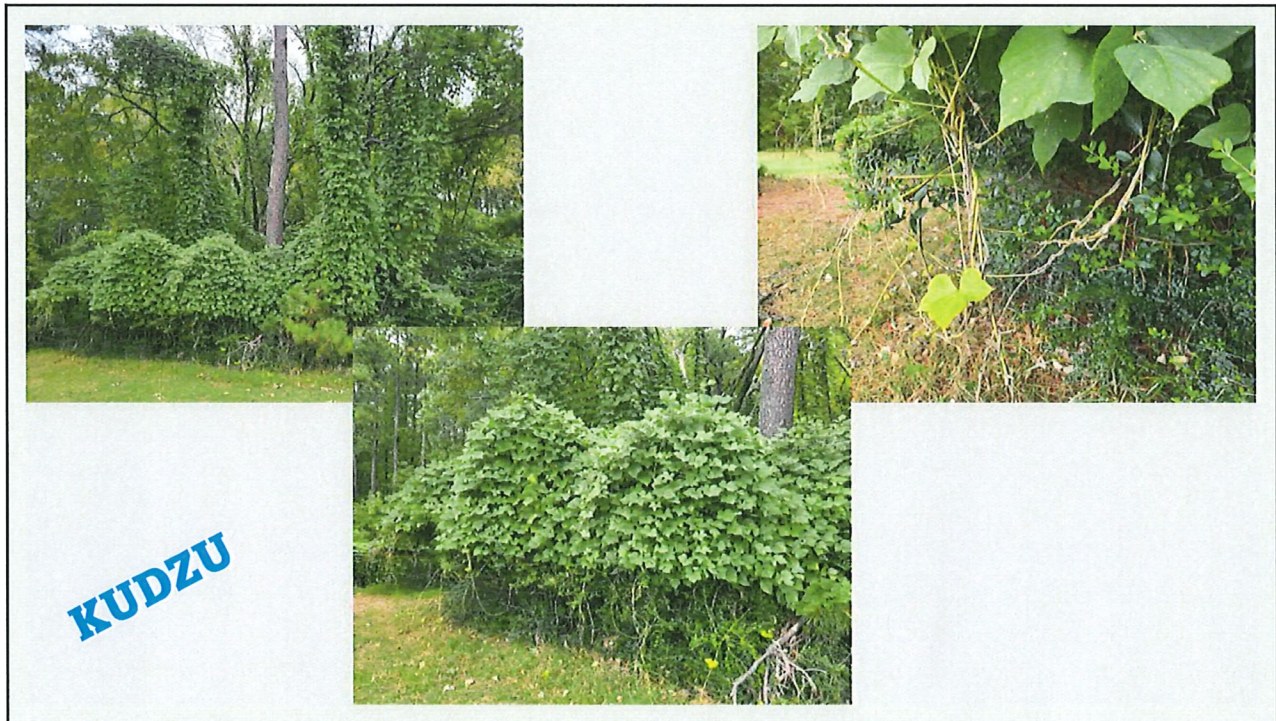
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Proposed Harvest Area Version 3

- Proposed clear cut with access from West H Street for 45-acre, 15-acre and previous 21-acre area.
- Includes large (300 foot) buffer adjacent to 21-acre area.



5



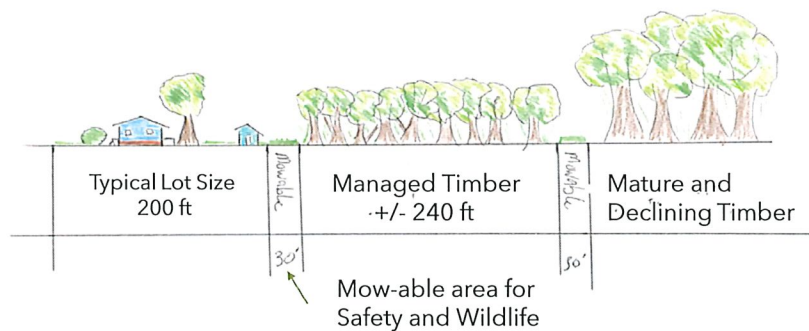
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7

- Primary goal for this harvest is Safety of adjoining property
- Kudzu and Wisteria elimination may take up to 5 years
- Keep the managed timber young and healthy
- Wildlife thrive and flourish on the EDGE

PROPOSED FINAL PRODUCT AFTER
TIMBER HARVEST AND REPLANT



8



2023 MUNICIPAL ELECTION
11/07/2023
ABSTRACT OF VOTES
FOR
GRANVILLE COUNTY, NORTH CAROLINA

INSTRUCTIONS

The county board shall prepare abstracts of all the ballot items in triplicate originals. The county board shall retain one of the triplicate originals, and shall distribute one each to the city or town clerk for the municipality and the State Board of Elections. The State Board of Elections shall forward the original abstract it receives to the Secretary of State. (GS § 163-182.6)

STATE OF NORTH CAROLINA
COUNTY OF GRANVILLE

The County Board of Elections for said county, having opened, canvassed, and judicially determined the original returns of the election in the precincts in this county, held as above stated, do hereby certify that the attached is a true abstract thereof, and contains the number of legal ballots cast in each precinct for each office or referendum named, the name of each person or choice voted for, their party affiliation (where applicable), and the number of votes cast for each person or choice for the item named.

This is the 17th day of November, 2023.

Board Chair

Board Secretary

Board Member

Board Member

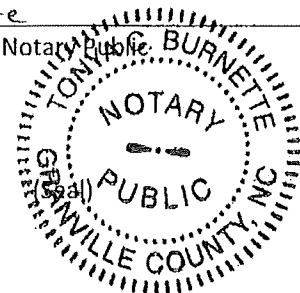
Board Member

This day personally appeared before me, James A. Wall, Sr., Chairman of the County Board of Elections, who being duly sworn, says the abstract of votes herein contained is true and correct, according to the returns made to said Board.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my notarial seal this the 17th day of November, 2023.

Official Signature of Notary Public

Tonya C. Burnette
Printed/Typed Name of Notary Public



My Commission Expires: 9-18-2028

GRANVILLE COUNTY, NC
MUNICIPALS, NOVEMBER 7, 2023

STATISTICS	0001_BUTNER MAYOR BUTNER				0002_BUTNER COUNCIL BUTNER				0003_CREEDMOOR MAYOR CREEDMOOR									
	VOTERS REGISTERED	CAST	CAST	Linda Jordan	Terry Turner	WRITEN	OVER VOTES	UNDER VOTES	H. Daniels	Josh Shank	Ed Sosa	WRITEN	OVER VOTES	UNDER VOTES	Bobby Wheeler	WRITEN	OVER VOTES	UNDER VOTES
BTNR BUTNER	2728	388	0	184	203	1	0	0	281	203	227	11	0	442				
CORI CORINTH	106	21	0															
CRDL CREBLE	1913	498	0															
CRDM CREEDMOOR	3565	277	1	74	40	0	1	0	88	59	68	5	0	125	143	7	0	12
EAOX EAST OXFORD	2097	676	0															
MTEH MT ENERGY	1521	105	0												99	3	0	3
SALM SALEM	231	72	0															
SASS SASSAFRAS FORK	276	96	0															
SOOX SOUTH OXFORD	1567	407	0															
TYHO TALLY HO	594	172	1															
WOEL WEST OXFORD ELEM	1	0	0															
TOTALS	14599	2712	2	258	243	1	1	0	369	262	295	16	0	567	242	10	0	15



Town Manager's Report

December 7, 2023

League of Municipalities Grant Funded Services – Several staff members and I met with Witt O’Brien’s to discuss future grant opportunities for the Town. Witt O’Brien’s is a contracted firm that is working through the League of Municipalities to help local governments identify, apply, and administer grants. This work is being done at no cost to the Town through our agreement with the League of Municipalities. We are hopeful this will lead to potential grant opportunities for the Town. Additionally, we are exploring the possibility for the League to fund an engineering and planning study to evaluate and prioritize sites for potential multipurpose/soccer fields. This could occur at little to no cost to the Town. The need for additional fields and recreational facilities continues to be a priority. More on this in the future. *For Your Information.*

Sidewalk (A to B Street along Central) – NCDOT is moving forward with plans to install a sidewalk along Central Avenue from A to B Street at no cost to the Town. DOT is using remaining funds from the signal upgrade project at the intersection of B Street and Central Avenue and Town staff requested this be repurposed into a sidewalk extension. DOT is finalizing plans with a possibility of work beginning in February 2024. This project would assist in providing better pedestrian access to the Depot District. *For Your Information.*

Tour of Ontic – This month I met with the COO and CEO at Ontic and had the opportunity to tour their facility here in Butner. Ontic is an international company that supports and supplies established aircraft parts to the world’s leading aerospace manufacturers. They are located on Telecom Drive and have been in Butner since purchasing Firstmark Corporation in 2018. They recently finished a major renovation of their 100,000 square foot building and are in a growth mode with significant hiring in process. Over the last three months they have added 20-30 employees and currently have 265 employees. Their goal is to get to 330 employees over the next year. Much of their current hiring is for well-paid aeronautical engineers with a portion of the positions being labor roles. They spoke well of the aeronautical engineering program at NC State and available workforce but recognized the need for additional complimentary industries in this part of the state. *For Your Information.*

Tax Revaluation – Granville County conducts revaluation every six years and is finishing up their revaluation which will update tax assessed property values effective January 1, 2024. The County anticipates mailing new values to property owners in January with appeals beginning as early as February. The final values have not yet been established, but it is well publicized that Granville County’s Sales Assessment Ratio (ratio of tax value to actual sales values) is very low. This indicates current tax values based on 2018 values are significantly lower than actual sales values. We anticipate values going up and would not be surprised with an average increase of 70% or more in Butner. Increases in value alone do not translate into residents paying higher taxes. The Town will adopt a new tax rate with the upcoming budget and is required to prepare a statement of the revenue-neutral property tax rate. This is the rate that is estimated to produce revenue for the next fiscal year equal to the revenue that would have been produced if no reappraisal had occurred. More to come on this as we get into the new year and begin budget preparations. *For Your Information.*

Planning Department Report

DECEMBER 7, 2023



Meetings

- Staff met with CWEP to discuss upcoming Creek Week (March 11-15, 2024)
- Staff met with DFI at UNC for updates to the Gateway Area study
- Staff met with Meritage, Stimmel Associates, ESP Associates, and Town Attorneys to discuss Meritage project
- Staff met with SGWASA to discuss Lift Station projects

Board of Adjustment / Planning Board

- Planning Board scheduled to meet December 14th on the Meritage project
- Board of Adjustment scheduled to meet November 30th for a landscaping variance for Altec

Code Enforcement

- There are three (3) open violations; one (1) was resolved

Altec Gen II Expansion

- Expansion of existing office building and parking lot
- Stormwater deposit paid
- First set of plans reviewed
- **Requested variance from Article 9.6 (landscaping)**



Cookout

- 2538 E Lyon Station Road.
- Demolishing old bank building to construct drive thru restaurant.
- Stormwater deposit paid.
- First set of plans reviewed



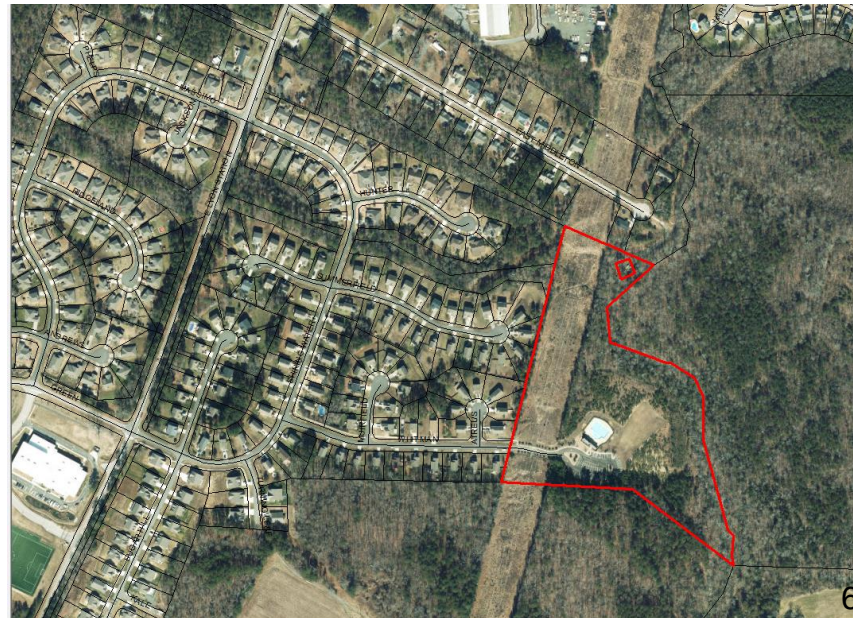
SGWASA Village Ct. Lift Station

- New lift station proposed off Village Court near Tractor Supply
- Stormwater deposit paid
- First set of plans submitted and reviewed



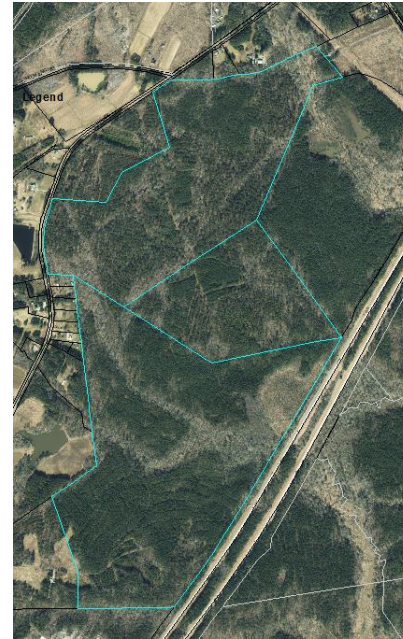
SGWASA E. Middleton Dr. Lift Station

- New Lift Station proposed off E Middleton Drive near Flemming Farm
- Stormwater deposit paid
- First set of plans submitted and reviewed



Meritage Homes

- 800+ lots proposed along W Lyon Station Road
- Planned Unit Development (PUD) Rezoning
- **Rezoning case going before Planning Board 12.14**
- **Anticipated to appear before Council 1.4.24**



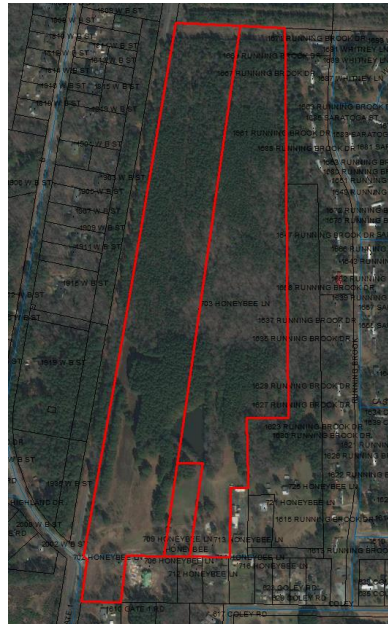
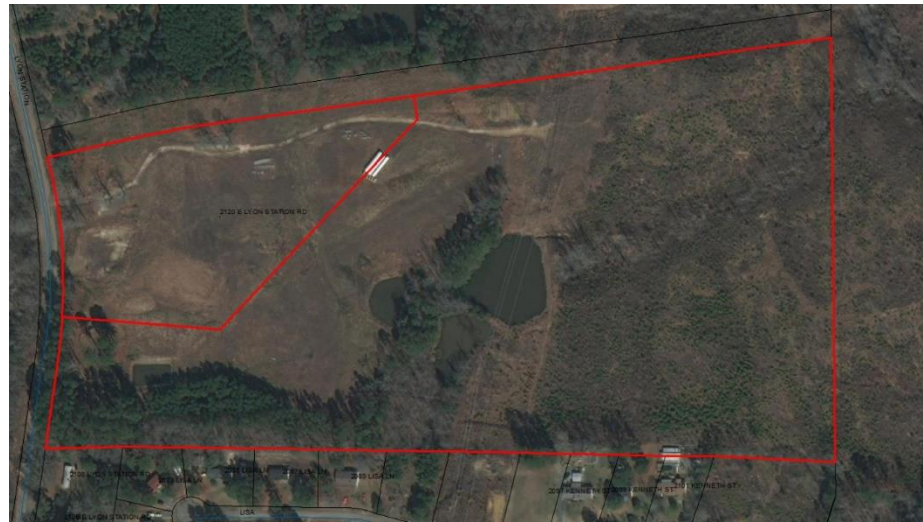
American Hero

- Redesigned plans in CX zoning district
- Concept plan anticipated to appear before Planning Board in January and Town Council in February



Ongoing Projects – (No updates)

- Creedmoor Fuel – awaiting DOT approval
- Tarpey Solar Farm – Final inspection due December 13 prior to C/O
- Stream RV – Under Construction



FIRE SERVICES

Notable Fire Calls and Calls for Services since the last meeting

Fire Incidents November

October 23-November 27

Fire Incidents

Fire Alarm Activations	12
Motor Vehicle Collisions	13
Structure Fire	4
Smoke Scare/Removal	5
Cancelled Enroute/No incident	5
Electrical Problem	3
Outside trash or Brush Fire	2
Gas Leak/Odor of Gas	2
Fuel Spill	1
Total Number of Incidents	42

Notable Events

Butner Public Safety responded to a structure fire at 807 East F St. Upon arrival, units found the deck on the rear of the home on fire. The fire was extinguished with only smoke damage to the home.

POLICE SERVICES

Police Calls and Services for November 2023 (October 23-November 27)

911 Hang Up Calls -	33
Animal Complaints -	5
Arrest -	31
Breaking and Entering-	1
B & E Motor Vehicles -	1
Communicating Threats -	0
Disturbances -	22
DWI -	4
EMS Calls -	23
Juvenile Complaints -	0
Larcenies -	12
Larceny of Motor Vehicles	1

Butner Town Council Meeting
Butner Public Safety Monthly Report
December 7, 2023 (submitted 11/28/2023)
By Chief J.G. Champion

Traffic Stops -	235
Citations issued -	67
Traffic Check Points-	3
Vehicle Crashes"10-50's" -	28
Ride Along -	0
Robbery -	0
Property Checks-	279
Operations Reports Code#5-	307
Calls Resolved without Reports-	614

Notable Events

On 10/29/2023, A shooting occurred at 1591 Rogers Point Lane. An argument between Father and son led to the father shooting his son with a shotgun. The son suffered minor injuries after being shot with bird shot and was transported to the hospital by Granville EMS. Mr. Casey Flowers was taken into custody by BPS officers and charged with assault with a deadly weapon inflicting serious injury. He was placed in the Granville County Detention Center under No Bond.

On 11/20/2023, An assault of an elderly male occurred at the BAP on West B Street. 79 years old Mr. Douglas Haskins of 9th Street was assaulted while walking. Dashaun Wiggins, 23 year old, of Greenville, NC was subsequently apprehended and charged with assault. It was determined that Mr. Haskins had entered the restroom at the BAP where he encountered Wiggins. Mr. Haskins stated, "Happy Thanksgiving" directed at Wiggins just before exiting the restroom. Wiggins followed Mr. Haskins outside and appeared agitated. Wiggins continued to follow Mr. Haskins. Wiggins then violently pushed Mr. Haskins to the ground. Two witnesses came to the aid of Mr. Haskins and pushed Wiggins away. Wiggins entered his vehicle and left the scene. BPS Officers intercepted Wiggins and took him into custody. Mr. Haskins was checked by EMS and subsequently released at the scene after treatment. Wiggins was confined at the Granville County Detention Center under a \$1000 Secured bond.

On 11/14/2023, BPS officers responded to 2082 Longwood Driver in reference to a stabbing. Mr. Jason Poe stabbed his mother, 74-year-old Rachel Poe in the neck. Mrs. Poe was taken to the hospital with serious injuries. Mr. Poe was taken into custody and placed in the Granville County Detention Center under a \$125,000 secured bond.

Butner Town Council Meeting
Butner Public Safety Monthly Report
December 7, 2023 (submitted 11/28/2023)
By Chief J.G. Champion

Chief's Notes

Training hours overview- From October 23-November 27, Butner Public Safety employees participated in 294 hours of fire training and 196 hours of law enforcement training. This includes all training that is attended by Public Safety Officers, Firefighters, Telecommunicators, and civilian personnel.

Butner Public Safety has received a 50/50 grant from the NC League of Municipalities for load bearing vests to reduce the strain that regular duty belts place on the back. The total cost of the grant is \$9,366.89. BPS is responsible for \$4,683.45. BPS did not receive the Forestry Grant this year and \$5000 was approved in the FY 2024 budget for this grant so we will be using those funds to cover the Load Bearing Vest Grant.

Butner Public Safety's first ever Shop with a Cop event is coming up on December 9th. The department received enough donations to sponsor 12 children. BPS solicited the names of children from the local schools and then contacted the parents and to request permission for the child to participate before finally making a decision on the 12 eligible children. After shopping the children will be brought back to the Camp Bunter Room to wrap gifts, watch Christmas movies and have lunch.

Butner Public Safety held a Departmental Meeting on November 16. Information was shared about some of the happenings at BPS and items that were requested in the Capital Improvement Plan. Lt. Massey and members of his platoon along with Sgt. T. Duke prepared a superb meal for the employees to enjoy.