

**Town of Angier  
Board of Commissioners  
Tuesday, December 5, 2023, 6:30 P.M.  
Angier Municipal Building  
28 North Raleigh Street  
Minutes**

The Town of Angier convened during a regularly scheduled Board of Commissioners meeting on Tuesday, December 5, 2023, in the Board Room inside the Municipal Building at 28 North Raleigh Street.

**Members Present:** Mayor Bob Smith  
Mayor Pro-tem Loru Boyer Hawley  
Commissioner Jim Kazakavage  
Commissioner Alan Coats

**Members Excused:**

**Staff Present:** Town Manager Elizabeth Krige  
Town Clerk Veronica Hardaway  
Public Works Director Jimmy Cook  
Planning Director Jeff Jones  
Lead Fellow Faith Grey  
Community Development Coordinator Crissy Porter  
Town Attorney Dan Hartzog Jr.

**Others Present:** Mayor Elect Bob Jusnes  
Commissioner Elect Sheveil Harmon  
Commissioner Elect Ashley Strickland

**Call to Order:** Mayor Smith presided, calling the Board of Commissioners meeting to order at 6:30 p.m.

**Pledge of Allegiance:** Mayor Smith led the pledge of allegiance.

**Invocation:** Mayor Smith offered the invocation.

**Approval of the December 5, 2023 meeting agenda:** The Town Board unanimously approved the agenda with the following amendment: add ARPA Conflict of Interest Policy to New Business Item #6 and a Closed Session pursuant to NCGS 143-318.11 (a)(3) & (6).

**Board Action:** The Town Board unanimously voted to approve the agenda as amended.

**Motion:** Commissioner Coats

**Vote:** 3-0; unanimous

**Public Comment**

Alan Button, 61Karin Court, had concern of the current Board taking action prior to the organizational meeting.

Town Attorney Dan Hartzog, Jr. stated the statute reads the council may fix a date and time of its organizational meeting and may be held anytime after results of the municipal election have been officially determined and published, but not later than the date and time of the first regular meeting of the council in December. It is common for the current Board to handle old business prior to the swearing in of new members.

Mike Hill, 48 S. Park Street, thanked Bob Smith and Alan Coats for their service to the Town.

### **Consent Agenda**

#### **1. Approval of Minutes**

- a. November 8, 2023 – Regular

**Board Action:** The Town Board unanimously voted to approve the consent agenda as presented.

**Motion:** Commissioner Coats

**Vote:** 3-0; unanimous

### **Public Hearing**

#### **1. Austin Gardner (G&J Development) – Conditional Rezoning Request**

Planning Director Jeff Jones stated that staff received a conditional rezoning request from Austin Gardner to rezone approximately 28.537 acres located at 5963 NC 210, Angier, NC (Harnett PINs: 0662-68-5452; 0662-68-6638; and 0662-68-0457) from R-30 to R-10 CZ. The property was annexed on July 5, 2023 and the Planning Board recommended approval of the rezoning request at their November 14<sup>th</sup> meeting.

The subdivision will incorporate 2 access points: NC 210 and N. Harnett School Road. It will contain no less than 11 acres of open space, which is more than 40% of the property net acreage, or twice the requirement. Single-Family lots will not be mass graded. The property is currently vacant and surrounding land uses include low and medium density residential as well as a North Harnett Primary School adjacent to the property. Public water and sewer will be available with Harnett Regional Water.

Mayor Smith opened the Public Hearing.

Don Curry P.E., Curry Engineering, stated they previously requested a straight R-10 rezoning a few months ago. There was consideration to those concerns expressed by neighbors and have been incorporated into the outlined conditions. He understood there was concern from citizens that this project was of high density; however, R-10 is considered medium density according to the Town of Angier ordinance. The density is



consistent with neighboring properties. Harnett Regional Water is supportive of a utility agreement with Angier to provide water and sewer services. There was concern expressed with a single access point on North Harnett School Road, since that time NCDOT has indicated their willingness to grant an access drive on Highway 210 across from Pinecroft Road. The plan would be in the future to incorporate the appropriate turn lane widening associated with this additional access point on Highway 210. Mr. Curry proposed to add an additional 4<sup>th</sup> condition to this rezoning that limits density to less than 3.5 units per acre.

Sue Lundberg, 329 Wheeler Drive, expressed that she doesn't feel the proposed conditions have addressed neighbors concerns. She feels proposed project will populate too much traffic and will create a dangerous situation to school children.

Rose Cotton, 105 N. Harnett School Road, expressed concern in regards to infrastructure. She also suggested to have a one-way in and one-way out, otherwise it could be dangerous since the two access points are so close together.

Chuck Carey, 203 Blair Drive, shared his concern with Angier growing too fast and that traffic and schools are already maxed out.

Mike Collins, 5821 Hwy 210, stated that according to Harnett County records, the proposed project has less acreage than what has been presented. It also indicates that there is a substantial amount of wetlands.

Valerie Tart, 1292 Wheeler Drive, expressed concern regarding safety and density.

Claire Cooper, 226 Hartman Drive, read a letter on behalf of her neighbor, Rev. Chris Turner. She shared his concern in regards to traffic congestion, fast growth and the impact it will have on the primary school.

Alan Button, 61 Karin Court, believed there to be some discrepancies between the development and Angier's code.

Mr. Curry stated they are clearly requesting medium density R-10 which is clearly stated in Angier's code. He informed the Board that due to the development, it is required the developer to upgrade and replace the old water line located in the area of the property in question. There's not a specific site plan just a firm proposal according to code. Angier's code narrows down what can be done in regards to residential subdivisions. They are bound by the State of North Carolina to be ethical and upfront of their designs. These designs are committed to the general health, safety, and public welfare of the community. The access points will be determined by NCDOT whether they are one way or not.

Jeff Jones informed the Board that a PUD (Planned Unit Development) can be placed in an R-30 zoning district through a Special Use Permit. This would allow for multiple housing types that would make it much more dense.

Seeing no one, Mayor Smith closed the Public Hearing.

**Board Action:** The Town Board unanimously voted to deny the proposed Conditional Rezoning Request submitted by Austin Gardner (G&J Development) to rezone approximately 28.357 acres located at 5963 NC 210, Angier, NC from R-30 to R-10 CZ.

**Motion:** Commissioner Coats

**Vote:** 3-0; unanimous

## **2. Meritage Homes – Conditional Rezoning Request**

Planning Director Jeff Jones stated that staff has received a conditional rezoning request of an existing subdivision from Meritage Homes to rezone approximately 57.38 acres located along Hwy 55 S., Angier, NC (Harnett: 0673-83-7341). The applicant is proposing to modify the already approved conditions. The property is currently vacant agricultural land and surrounding land uses include low and medium density residential, as well as a nearby church and office building. The Planning Board recommended approval at their November 14<sup>th</sup> meeting of the proposed Conditional rezoning.

### **Conditions to be Incorporated into the Zoning Regulations:**

- The parcel in question shall only be developed with single family residential lots.
- There shall be no more than 152 total lots on the parcel in question. In the case of a reduction in the total lot count based on unforeseen design constraints, the Planning Director may approve minor adjustments to the proposed subdivision plan.
- The minimum lot size shall be at least 6,000sqft.
- There shall be at least 28 lots greater than or equal to 10,000sqft.
- The minimum width shall be 50ft.
- The minimum building setbacks shall be as required in the R-6 district.
- The proposed Northbound left-turn lane and Southbound right-turn lane improvements on NC 55 shall be installed per NCDOT standards prior to recordation of the 100<sup>th</sup> lot in the subdivision.
- There shall be a Northbound right-turn lane installed on Ennis Rd. to serve the proposed access to the subdivision. This turn lane, along with street connection to Ennis Road, shall be installed to NCDOT standards prior to the recordation of any lots shown on the subdivision plan.
- There shall be a minimum of 19 acres of open space preserved in the proposed subdivision. Open space shall be developed in accordance with Chapter 6 of the Angier Zoning Ordinance.
- The proposed 20ft street buffers along NC 55, Old Buies Creek Rd. and Ennis Rd. shall be installed per the Type A Buffer standards in Section 7.3 of the Angier Zoning Ordinance.
- There shall be curb & gutter and 5ft wide sidewalk installed throughout the proposed subdivision on both sides of each proposed street.
- There shall be curb & gutter and 5ft wide sidewalk installed along the existing roadways adjacent to the subdivision which stub to the North and South of the property in question – Includes: NC 55, Old Buies Creek Rd., and Ennis Road.
- There shall be a 15ft Type A landscaping buffer installed along the rear of lots 40-43 adjacent to the neighboring property prior to recordation of these lots.



Mayor Smith opened the Public Hearing.

Tristan Canooth, Land Development Manager with Meritage Homes, stated they are just simply requesting a change of the sequencing on when they would like to build entrances to the subdivision. Both entrances will still be built and not eliminating one. In terms of recording the plat for phasing, they will record Phase I which is 74 lots as one plat and then Phase II which is an additional 70+ lots.

William Pope, 459 Old Buies Creek Road, stated he is more concerned about the speed limit on Old Buies Creek Road from the split down to Ennis Road. That area is very dangerous with a number of accidents.

It was discussed that the Town Manager and Public Works Director have already communicated this concern with NCDOT.

Amy Draggota, 195 Windsor Drive, asked why there was a traffic change to which Mr. Canooth stated they were pursuing a traffic change due to a pump station being involved and needed to be developed first.

Chuck Carey, 203 Blair Drive, asked that due to the traffic patterns wouldn't it be better to have one of the entrances go out to Hwy 55 first.

Seeing no one, Mayor Smith closed the Public Hearing.

**Board Action:** The Town Board unanimously voted to approve the Conditional Rezoning Request submitted by Meritage Homes for approximately 57.38 acres located along Hwy 55 S, Angier, NC from R-6 to R-6 CZ.

**Motion:** Commissioner Coats

**Vote:** 3-0; unanimous

### **Presentations**

#### **1. Mayor Smith's Farewell Message**

Mayor Smith expressed his appreciation for being able to serve the Town of Angier for 11 years. He commended the new board members.

#### **2. Presentation of Plaque to Outgoing Mayor Robert Smith and relinquishment of seat**

A plaque to Outgoing Mayor Robert Smith was presented by Town Manager Elizabeth Krige.

#### **3. Presentation of Plaque to Outgoing Ward 2 Commissioner Alan Coats and relinquishment of seat**

A plaque to Outgoing Ward 2 Commissioner Alan Coats was presented by Town Manager Elizabeth Krige.

#### **4. Acknowledgement of Taylor Davenport for Flag Boxes**

Town Manager Elizabeth Krige acknowledged and thanked Boy Scout Taylor Davenport on his Eagle Scout project. He helped develop and install flag drop boxes for the retirement of US Flags. One is placed outside the Town Hall Annex building.

**Organizational Meeting: Pursuant to NCGS 160A-68, the Town Governing Body is scheduled to conduct an organizational meeting. Therefore, the following information is provided:**

#### **Oaths of Office**

1. The Oath of Office was given to newly elected Mayor Robert M. Jusnes, Sr. by Town Clerk Veronica Hardaway.
2. The Oath of Office was given to newly elected Ward 2 Commissioner Ashley Strickland by Town Clerk Veronica Hardaway.
3. The Oath of Office was given to newly elected Ward 4 Commissioner Sheveil Harmon by Town Clerk Veronica Hardaway.

#### **Election of Mayor Pro-Tempore**

1. **Pursuant to NCGS 160A-70 & Article II, Section 2-36 of the Town Code of Ordinances, the new Board is to elect a Mayor Pro-Tem amongst its members. As for Mayor Pro-Tem responsibilities, please refer to the Town of Angier Charter Article II, Section 2.4.**

Mayor Jusnes called for nominations to elect Mayor Pro-Tem.

**Board Action:** The Town Board voted to nominate Ashley Strickland as Mayor Pro-tem.

**Motion:** Commissioner Hawley

**For:** Commissioner Kazakavage

**Abstained:** Commissioner Strickland; Commissioner Harmon

**Break Tie:** Mayor Jusnes did not vote in favor of the motion

**Vote:** 2-2; motion failed

**Board Action:** The Town Board voted to nominate Sheveil Harmon as Mayor Pro-tem.

**Motion:** Commissioner Strickland

**For:** Commissioner Harmon

**Opposed:** Commissioner Hawley; Commissioner Kazakavage

**Break Tie:** Mayor Jusnes voted in favor of the motion.

**Vote:** 3-2; motion carried

The Oath of Office was given to Sheveil Harmon as Mayor Pro-tem by the Town Clerk.

## **New Business**

### **1. Re-appointment of Town Attorney**

Pursuant to the Town of Angier Code of Ordinances Chapter 2, Article III, Division 4, Section 2-141; at the first meeting of the Town Board after their election and qualification, or as soon thereafter possible, they shall appoint (or reappoint) a Town Attorney.

**Board Action:** The Town Board unanimously voted to re-appoint Dan Hartzog Jr. as Angier's Town Attorney.

**Motion:** Commissioner Hawley

**Vote:** 4-0; unanimous

### **2. Resolution #R018-2023 – to Adopt Town of Angier's 2024 Holiday Schedule**

**Board Action:** The Town Board unanimously voted to approve Resolution #R018-2023 to adopt Angier's 2024 Holiday Schedule.

**Motion:** Commissioner Kazakavage

**Vote:** 4-0; unanimous

### **3. Resolution #R019-2023 – to Adopt Angier Board of Commissioner's 2024 Meeting Schedule**

Pursuant to NCGS 160A-71 and the Town of Angier Code of Ordinances Article II, Section 2-33, the governing body is to adopt a meeting schedule.

**Board Action:** The Town Board unanimously voted to approve Resolution #R019-2023 to adopt the 2024 Town Board Meeting Schedule.

**Motion:** Commissioner Kazakavage

**Vote:** 4-0; unanimous

### **4. Board Opening & Application Procedures Policy**

Town Manager Elizabeth Krige stated that this policy is to announce and promote advisory board openings of which the Board of Commissioners makes appointments. It gives a timeline for the applications to be submitted to the Town Clerk and outlines how those vacancies will be filled.

Mayor Jusnes added that the purpose of the advisory boards is to get a diverse opinion across the town. He suggested adding a section in the policy that makes sure those boards remain as diverse as possible. In regards to the Selection and Appointments to increase opportunities for citizen participation it was recommended to add the following verbiage:



“members of the Board of Commissioners shall not have members of their household or immediate family appointed to any of the Town of Angier advisory boards. For these purposes, a household is all the people living in a housing unit and immediate family would include spouse, mother, father, brother, sister, daughter, son, aunt, uncle, grandparent, and in-laws”.

**Board Action:** The Town Board unanimously voted to approve the Board Opening & Application Procedures Policy with the addition of the recommended section.

**Motion:** Commissioner Kazakavage

**Vote:** 4-0; unanimous

## **5. Resolution #R020-2023 of Support Lead Line Replacement**

Public Works Director Jimmy Cook explained that the EPA is requiring all utility systems to do an inventory of their surface lines going to residences. They want to define what type of service line is going to houses. The Town is working with WithersRavenel to submit a grant to hire a contractor to those lines we're not familiar with. There is approximately over 1,000 lines we're not sure what type of materials they are.

Staff is requesting the Board give authorization to the Manager to proceed with hiring WithersRavenel at a cost of (\$7,500) dollars to process the grant/loan application with a max grant/loan amount of \$500,000 and an approved Resolution by the Town of Angier for Lead Services Line Find and Replacement Project.

**Board Action:** The Town Board unanimously voted authorize the Town Manager to proceed with hiring WithersRavenel at a cost of (\$7,500) dollars to process the grant/loan application with a max grant/loan amount of \$500,000 and approve a Resolution for Lead Services Line Find Replacement Project.

**Motion:** Commissioner Strickland

**Vote:** 4-0; unanimous

## **6. ARPA Policies**

Lead Fellow Faith Grey stated that as a result of working with the NC League of Municipalities and Parker Poe, the policies necessary to expend American Rescue Plan Funds have been drafted. In order to begin work on dedicating the funds the Town received to projects, the Board will need to adopt the following policies: Cost Principles, Eligible Use, Conflict of Interest, Internal Controls, Nondiscrimination, Property Management, and a Record Retention Policy.

**Board Action:** The Town Board unanimously voted to adopt the aforementioned policies to move forward in the process of dedicating and expending the funds received through ARPA.

**Motion:** Mayor Pro-tem Harmon

**Vote:** 4-0; unanimous



## **Manager's Report**

Ms. Krige thanked Mayor Bob Smith and Commissioner Alan Coats for their service to the Town. Their dedication and leadership have truly made a positive impact on our community. She is thankful for the opportunity to work with them as elected officials and hope they will continue to work with the Town as advocates in the community.

Ms. Krige updated the Board on various items:

### **Grants**

The Town continues to seek grant funding for projects and equipment. Each year, the Police Department receives equipment grants from the Governor's Crime Commission and the Bulletproof vest partnership. Additionally, the Town received funding from NCDOT to complete a pedestrian and bicycle plan.

The Town is also taking advantage of free services provided by the North Carolina League of Municipalities. Staff will make the Board aware as more grant opportunities become available.

### **On-going project updates:**

#### **a. Waste Water Treatment Plant Capacity Purchase**

The Town of Angier owns approximately 14% of the Harnett County Waste Water Treatment Plant and is contractually obligated to pay for upgrades to the plant. Harnett County received 5 bids for the plant upgrades. The lowest bidder was Adams Robinson at \$104,121,000 and the County Commissioners plan to award the project at the December 4<sup>th</sup> meeting. The estimated cost for Angier's portion of the project is \$15,468,889. The Town was awarded \$6.1 in 2021 and 2022. An additional \$9 million was appropriated in the 2023-25 budget which will cover most of the project.

#### **b. Park Expansion**

Town staff met with WithersRavenal on creating a phased approach to the proposed park off Campbell Street. Adjacent property owners were contacted to begin conversations about acquiring a second entrance. The town will likely pursue Part F grant funding in 2024.

#### **c. Town Hall Annex- 32 W Williams Street**

The following is a report on the purchase of 32 W Williams Street.

- 1) Initially, a purchase price of \$250,000, was discussed but the property owner indicated that was not the final price and he would come back to the town with a firm number, which was \$325,000. Because of time constraints, the Board did not feel an appraisal was necessary and the proximity of the building was ideal.

- 2) The following inspections were conducted: radon, termite and mold. Reports were received a week before the closing date. Mold was found to be elevated in only one area of the building. Quotes to mitigate the mold are still being received and will be presented for the Board's approval.

**d. Police Station Construction**

After consultation with the USDA and the town's attorney, it was determined that the RFQ should be re-advertised. Site work, including the Phase II Environmental assessment and geotechnical work is moving forward. A report is expected from Terracon in the next month. This test/analysis are required for the construction of a public building.

**Mayor & Town Board Reports**

**Board Action:** The Town Board unanimously voted to go into Closed Session pursuant to NCGS 143-318.11 (a)(3); (a)(6) at approximately 9:10pm.

**Motion:** Commissioner Hawley

**Vote:** 4-0; unanimous

**Board Action:** The Town Board unanimously voted to reconvene at approximately 10:03pm.

**Motion:** Mayor Pro-tem Harmon

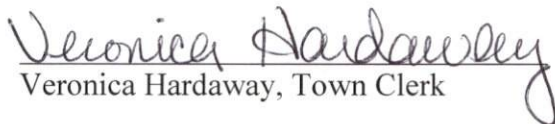
**Vote:** 4-0; unanimous

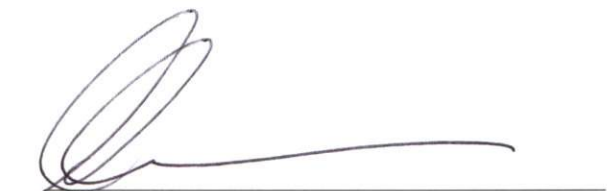
**Adjournment:** Being no further business, the Town Board voted unanimously to adjourn the meeting at 10:03pm.

**Motion:** Commissioner Hawley

**Vote:** 4-0; unanimous

Attest:

  
Veronica Hardaway, Town Clerk

  
Robert M. Jusnes, Sr., Mayor

