

**Town of Angier
Board of Commissioners'
Minutes
Tuesday, June 7, 2016, 7 p.m.
Angier Municipal Building**

The Town of Angier convened during a regularly scheduled Board of Commissioners' meeting Tuesday, June 7, 2016, in the Board Room inside the Municipal Building at 28 North Raleigh Street.

Members Present: Mayor Lewis W. Weatherspoon
Mayor/Pro Tem Commissioner Bob Smith
Commissioner Jerry Hockaday
Commissioner Craig Honeycutt
Commissioner Alvis McKoy

Staff Present: Town Manager Coley B. Price
Police Chief Bobby Hallman
Public Works Director Jimmy Cook
Finance Director Vanessa Young
Planning and Permitting Technician Sean Johnson
Librarian Amanda Davis
Town Clerk Kim Lambert
Public Works Technician Brandon Johnson
Public Works Technician Buck Brooks

Others Present: Planning Board Chairman Everett Blake, III
Planning Board Vice-Chairman Tom Taylor
Planning Board Members Lee Marshall
Tyler Douglas represented *The Daily Record*

2. Mayor Weatherspoon presided, calling the Board of Commissioners' meeting to order at 7 p.m.
3. Commissioner Alvis McKoy led the pledge of allegiance and offered the invocation.
4. **Approval of the June 7, 2016, meeting agenda:** There were two modifications to the June 7, 2016, Agenda. Certified Public Accountant Christopher Abbott had submitted his annual Contract renewal *after* the Agenda had been distributed; therefore, Town officials added Mr. Abbott's tentative Contract as Consent Agenda Item #6I. Mayor Weatherspoon requested that Item #7A -- a Request to use the Jack Marley Park submitted by BAGS Founder Bobby Green -- be included.

Board Action: Citing the two modifications, the Town Board unanimously voted to approve the June 7, 2016, Agenda as suggested. (Attachment #1).

Motion By: Commissioner Smith
Seconded By: Commissioner McKoy
Vote: Unanimous, 4~0

5. Introduction of newly appointed Harnett County Sheriff Wayne Coats.

Mayor Weatherspoon introduced Sheriff Coats, whom he said had been appointed to his new post March 21, 2016, and administered the oath of office March 22, 2016, following the resignation of former Sheriff Larry Rollins. He said the 22-year law enforcement veteran had spent 20 of those years with the Harnett County Sheriff's Office – most recently as Major in Charge of Patrol. The mayor said he would be fulfilling the remainder of Sheriff Rollins' term, due to expire November, 2018.

Sheriff Coats informed the Board and audience of his family including wife, Diana Webb Coats, their three children and one grandchild. He thanked God for leading him to his current position as sheriff and noted that Angier Police Chief Bobby Hallman had actually served as his sergeant in 1999.

6. Consent Agenda: The Board unanimously voted to approve the Consent Agenda as presented.

- A. Minutes ~ May 3, 2016, Town Board Meeting Minutes and the May 16, 2016, Special~Called, Budget Workshop (Attachments #2 and #3).
- B. Budget Amendments #BOA2016.32 and #BOA2016.33. (Attachments #4 and #5).
- C. Resolution to continue participation in the NC Small Town Main Street program for 2016 ~ 2017 (Attachment #6).
- D. Resolution to contract with EnviroLink regarding Utility Management and a Utility Process Review (Attachment #7).
- E. Resolution to renew the Engineer Retainer with DM2 Engineering, PLLC (Attachment #8).
- F. Proposal for Surveying, Engineering, and Permitting Services for the Rawls Church Road and Atkins Road Water Distribution System Expansion (Attachment #9).
- G. Harnett and Wake County Property and Levy Tax Collections (Attachment #10).
- H. Potential Contract with Economic Development Specialist Ted Abernathy (Attachment #11).
- I. Potential renewal Contract with Christopher Abbott, CPA, for the coming year (Attachment #12).

Board Action: The Board unanimously voted to approve all items considered under the Consent Agenda.

Motion By: Commissioner Smith
Seconded By: Commissioner Honeycutt
Vote: Unanimous, 4~0

7. **Public Forum:** Mayor Weatherspoon provided an opportunity for audience members who wished to address the Board of Commissioners on topics in some way related to the Town of Angier and issues *not* listed on the Agenda.

Planning Board Chairman Everett Blake, III, of 352 Gardner Road, approached the Board, thanking them for permitting him and other Planning Board officials to attend a Regional Planning and Regulation Workshop in RTP. He commended the Town Board for their continual support of the Angier Planning Board.

Seeing no one else come forward, Mayor Weatherspoon closed the public forum.

7A. Request to Use the Jack Marley Park.

Mayor Weatherspoon recognized representatives from BAGS on behalf of Bobby Green, who was reportedly sick and unable to attend. Crystal Baker of Beard Drive in Lillington and Marietta McLean of McLean Chapel Church Road in Bunnlevel addressed the Town Board in Mr. Green's absence. They explained their desire to host a kickball tournament/fundraiser Saturday, June 25, 2016, inside the Jack Marley Park as a joint project of BAGS and SWAP (Shawtown with Angier Progressing). They had suggested an 11 AM-4 PM timeframe to host the event; however, Parks and Recreation Director Derek McLean informed Town officials that the field would be unavailable until 1 PM June 25. Ms. Baker and Ms. McLean were receptive to postponing the kickball tournament to 1 PM. During the event, they hoped to bridge the gap between young athletes from Shawtown and The Town of Angier; provide the youth a safe, enriching activity; while formulating a partnership with the communities involved.

The Applicants, Ms. Baker and Ms. McLean, were advised that they would be required to attain Liability Insurance for the event; they needed to contact Derek McLean to see if any fees were required to use the facility; and they had to provide Angier Town Hall proof of Liability Insurance prior to the June 25, 2016, event.

Board Action: The Board unanimously voted to approve the BAGS and SWAP organizations use of the Jack Marley Park June 25, 2016, after 1 PM provided they show proof of Liability for the kickball event.

Motion By: Commissioner McKoy
Seconded By: Commissioner Honeycutt
Vote: Unanimous, 4~0

8. Public Hearings:

A. The Town of Angier's 2016~2017 Operating Budget Ordinance.

Mr. Price provided a PowerPoint presentation regarding the proposed 2016 ~ 2017 Town of Angier annual Operating Budget Ordinance. Among the fee increases proposed for the coming year included Advertising Expenses added to Annexation Fees; Commercial Building Inspection Fees to match Harnett County's; a \$ 1 increase for the In-Town Water Base and Sewer Flat Rate; and a \$ 2 increase for the Out-of-Town Water Base and Sewer Flat Rate, respectively. Among proposed

changes was increasing the Disconnect Fee to \$ 75 after three or more within one calendar year.

The proposed Town of Angier Budget was stated as \$ 6,369,735, including \$ 3,335,362, for the General Fund; \$ 2,894,989, for the Water/Sewer Fund; and \$ 139,384, for the Powell Bill Fund. The Property Tax Rate will remain at 53 cents for Real Property; and estimated Major Revenues at \$ 2,917,341. Major Expenditures are estimated at \$ 2,997,406, to include \$ 821,767, for Administration; \$ 1,034,596, for Police; and \$ 1,141,043, for Cultural and Public Services (Sanitation, Streets, Recreation, and Library).

Among the highlights mentioned were that most departments had remained near the same level of funding with variable factors attributed to built-in contract increases; capital equipment needs; and cost-of-living increases. There was a proposed increase to Professional Services due to contracting an Economic Development Consultant, a Land-Use Consultant, a Transportation Consultant, and the updating of the Town's UDO.

There is a proposed 39.43 percent or \$ 818,737, increase in the Water/Sewer Fund, from last year's estimate of \$ 2,076,252, to \$ 2,894,989. Reasons for the increase include capital outlays of: a \$ 210,650 Booster Pump at Johnson's Land-ing; a \$ 400,000 Distribution Expansion on Rawls Church Road; a \$ 90,000 fee for Engineering of the Water Tank Project; a \$ 15,000 Water/Sewer Review fee; \$ 30,000 for a Generator at Pump Station #4; a \$ 15,000 Sewer Metering Station; a \$ 35,000 upgrade to the Neill's Creek Interceptor Line; and \$ 100,000 for transferring funds to the Capital Reserve Fund.

The mayor opened a Public Hearing as advertised in the newspaper. Seeing no one come forward, Mayor Weatherspoon then closed the Public Hearing, entertaining a motion to adopt The Town of Angier's annual Operating Budget Ordinance for 2016 ~ 2017.

Board Action: The Board unanimously voted to adopt The Town of Angier's annual Operating Budget Ordinance for 2016~2017.

Motion By: Commissioner Smith
Seconded By: Commissioner McKoy
Vote: Unanimous, 4~0

B. A Petition for Annexation as submitted by Southern Acres, LLC.

Mr. Price updated the Town Board, reminding them that a Petition for Annexation for the property located on Atkins Road, Fuquay~Varina, had been submitted by Southern Acres, LLC. (Harnett County PINs #0664-94-1836.000 and #0664-84-0935.000). Using a PowerPoint slide, Mr. Price explained that Voluntary Annexation is typically a 2.5-month process following direction via the General Statutes.

The mayor opened a Public Hearing as advertised in the newspaper.

Debra Miller of 552 Atkins Road, Fuquay-Varina, approached the Board, explaining that the prospective development would abut her property. She said that a verbal agreement had been made concerning the sale of property, claiming the original owner had been deceived. She cited unbearable congestion and the loss of a country setting as reasons she opposed the potential Annexation.

Shannon Fogl of 232 Vuncannon Drive, Fuquay-Varina, approached the Board, expressing her displeasure with a potential subdivision. Calling the situation upsetting, Ms. Fogl said she was shocked that protected trees had been leveled, endangered woodpeckers had been displaced and that a 100-year-old flood plain with natural water spouts had been disrupted.

Mike Lamirand of 355 Vuncannon Drive, Fuquay-Varina, approached the Board, saying contractors had knocked down five trees in his yard. He was concerned as to how the Town would handle run off and asked officials to consider requiring a berm or fencing be implemented.

Lisa H. Munday of 151 Vuncannon Drive, Fuquay-Varina, approached the Board, expressing concern that the Angier Planning Board had found no immediate effect to neighboring communities. She said no Town officials had approached her and felt the proposed secondary exit through Kinnis Creek was concerning. She said the Town's Land-Use Plan needed updating and had not been revised in 10 years. Ms. Munday compared the potential Southern Acres' development to the proposed Tippet Place Apartment Complex, saying it, too, should be denied based on the Town seeking steady, slow growth as opposed to instant, immediate growth.

Gary Adcock of 606 Atkins Road, Fuquay-Varina, approached the Board, saying that he appreciated the Town's desire to grow, but is concerned as to how it can retain its budget with such an increase to its infrastructure. He said Southern Acres would become the fourth subdivision to develop within one-half mile of his residence. Mr. Adcock urged to Town Board consider the added congestion, safety concerns, and potential constraint to its budget.

Lin Penner of 10 Blalock Drive, Fuquay-Varina, approached the Board, expressing concern regarding the response time of local law enforcement. He said that his daughter's safety had been comprised by an intruder some years back, reporting that it took local Sheriff's deputies two hours to respond to the scene.

Seeing no one else come forward, Mayor Weatherspoon closed the Public Hearing and reconvened the Town Board meeting. He said that the Town Board would discuss the Annexation issue before entertaining a motion. After a moment of discussion, the Board brought the Annexation petition up for a vote.

Board Action: The Board unanimously voted to *approve* the Ordinance for Voluntary Annexation by Southern Acres, LLC.

Motion By: Commissioner Hockaday
Seconded By: Commissioner Smith
Vote: Unanimous, 4~0

C. A Rezoning Request as submitted by Southern Acres, LLC.

Mr. Price updated the Town Board, reminding them that a Request to Rezone the property located on Atkins Road, Fuquay-Varina, had also been submitted by Southern Acres, LLC. (Harnett County PINs #0664-94-1836.000 and #0664-84-0935.000). The property owners had requested rezoning from Harnett County's current classification of RA~30 to The Town of Angier's R~15 zoning.

Planning & Permitting Technician Sean Johnson said the site includes vacant agricultural land on the western side, a wooded portion on the eastern side, and surrounding land uses included low- and medium-density residential and farmland. The developer, he said, was in the midst of obtaining the private easements required to install a sewer line to serve the proposed subdivision. The sewer line would connect to The Town of Angier sewer system via a manhole on Chalybeate Springs Road, to be turned over to The Town upon completion. The Town, he said, is working toward installation of a water line to serve the proposed development. If The Town of Angier is unable to transmit water at time of construction, an Agreement with Harnett County is in place allowing the developer to tap onto County water first, then connecting to Angier's water once in place.

He said the Planning Board, in May, had deemed (1) the impact to the adjacent property owners and surrounding community is reasonable, and benefits of rezoning outweigh any potential inconvenience or harm to the community. He said they deemed (2) the requested rezoning district as less dense than the existing Land Use classification/recommendation of the 3-6 units per acre. Mr. Johnson said the Planning Board (3) deemed the proposed site as potentially enhancing or maintaining public health, safety and general welfare. He said they (4) confirmed the request was not for a small scale rezoning, but would benefit The Town of Angier as a whole. The Planning Board had unanimously recommended approval at their meeting in May.

The mayor opened a Public Hearing concerning this rezoning request.

Robin Romirand of 355 Vuncannon Drive, Fuquay-Varina, approached the Board, expressing concern regarding the second exit proposed inside the Kinnis Creek development.

Lisa H. Munday of 151 Vuncannon Drive, Fuquay-Varina, reapproached the Board, claiming that the Town officials had already preliminarily made their decision to annex and rezone the proposed subdivision.

Debra Miller of 552 Atkins Road, Fuquay-Varina, reapproached the Board, questioning how they would deal with the redirected flow of water.

Shirley Colson of 397 Vuncannon Drive, Fuquay-Varina, approached the Board, expressing concern of a potentially decreased migration of birds, the protection of migratory birds and protected species of trees on the proposed site under development.

Mike Romirand of 355 Vuncannon Drive, Fuquay-Varina, reapproached the Board, expressing concerns including how officials will deal with water run-off.

Janela Cancel of 168 Vuncannon Drive, Fuquay-Varina, approached the Board, expressing concerns including increased traffic and kids' safety.

The mayor closed the Public Hearing, reconvening the Board of Commissioners' regular meeting. Commissioner Smith told the audience he had heard the citizens' concerns, but felt that growth within the Town was imminent. He said that Town officials' responsibility in proactively preparing for growth 5 to 15 years in advance could be challenging.

Mayor Weatherspoon entertained a motion regarding the rezoning request.

Board Action: The Board unanimously voted to *approve* the rezoning request by Southern Acres, LLC.

Motion By: Commissioner Smith
Seconded By: Commissioner McKoy
Vote: Unanimous, 4~0

Mayor Weatherspoon administered a five-minute break for attendees to exit. Following the break, the mayor re-opened the Public Hearing.

D. Town of Angier's Water Quality Protection/Backflow Ordinance, Section 17.31.

Public Works officials including Director Jimmy Cook, Brandon Johnson, and Buck Brooks addressed the Board, illustrating what a Backflow apparatus looked like. They cited numerous businesses considered potentially highly hazard including car washes, residential irrigation, physician's offices and other commercial accounts. Officials said that, during this past testing of Backflows, there was a 60 percent failure rate where six (6) of ten (10) components failed. Officials suggested The Town of Angier require owners to have the Backflows tested on an annual basis, estimating the costs to have those tests conducted at \$ 75 to \$ 150 each year.

Monitoring the Backflows would be done online with customers receiving a confirmation number once their system has been tested. Customers would be provided a list of designated testing companies by Public Works officials.

Commissioner Smith said that it was pertinent that The Town of Angier protect its water supply, but expressed concern as to a 300 percent increase in costs to its customers.

Mayor Weatherspoon requested more data from Town officials.

He then closed the Public Hearing, reconvening the regular meeting.

Board Action: The Board unanimously voted to *table* any action regarding the proposed Text Amendment to the Backflow Ordinance, 17.31, until the next meeting of the Town Board.

Motion By: Commissioner Smith
Seconded By: Commissioner Hockaday
Vote: Unanimous, 4~0

9. Manager's Report


Town Manager Price informed Town Board officials of numerous events that had taken place including:

- Mr. Price and Mayor Weatherspoon participating in the 2016 Town Hall Day sponsored by the NC League of Municipalities.
- Mr. Price was to attend the NCCCMA Conference in Asheville from Wednesday, June 22 through Sunday, June 26, 2016.
- The Town offices were to be closed Monday, July 4, 2016, in observance of Independence Day.
- The Arts Council was to host its Harnett County Folklife Survey presentation by State Arts Council contractors June 23, 2016.
- An update was presented regarding:
 - The 15th annual BikeFest slated for Saturday, June 4, 2016.
 - Planning Board officials attending the Regional Board Workshop for Planning and Development Regulations at RTP ~ Thursday, June 2, 2016.
 - Our Free Movies and Concerts in Depot Square/R.H. Ellington Grounds.
 - The events sponsored by an NC Arts Council Grassroots Funding grant at Angier Elementary and Coats Elementary.
 - Mr. Price and Mayor Weatherspoon attended the 2016 State of the RTP Region Conference with Harnett County officials May 19, 2016.

10. **Adjournment:** The Board voted unanimously to adjourn the meeting at 9:03 PM.

Motion By: Commissioner McKoy
Seconded By: Commissioner Smith
Vote: Unanimous, 4~0


Lewis W. Weatherspoon, Mayor

Attest: 
Kim Lambert, Town Clerk

