

**Town of Angier  
Board of Commissioners  
Workshop Session  
Tuesday, March 27, 2018, 6:30 P.M.  
Angier Municipal Building  
28 North Raleigh Street  
Minutes**

The Town of Angier convened during a regularly scheduled Board of Commissioners Workshop Session meeting Tuesday, March 27, 2018, in the Board Room inside the Municipal Building at 28 North Raleigh Street.

**Members Present:** Mayor Lewis W. Weatherspoon  
Mayor Pro-Tem/Commissioner Craig Honeycutt  
Commissioner Loru Boyer Hawley  
Commissioner Bob Smith  
Commissioner Mike Hill

**Staff Present:** Town Clerk, Veronica Hardaway  
Public Works Director Jimmy Cook  
Planning and Permitting Technician Sean Johnson  
Town Engineer Bill Dreitzler  
Town Attorney Al Bain

**Others Present:**

1. **Call to Order:** Mayor Weatherspoon presided, calling the Board of Commissioners meeting to order at 6:30 p.m.
2. **Pledge of Allegiance:** Mayor Weatherspoon led the pledge of allegiance.
3. **Invocation:** Commissioner Smith offered the invocation.
4. **Approval of the March 27, 2018, meeting agenda:** The Town Board amended the Agenda; adding a new Item #5 to be a Closed Session; making current Item #5 now #6, making current Item #6A now #6B; making current Item #6B now #6A; adding Item #6C Discussion of Campbell University Banners; Adding Item #6D National Day of Prayer Event, changing Item #6 to become Item #7.

**Board Action:** The Town Board unanimously approved the March 27, 2018 meeting agenda with the above amendments.

**Motion:** Commissioner Smith  
**Second:** Commissioner Hawley  
**Vote:** Unanimous, 4-0

## **5. Closed Session:**

Commissioner Hawley made a motion, seconded by Commissioner Hill to go into Closed Session at 6:34pm pursuant to NCGS 143-318.11 (a) (3) to consult with the Town Attorney on a legal matter and also NCGS 143-318.11 (a) (6) to discuss a personnel matter. Unanimous.

Commissioner Hill made a motion, seconded by Commissioner Hawley to reconvene in open session at 6:46pm. Unanimous.

## **6. New Business:**

### **A. Presentation on HB436 by Cecil Rhodes from Envirolink.**

Cecil Rhodes, consultant from Envirolink, discussed the Town's HB 436 System Development Fee Analysis. He stated that HB 436 prompted municipalities to initiate this required analysis as a result of the Carthage Case (developer sued Carthage for development fees) which found that cities did not have statutory authority to charge fees for future development and that municipalities were potentially liable for ten years worth of fees charged. HB 436 is an act to provide for uniform authority to implement system development fees for public water and sewer systems in North Carolina and to clarify the applicable statute of limitations. This act is cited as the "Public Water and Sewer System Development Fee Act", and states that current fees will no longer be valid after July 1, 2018. Prior to HB 436, the statutes stated that municipal systems "may establish and revise from time to time schedules of rents, rates, fees, charges, and penalties for the use of or the services furnished by any public enterprise. G.S. 160A-314; G.S. 153A-277. HB 436 has clarified and established that municipal systems may establish and revise from time to time schedules of rents, rates, fees, charges, and penalties for the use of or the services furnished by or to be furnished by any public enterprise. G.S. 160A-314; G.S. 153A-277.

Mr. Rhodes stated a System Development Fee is a charge or assessment for service imposed with respect to new development to fund costs of capital improvements necessitated by and attributable to such new development, to recoup costs of existing facilities which serve such new development, or a combination of those costs. The term includes amortized charges, lump-sum charges, and any other fee. However, the term does not include charging the following: a fee to pay the administrative, plan review, or inspection costs associated with permits required for development, tap or hookup charges for the purpose of reimbursing the local government unit for the actual cost of connecting the service unit to the system, availability charges, or dedication of capital improvements. The conforming deadline is July 1, 2018 for fees in effect on October 2017 that are not calculated in accordance to legislation. The fees associated with the act must have a standalone written analysis which includes components of an adopted capital improvement plan, must be prepared by a qualified financial professional or a licensed professional engineer, be reasonably detailed and identified to all assumptions and limiting conditions, and employ generally accepted accounting, engineering and planning methodologies.

Mr. Rhodes stated the act produces a maximum per unit service fee that can be applied/adapted to different customer classes and can charge less if desired, but must have a calculation for the maximum. The Public Water and Sewer System Development Fee Act requires the analysis to be posted on the Town's website for receiving comments/suggestions 45 days before fees are considered for adoption by the Board. A public hearing must then be set and the new System Development Fee may then be adopted by the Board. The analysis must be published in the annual budget or rate plan or ordinance and must be updated at least every 5 years in order to continue to use it. The Town of Angier has the potential to lose its current acreage and capacity fees which total \$2,109 per single family unit without approving this new methodology and fee. Based on the results of this analysis, the maximum fee that can be charged is \$2,659.33. The Board may choose to charge less, but cannot exceed that amount.

Planning and Permitting Technician Sean Johnson stated the Town would still have the authority to charge a water and sewer access fee, which is recommended to be changed to "regulatory fees", as well as water meter fees. Mr. Johnson suggested the Board decide the amount in total they would like to charge and then decide how that amount is divided between the developer when they have the final plat approved and the builder when they apply for their building permit. As of now, the cost burden is shared between the two entities. The developer usually pays for acreage and capacity fees and the builder pays the access and meter fees. If the Board chooses to charge the maximum suggested number by the study conducted, more of the cost would fall on the developer if the access fee stays the same.

Town Engineer Bill Dreitzler stated that the Town would be adjusting the acreage and capacity fees to the HB436 required System Development Fee based on the specific analysis conducted.

Staff present at the meeting were in agreement to recommend that the Board adjust the current fees to the resulting amount produced through the analysis performed by Envirolink.

It was the consensus of the Board to charge the amount that Envirolink's consultant has recommended to the \$2,659 maximum amount.

Mayor Weatherspoon requested the Clerk to add HB436 to the Consent Agenda for April's meeting.

## **B. Planning Board Applicant Interviews**

The interview schedule for Planning Board candidates were as follows:

1. Christina Kazakavage
2. Samuel Gregory
3. David Hardison

Each candidate had a fifteen (15) minute question and answer session during an open session with the Town Board. After a five minute introduction, members of the Town Board asked each candidate questions.

Mayor Weatherspoon informed each candidate that appointments will be made at the Board of Commissioners' regularly scheduled meeting April 3, 2018 at 7pm.

### **C. Campbell University Banners**

Public Works Director Jimmy Cook stated sealed bids were opened on March 26, 2018 at 2:00pm. The Town received only one bid from Mosca Design. Specs of the banners are what is currently being used on the Town of Angier banners.

Mayor Weatherspoon stated Mr. Cook did exactly what was requested in order to get quotes but suggested to reject the bid received and either table the project or start over. He stated if the bid is rejected, the Board can instruct staff to look at other vendors.

It was the consensus of the Board to reject the current bid and to re-bid the project.

Mayor Weatherspoon asked Mr. Cook to inquire what vendor Campbell University uses.

### **D. National Day of Prayer Event**

Mayor Weatherspoon stated Reverend Chris Turner proposed to have National Day of Prayer on May 3, 2018 in the evening at Depot Square.

Commissioner Hawley stated if the event was held in the evening there would be more in attendance and less traffic at that time.

It was the consensus of the Board to allow the National Day of Prayer on May 3, 2018 in Depot Square at 7pm and to place the above item on the Consent Agenda for April's meeting.

**7. Adjournment:** Being no further business, the Town Board voted unanimously to adjourn the meeting at 8:27pm.

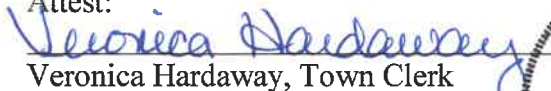
**Motion:** Commissioner Smith

**Second:** Commissioner Hawley

**Vote:** Unanimous, 4-0

  
Lewis W. Weatherspoon, Mayor

Attest:

  
Veronica Hardaway, Town Clerk

